

**BEFORE THE PUBLIC UTILITIES  
COMMISSION OF THE STATE OF CALIFORNIA**

**DECLARATION OF ANDY CARRASCO  
REGARDING CONFIDENTIALITY OF CERTAIN DATA**

I, Andy Carrasco, do declare as follows:

1. I am Andy Carrasco, Vice President for Communications, Local Government & Community Affairs for Southern California Gas Company (“SoCalGas”). I have directed the review of the documents that are responsive to “SoCalGas Response - CalAdvocates-TB-SCG-2021-03, Q9b, 10a and Q10c” and provided guidance on how to mark the documents for confidentiality purpose.” In addition, I am personally familiar with the facts and representations in this Declaration and, if called upon to testify, I could and would testify to the following based upon my personal knowledge and/or information and belief.

2. I hereby provide this Declaration in accordance with Decision (“D.”) 17-09-023 and General Order (“GO”) 66-D to demonstrate that the confidential information (“Protected Information”) provided in the Response submitted concurrently herewith and as described in specificity in Attachment A is within the scope of data protected as confidential under applicable statutory provisions including, but not limited to, Public Utilities Code (“PUC”) § 583, Govt. Code § 6254(k) and/or GO 66-D.

3. In accordance with the statutory provisions described herein, the Protected Information should be protected from public disclosure.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct to the best of my knowledge.

Executed this 31<sup>st</sup> day of March 2021, at Glendale, California.

Respectfully submitted on behalf of  
SOUTHERN CALIFORNIA GAS  
COMPANY

By: \_\_\_\_\_



ANDY CARRASCO  
Vice President for Communications, Local  
& Community Affairs

# ATTACHMENT A

## Confidentiality Justification for Protected Information as Provided in the Response

(Confidential Protected Information provided in the documents in response to this data request have been highlighted)

Location of Data	Description of Data	Legal Citations	Narrative Justification
Highlighted information in “Response 9b_Confidential”	Consultant invoice/pricing information.	<p>CPRA Exemption, Gov’t Code § 6254(k) (“Records, the disclosure of which is exempted or prohibited pursuant to federal or state law”)</p> <ul style="list-style-type: none"> <li>• <i>See, e.g.</i>, D.11-01-036, 2011 WL 660568 (2011) (agreeing that confidential prices and contract terms specifically negotiated with a program vendor is proprietary and commercially sensitive and should remain confidential)</li> <li>• <i>Valley Bank of Nev. v. Superior Court</i>, 15 Cal.3d 652, 658 (1975) (financial information is protected – especially of non-parties)</li> </ul>	<p>The produced documents are proprietary and represent and contain proprietary, commercially sensitive, trade secrets, and content not intended for public disclosure. The Commission has repeatedly held that pricing information received by a regulated utility from a third-party vendor is entitled to confidential treatment. Further, it is industry custom among regulated utilities to treat as confidential pricing terms entered into with third-party vendors. Moreover, public disclosure of the commercially sensitive information contained in the referenced documents would put SoCalGas at a competitive disadvantage because it would give other vendors/service providers insight into SoCalGas’ negotiating positions. SoCalGas conducts efforts which involve communications and work product intended for only access by designated employees.</p>
Highlighted information in response	Compensation and benefits information	CPRA Exemption, Gov’t Code § 6254(c) (exempting	

<p>document – 10a and highlighted information in attachment “Response 10c_Confidential”</p>		<p>from disclosure “personnel, medical, or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy”); <i>see</i> Cal. Const., art. 1, § 1 (“All people . . . have inalienable rights. Among these are . . . privacy.”); <i>Bd. of Trustees v. Superior Court</i> (1981) 119 Cal.App.3d 516, 529 (affirming the right to privacy in employment records, and finding that such records are not discoverable absent a “compelling need”); <i>Britt v. Superior Court</i> (1978) 20 Cal. 3d 844, 855-856 (even highly relevant information may be shielded from discovery if its disclosure would impair a person’s inalienable right of privacy provided by the California Constitution); <i>City of Carmel-by-the-Sea v. Young</i> (1970) 2 Cal.3d 259, 268 (“the protection of one’s personal financial affairs . . . is an aspect of the zone of privacy which is protected by the Fourth Amendment and which also falls within that penumbra of constitutional rights into which the government may not intrude absent a showing of compelling need and that the intrusion is not overly broad”); <i>Garcia v. City of Imperial</i>, 270 F.R.D. 566, 572-73 (S.D. Cal. 2010),</p>	<p>The documents contain, among other things, information on compensation and benefits conferred to individual employees. The public disclosure of such information implicates those employees’ right to privacy and cannot be disclosed absent “compelling need.” The privacy risks are heightened where, as here, there is a history of information produced in this investigation being shared with the media and/or the public at large.</p>
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