

**SOUTHERN CALIFORNIA GAS COMPANY**  
**(DATA REQUEST CALADVOCATES-TB-SCG-2021-03)**  
**Date Received: March 12, 2021**  
**Date Submitted: March 22, 2021 (Qs 2 & 4)**

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**GENERAL OBJECTIONS AND OBJECTIONS TO “INSTRUCTIONS”**

1. SoCalGas objects to the Instructions and Definitions submitted by Cal Advocates on the grounds that they are overbroad and unduly burdensome. Special interrogatory instructions of this nature are expressly prohibited by California Code of Civil Procedure Section 2030.060(d). SoCalGas further objects to the Instructions to the extent they purport to impose requirements exceeding that required by CPUC General Order 66-D or the Discovery Custom and Practice Guidelines provided by the CPUC.
2. SoCalGas objects to the Data Request’s imposition of a deadline of March 22, 2021 as unduly burdensome and unreasonable, particularly given the fact that Cal Advocates served another data request on March 8, 2021. Moreover, the deadline is contradictory. Cal Advocates says in the instructions that the response is due within ten business days, which would be March 26, 2021. But it sets a deadline of March 22, 2021, which is the sixth business day.
3. The highlighted sentence in the second paragraph under “General” states that if SoCalGas “acquire[s] additional information after providing an answer to any request, [it] must supplement [its] response following the receipt of such additional information.” SoCalGas objects to this instruction on the grounds that it is a continuing interrogatory expressly prohibited by Code of Civil Procedure § 2030.060(g), has no basis in the Commission’s Rules of Practice and Procedure, and exceeds that required by the Discovery Custom and Practice Guidelines provided by the CPUC.
4. The highlighted paragraph under “Responses” purports to require SoCalGas identify “the person providing the answer to each question and his/her contact information.” SoCalGas objects to this instruction because it has no basis in the Commission’s Rules of Practice and Procedure and exceeds that required by the Discovery Custom and Practice Guidelines provided by the CPUC.
5. The highlighted portion of the paragraph under “Requests for Clarification” purports to require SoCalGas to notify Cal Advocates “within five (5) business days” if “a request, definition, or an instruction is unclear”; the highlighted paragraph under “Objections” purports to require SoCalGas to “submit specific objections, including the specific legal basis to the objection . . . within five (5) business days”; and the highlighted portion of the paragraph under “Assertions of Privilege” in the “Instructions” section of this Request further purports to require SoCalGas to “assert any privilege for documents responsive to this data request . . . within five (5) business days.” SoCalGas objects to these requirements as unduly burdensome and unreasonable as SoCalGas cannot determine which aspects of the Request need clarification, formulate objections or identify privileged information and documents until SoCalGas has otherwise completed its investigation and prepared its response to the Request.
6. The highlighted paragraph under “Assertions of Confidentiality” purports to require SoCalGas, “[i]f it assert[s] confidentiality for any of the information provided,” to

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“please identify the information that is confidential with highlights and provide a specific explanation of the basis for each such assertion.” SoCalGas objects to this request the extent it purports to impose requirements exceeding the process for submitting confidential information to the Commission outlined in GO 66-D § 3, has no basis in the Code of Civil Procedure or the Commission’s Rules of Practice and Procedure, and exceeds that required by the Discovery Custom and Practice Guidelines provided by the CPUC.

7. The first highlighted paragraph under “Signed Declaration” purports to require SoCalGas to provide “a signed declaration from a responsible officer or an attorney under penalty of perjury that [SoCalGas has] used all reasonable diligence in preparation of the data response, and that to the best of [his or her] knowledge, it is true and complete.” SoCalGas objects to this instruction because it has no basis in the Code of Civil Procedure or the Commission’s Rules of Practice and Procedure, and exceeds that required by the Discovery Custom and Practice Guidelines provided by the CPUC. SoCalGas further objects to the extent it purports to limit SoCalGas from amending its responses should additional information be later discovered. SoCalGas reserves its right to amend its responses to these requests should additional information relevant to SoCalGas’s responses is discovered at a later date.
8. SoCalGas objects to the second highlighted paragraph under “Signed Declaration” to the extent it purports to impose requirements exceeding the process for submitting confidential information to the Commission outlined in GO 66-D § 3, has no basis in the Code of Civil Procedure or the Commission’s Rules of Practice and Procedure, and exceeds that required by the Discovery Custom and Practice Guidelines provided by the CPUC. SoCalGas further objects to this paragraph as unduly interfering with the attorney-client relationship and forcing waiver of the attorney-client privilege and attorney work product doctrines. This violates Evidence Code sections 954, 955, 915, and 912, and exceeds the power of the Commission by seeking to modify the legislatively mandated privilege. It further violates Cal. Code Civ. Pro. sections 128.7, 2018.030(a), and 2031.250(a), and as such exceeds the power of the Commission by setting rules in conflict with statute.
9. SoCalGas will produce responses only to the extent that such response is based upon personal knowledge or documents in the possession, custody, or control of SoCalGas, as set forth in the California Public Utilities Commission (“Commission or CPUC”) Rules of Practice and Procedure. SoCalGas’s possession, custody, or control does not include any constructive possession that may be conferred by SoCalGas’s right or power to compel the production of documents or information from third parties or to request their production from other divisions of the Commission.
10. SoCalGas objects to the definition of “you,” “your(s),” “Company,” “SCG,” and “SoCalGas” to the extent it seeks information from Sempra Energy. The responses below are made on behalf of SoCalGas only.

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**NONREFUNDABLE O&M (Q. 1 – 3)**

In DATA REQUEST CALADVOCATES-SC-SCG-2019-05, Q. 13 Cal Advocates asked: “Is nonrefundable O&M ratepayer funded?”

On August 27, 2019, SoCalGas responded: “SoCalGas objects to this question as being vague, ambiguous, and overly broad. Subject to and without waiving the foregoing objections, SoCalGas responds as follows: SoCalGas understands this request to pertain to the Balanced Energy IO. The costs and activities tracked by the Balanced Energy IO are not funded by ratepayers.” This answer is unresponsive.

The following questions 1-3 seek to understand generally how the term “nonrefundable O&M” is used by SoCalGas for accounting purposes. These questions do not pertain specifically to the Balanced Energy IO and should not be construed as such.

SoCalGas objects to this preamble as a misstating the factual record and argumentative. SoCalGas and Cal Advocates met and conferred on the response to CalAdvocates-SC-SCG-2019-05 (DR 5), Question 13 on September 27, 2019. SoCalGas then supplemented its answer on October 2, 2019

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**QUESTION 2:**

If the phrase “All costs should be nonrefundable O&M” was included in a Work Order, would it be understood by accounting staff to require them to book all costs associated with the Work Order to a below the line account?

**RESPONSE 2:**

SoCalGas objects to this request on the grounds that it has been asked and answered. Without waiving this objection, the General Objections and the Objections to the Instructions, SoCalGas responds as follows:

Please refer to the responses to data request CalAdvocates-SC-SCG-2019-05 (Question 13), as amended on October 2, 2019. As explained in that response and during SoCalGas’ and CalPA’s September 27, 2019 meet and confer regarding SC-SCG-2019-05, Q8, non-refundable O&M can be either ratepayer funded or shareholder funded. As such, if the phrase “All costs should be nonrefundable O&M” was included in a Work Order, it does not dictate that the associated costs should be recorded to a below the line account. As noted in WOA instructions provided in response 1 above, the FERC account listed on the WOA dictates which account to record the associated costs to.

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**AUDIT PREPARATION (Q.4 – 10)**

**QUESTION 4:**

Please provide all accounting instructions provided to SoCalGas accounting staff associated with the Balanced Energy Internal Order, also known as IO 300796601 (Balanced Energy IO).

**RESPONSE 4:**

SoCalGas objects to this request to the extent it has already been asked and answered. Without waiving this objection, the General Objections and the Objections to the Instructions, SoCalGas responds as follows:

Our Accounting staff follows the published policies when establishing new work orders.

Please refer to the responses to data request CalAdvocates-SC-SCG-2019-04 (Question 2) in which the SEU Approval and Commitment Policy. In response to data request CalAdvocates-TB-SCG-2020-04 (Questions 7 and 8) SoCalGas provided the Work Order Authorization Instructions and the SoCalGas Approval and Commitment Procedures which outline the standardized process and accounting procedures for approval and documentation of disbursements and financial commitments. In addition, see the FERC Uniform System of Accounts, FERC Gas Chart of Accounts, SEU FERC Subaccounts for SoCalGas and SoCalGas Approval and Commitment Policy document which replaces the SEU Approval and Commitment Policy for SoCalGas, all of which were submitted in data request CalAdvocates-TB-SCG-2021-02 (Question 5).