

SOUTHERN CALIFORNIA GAS COMPANY

(DATA REQUEST CALADVOCATES-AW-SCG-2020-08)

Responses to Questions [2-6] Submitted: January 15, 2021

Responses to Questions [1, 7-9, 11-13] Submitted: January 29, 2021

Response to Question [10] Submitted: March 1, 2021

Response to Question [14] Submitted: March 8, 2021

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 January 15, 2021 as unduly burdensome and unreasonable, particularly given the holidays and the fact that Cal Advocates served another data request on December 31, 2020.
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 “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

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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. SDG&E and SoCalGas possession, custody, or control does not include any constructive possession that may be conferred by SoCalGas’ 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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QUESTION 14:

Please see the Forms 635 and 640 submitted to the Fair Political Practices Commission (FPPC) by Sempra Energy on behalf of SoCalGas between 2018 and the third quarter of 2020 which are available on the FPPC's website. Please:

- a. Provide the accounting that identifies each expense that was included in the lump sum overhead expense disclosed on Line 1 of Form 640 for each quarter.
- b. Explain why payments made in support of C4BES have never been identified on any of the forms submitted to the FPPC.
- c. Explain whether Sempra or its affiliates have identified in FPPC filings any payments to Lobbying Coalitions as that term is defined in the Political Reform Act at Gov't Code § 82038.3 from 2015 to the present.
 - i. If so, please identify where, including confirming evidence.
 - ii. If not, please explain why not.
- d. Identify the specific activities William Blattner engaged in that justified over \$16,000 in payments to him in 2020 to influence legislative or administrative action.
 - i. Was this compensation in addition to his salary?
 - ii. Why was it separately identified on Form 640 instead of being included in overhead expenses on Line 1?
- e. Identify the specific activities Kent Kauss engaged in that justified the payments made to him in 2017 and 2018 to influence legislative or administrative action.
 - i. Was this compensation in addition to his salary?
 - ii. Why was it separately identified on Form 640 instead of being included in overhead expenses on Line 1, and where were these payments identified on Sempra Energy's 2019 GO 77-M form?
- f. Why are the reported payments to Marathon Communications in 2019 less than the actual amounts paid to the company?
 - i. Why were payments to the company not reported on FPPC Form 645?
- g. What activities did Marathon Communications perform in 2019 to earn the additional unreported monies paid to it?
- h. Why are the reported payments to Imprenta Communications Group in 2018 less than the actual amounts paid to the company?
 - i. Why were payments to the company not reported on Form 645?
 - i. What activities did Imprenta Communications Group perform in 2018 to earn the additional unreported monies paid to it?

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RESPONSE 14:

14. Please see the Forms 635 and 640 submitted to the Fair Political Practices Commission (FPPC) by Sempra Energy on behalf of SoCalGas between 2018 and the third quarter of 2020 which are available on the FPPC's website.

a. Subject to and without waiving the General Objections and Objections to "Instructions" stated above, which are expressly incorporated herein, SoCalGas responds as follows:

Please see the attached document showing the types of expenses used to calculate the lump sum overhead expense disclosed on Line 1 of Form 640 for each quarter. Line 1 of Form 640 reflects a percentage of the total overhead expenses in accordance with the requirements of Form 640.

Quarter	Overhead Expense Total	Rent	Office Expenses (i.e. Utilities, Fed Ex, Mail, Telephone, online services, etc.)
2018 Q1	13626.27	10789.50	2836.77
2018 Q2	17285.65	14612.36	2673.29
2018 Q3	14452.66	12256.59	2196.07
2018 Q4	5190.94	4473.21	717.73
2019 Q1	9856.69	7976.52	1880.17
2019 Q2	7937.99	6568.89	1369.10
2019 Q3	9956.74	8555.82	1400.92
2019 Q4	4048.60	3377.31	671.29
2020 Q1	9037.36	7797.79	1239.57
2020 Q2	4263.06	3656.11	606.95
2020 Q3	4331.14	3724.19	606.95

b. Subject to and without waiving the General Objections and Objections to "Instructions" stated above, which are expressly incorporated herein, SoCalGas responds as follows:

Based upon SoCalGas's understanding of the relevant Fair Political Practices Commission political reporting requirements, payments to C4BES are not required to be reported on the relevant forms.

c. SoCal Gas objects to this Request to the extent this data request seeks information about any subsidiary other than SoCalGas. Subject to and without waiving this objection and the

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General Objections and Objections to “Instructions” stated above, which are expressly incorporated herein, SoCalGas responds as follows:

From 2015 to the present, SoCalGas is unaware that it made any payments to any Lobbying Coalitions as that term defined in the Political Reform Act at Government Code §82038.3.

d. SoCalGas objections to this request on the grounds that it assumes facts not in evidence because it assumes that this employee received a direct payment of \$16,000 for lobbying work. Subject to and without waiving this objection, the General Objections and Objections to “Instructions” stated above, which are expressly incorporated herein, SoCalGas responds as follows:

The \$16,000 reported on Form 640 for William Blattner represents the portion of Mr. Blattner’s salary that is associated with the activities reported in his LATS entries. The reporting requirements for FPPC purposes are different from FERC 426.4 purposes and the amount reported for FPPC purposes are not necessarily appropriate for FERC 426.4 purposes. This amount is not incremental to his salary. As a portion of his salary, this amount is not “overhead expenses” reportable on Line 1.

e. SoCalGas objects to this Request on the grounds that it assumes facts not in evidence because it assumes that this employee received direct payments for lobbying work. Subject to and without waiving this objection, the General Objections and Objections to “Instructions” stated above, which are expressly incorporated herein, SoCalGas responds as follows:

See response to Data Request 14.d. above.

f. SoCalGas’s response is derived from available records and relies at least in part upon the memories of individuals. Moreover, certain personnel with knowledge are no longer with SoCalGas. Subject to this understanding and without waiving the General Objections and Objections to “Instructions” stated above, which are expressly incorporated herein, SoCalGas responds as follows:

SoCalGas made payments to Marathon Communications in 2019 that were not reportable under the applicable forms.

(i) SoCalGas’s understanding is that Form 645 is filed by entities that do not employ a lobbyist or contract with a lobbying firm. Accordingly, SoCalGas does not fall within the required filer definition of this form.

g. Certain personnel with knowledge are no longer with SoCalGas. Accordingly, SoCalGas’s response is derived from available records. Subject to this understanding and without waiving the General Objections and Objections to “Instructions” stated above, which are expressly incorporated herein, SoCalGas responds as follows:

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In 2019, Marathon provided strategic communications, consulting and implementation regarding Californians for Balanced Energy Solutions, including outreach, media planning, and message development. See documents attached to the response to Data Request No. Public Advocates Office-SCG051719, Question 5. In 2019, Marathon also subcontracted services to Imprinta, to develop and manage a website and social media accounts. SoCalGas also reimbursed Marathon for expenses such as travel and printing.

Additional documents containing relevant information may have been produced in response to other data requests as well. However, these documents are equally available to Cal Advocates as they are to SoCalGas.

h. SoCalGas's response is derived from available records and relies at least in part upon the memories of individuals. Moreover, certain personnel with knowledge are no longer with SoCalGas. Subject to this understanding and without waiving the General Objections and Objections to "Instructions" stated above, which are expressly incorporated herein, SoCalGas responds as follows:

SoCalGas made payments to Imprinta Communications in 2018 that were not reportable under the applicable forms.

SoCalGas's understanding is that Form 645 is filed by entities that do not employ a lobbyist or contract with a lobbying firm. Accordingly, SoCalGas does not fall within the required filer definition of this form.

i. Certain personnel with knowledge are no longer with SoCalGas. Accordingly, SoCalGas's response is derived from available records. Subject to this understanding and without waiving the General Objections and Objections to "Instructions" stated above, which are expressly incorporated herein, SoCalGas responds as follows:

In 2018, SoCalGas paid Imprinta to maintain the RNGBusesNow.org bilingual landing pages, including hosting the landing pages, malware detection, SEO maintenance, and other miscellaneous site security protection. Imprinta was also paid to post organic content on RNG Coalition's FB page and promoted content on RNG Coalition's Twitter page actively. Imprinta was also paid to develop asset creation, including content generation, publishing, platform management and reporting. See documents attached to the response to Data Request No. CALADVOCATES-AW-SCG-2020-01, Question 18.

Additional documents containing relevant information may have been produced in response to other data requests as well. However, these documents are equally available to Cal Advocates as they are to SoCalGas.