

SOUTHERN CALIFORNIA GAS COMPANY

(DATA REQUEST CALADVOCATES-AW-SCG-2020-06)

Date Received: August 6, 2020

Date Submitted: August 20, 2020

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 August 20, 2020 as unduly burdensome and unreasonable, particularly given the breadth and scope of the Request.
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 Procedure, and exceeds that required by the Discovery Custom and Practice Guidelines provided by the CPUC.

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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.
 9. 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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The following questions focus on SoCalGas' advocacy between January 1, 2013 and today to influence the California Energy Commission regarding its Energy Efficiency Standards, including advocacy related to heat pump water heaters. The "internal communications" referenced in this data request are attached to this email.

QUESTION 1:

In internal SoCalGas communications, SoCalGas proposes two "Advocacy Strategies" regarding heat pump water heaters: "Option 1 / Staff Approach" and "Option 2 / Public Approach."³

- a. Please describe any activities from the two options above that SoCalGas or its contractors undertook to lobby the California Energy Commission (CEC) on its Energy Efficiency (EE) Standards between January 1, 2013 and today.
- b. Please describe any additional actions by SoCalGas or its contractors to lobby the CEC on its EE Standards between January 1, 2013 and today.

RESPONSE 1:

SoCalGas objects to this Request's date range "between January 1, 2013 and today" as overly broad and unduly burdensome, particularly because the activities that are the subject of the documents referenced in this Request took place during a shorter or different time frame. In responding to this Request, SoCalGas has prepared its response using the date range applicable to the activities that are the subject of this Request. SoCalGas further objects to this Request's use of the term "lobby" as vague, ambiguous, and without foundation. The Request states that the term "lobbying" shall be "construed broadly and, without limitation, to be inclusive of how [that] term[] [is] described in the Sempra Energy Political Activities Policy and the training materials related to the Policy." Since the Sempra Political Activities Policy defines "lobbying" for reporting purposes, SoCalGas objects to this Request to the extent that it seeks information about "lobbying" as that term may be used for any other purpose, such as accounting. SoCalGas also objects to the extent that its response to this Request is misconstrued as providing information concerning activities that may be considered as "lobbying" outside of the lobbying reporting context, such as accounting. SoCalGas further objects to the extent that the definition of "lobbying" asserted by Cal Advocates is incomplete, inaccurate or without foundation. The Sempra Political Activities Policy also provides that "there are...local lobbying registration and disclosure laws with which Sempra Energy and the Sempra Energy Companies comply" (Sempra Political Activities Policy, at p. 1). As such, activities can be excluded as lobbying for reporting purposes by particular laws, regulations, ordinances, or guidance provided by the governmental body at issue, such as differing local jurisdictional definitions. Further, for purposes of responding to this Request, SoCalGas may include, identify or disclose certain

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activities for which it is not entirely clear whether they constitute “lobbying” under the Sempra Political Activities Policy regarding lobbying reporting, but in doing so SoCalGas objects to the extent that its response to this Request is misconstrued as, or equated with, an admission that the included, identified or disclosed activities necessarily constitute “lobbying” under the Sempra Political Activities Policy regarding lobbying reporting. SoCalGas further objects to this Request’s use of the undefined term “actions” as vague and ambiguous. SoCalGas further objects to the extent that the information sought by this Request is the subject of the Order Instituting Rulemaking Concerning Energy Efficiency Rolling Portfolios, Policies, Programs, Evaluation, and Related Issues (R. 13-11-005), including but not limited to the March 2, 2020 *Assigned Commissioner’s Ruling Setting the Scope and Schedule for the Order to Show Cause Against Southern California Gas Company*); and/or the Order Instituting Rulemaking Regarding Policies, Procedures and Rules for the Self-Generation Incentive Program and Related Issues (R. 20-05-012), and that the proper venue for this discovery is not this Request served outside of those open proceedings. Subject to and without waiving these objections, the specific objections to this Question and the General Objections and Objections to “Instructions” stated above, which are expressly incorporated herein, SoCalGas responds as follows:

SoCalGas is conducting a diligent search for information subject to this Request, and to date has not found anything responsive to this Request. Further, the document referred to in this Request speaks for itself, and to date SoCalGas has not located any information in addition to that provided in the document.

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QUESTION 2:

In internal SoCalGas communications, SoCalGas states “We are developing a coalition to counter the [Codes and Standards Enhancement] CASE recommendations.”

- a. What is the name of the coalition referred to in this data request’s (DR) Q. 2?
- b. Describe any activities by SoCalGas or its contractors to form and/or support this coalition between January 1, 2013 and today.
 - Include any donations or other forms of payment provided to this coalition by SoCalGas or its contractors.
- c. Describe any coalition activities SoCalGas or any of its contractors supported to lobby the CEC on its EE Standards between January 1, 2013 and today.
 - Describe the role of SoCalGas or its contractors in these activities.

RESPONSE 2:

SoCalGas objects to this Request’s date range “between January 1, 2013 and today” as overly broad and unduly burdensome, particularly because the activities that are the subject of the documents referenced in this Request took place during a shorter or different time frame. In responding to this Request, SoCalGas has prepared its response using the date range applicable to the activities that are the subject of this Request. SoCalGas further objects to this Request’s use of the term “lobby” as vague, ambiguous, and without foundation. The Request states that the term “lobbying” shall be “construed broadly and, without limitation, to be inclusive of how [that] term[] [is] described in the Sempra Energy Political Activities Policy and the training materials related to the Policy.” Since the Sempra Political Activities Policy defines “lobbying” for reporting purposes, SoCalGas objects to this Request to the extent that it seeks information about “lobbying” as that term may be used for any other purpose, such as accounting. SoCalGas also objects to the extent that its response to this Request is misconstrued as providing information concerning activities that may be considered as “lobbying” outside of the lobbying reporting context, such as accounting. SoCalGas further objects to the extent that the definition of “lobbying” asserted by Cal Advocates is incomplete, inaccurate or without foundation. The Sempra Political Activities Policy also provides that “there are...local lobbying registration and disclosure laws with which Sempra Energy and the Sempra Energy Companies comply” (Sempra Political Activities Policy, at p. 1). As such, activities can be excluded as lobbying for reporting purposes by particular laws, regulations, ordinances, or guidance provided by the governmental body at issue, such as differing local jurisdictional definitions. Further, for purposes of responding to this Request, SoCalGas may include, identify or disclose certain activities for which it is not entirely clear whether they constitute “lobbying” under the Sempra Political Activities Policy regarding lobbying reporting, but in doing so SoCalGas objects to

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the extent that its response to this Request is misconstrued as, or equated with, an admission that the included, identified or disclosed activities necessarily constitute “lobbying” under the Sempra Political Activities Policy regarding lobbying reporting. SoCalGas further objects to this Request’s use of the undefined term “actions” as vague and ambiguous. SoCalGas further objects to the extent that the information sought by this Request is the subject of the Order Instituting Rulemaking Concerning Energy Efficiency Rolling Portfolios, Policies, Programs, Evaluation, and Related Issues (R. 13-11-005), including but not limited to the March 2, 2020 *Assigned Commissioner’s Ruling Setting the Scope and Schedule for the Order to Show Cause Against Southern California Gas Company*); and/or the Order Instituting Rulemaking Regarding Policies, Procedures and Rules for the Self-Generation Incentive Program and Related Issues (R. 20-05-012), and that the proper venue for this discovery is not this Request served outside of those open proceedings. Subject to and without waiving these objections and the General Objections and Objections to “Instructions” stated above, which are expressly incorporated herein, SoCalGas responds as follows:

SoCalGas is conducting a diligent search for information subject to this Request, and to date has not found anything responsive to this Request. Further, the document referred to in this Request speaks for itself, and to date SoCalGas has not located any information in addition to that provided in the document.

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QUESTION 3:

In internal SoCalGas communications, SoCalGas describes an “Action Plan” including “External advocacy from AGA, APGA, Manufacturers and possibly builders, real estate organizations and community advocates.”⁵

- a. Describe any activities SoCalGas or its contractors conducted in its “external advocacy” (quoted from DR Q. 3) from other organizations regarding lobbying the CEC on its EE Standards between January 1, 2013 and today.
- b. List all groups SoCalGas or its contractors coordinated with on these “external advocacy” (quoted from DR Q. 3) efforts between January 1, 2013 and today.
 - Include any donations or other forms of payment provided to these groups by SoCalGas or its contractors between January 1, 2013 and today.

RESPONSE 3:

SoCalGas objects to this Request’s date range “between January 1, 2013 and today” as overly broad and unduly burdensome, particularly because the activities that are the subject of the documents referenced in this Request took place during a shorter or different time frame. In responding to this Request, SoCalGas has prepared its response using the date range applicable to the activities that are the subject of this Request. SoCalGas further objects to this Request’s use of the term “lobbying” as vague, ambiguous, and without foundation. The Request states that the term “lobbying” shall be “construed broadly and, without limitation, to be inclusive of how [that] term[] [is] described in the Sempra Energy Political Activities Policy and the training materials related to the Policy.” Since the Sempra Political Activities Policy defines “lobbying” for reporting purposes, SoCalGas objects to this Request to the extent that it seeks information about “lobbying” as that term may be used for any other purpose, such as accounting. SoCalGas also objects to the extent that its response to this Request is misconstrued as providing information concerning activities that may be considered as “lobbying” outside of the lobbying reporting context, such as accounting. SoCalGas further objects to the extent that the definition of “lobbying” asserted by Cal Advocates is incomplete, inaccurate or without foundation. The Sempra Political Activities Policy also provides that “there are...local lobbying registration and disclosure laws with which Sempra Energy and the Sempra Energy Companies comply” (Sempra Political Activities Policy, at p. 1). As such, activities can be excluded as lobbying for reporting purposes by particular laws, regulations, ordinances, or guidance provided by the governmental body at issue, such as differing local jurisdictional definitions. Further, for purposes of responding to this Request, SoCalGas may include, identify or disclose certain activities for which it is not entirely clear whether they constitute “lobbying” under the Sempra Political Activities Policy regarding lobbying reporting, but in doing so SoCalGas objects to the extent that its response to this Request is misconstrued as, or equated with, an admission

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that the included, identified or disclosed activities necessarily constitute “lobbying” under the Sempra Political Activities Policy regarding lobbying reporting. SoCalGas further objects to the undefined phrase “other forms of payment” as vague, ambiguous, and overly broad. SoCalGas further objects to the extent that the information sought by this Request is the subject of the Order Instituting Rulemaking Concerning Energy Efficiency Rolling Portfolios, Policies, Programs, Evaluation, and Related Issues (R. 13-11-005), including but not limited to the March 2, 2020 *Assigned Commissioner’s Ruling Setting the Scope and Schedule for the Order to Show Cause Against Southern California Gas Company*); and/or the Order Instituting Rulemaking Regarding Policies, Procedures and Rules for the Self-Generation Incentive Program and Related Issues (R. 20-05-012), and that the proper venue for this discovery is not this Request served outside of those open proceedings. Subject to and without waiving these objections and the General Objections and Objections to “Instructions” stated above, which are expressly incorporated herein, SoCalGas responds as follows:

SoCalGas is conducting a diligent search for information subject to this Request, and to date has not found anything responsive to this Request. Further, the document referred to in this Request speaks for itself, and to date SoCalGas has not located any information in addition to that provided in the document.

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QUESTION 4:

In internal SoCalGas communications, SoCalGas describes an “Action Plan” including “Environmental policy outreach to decision makers and State stakeholders (Ken Chawkins, Jared Liu-Klein, Tamara Raspberry).”⁶

- a. Describe what activities SoCalGas or its contractors conducted in its “Environmental policy outreach” (quoted from DR Q. 4) regarding lobbying the CEC on its EE Standards between January 1, 2013 and today.
- b. List all “decision makers and State stakeholders” (quoted from DR Q. 4) SoCalGas or its contractors engaged in these outreach efforts between January 1, 2013 and today.

RESPONSE 4:

SoCalGas objects to this Request’s date range “between January 1, 2013 and today” as overly broad and unduly burdensome, particularly because the activities that are the subject of the documents referenced in this Request took place during a shorter or different time frame. In responding to this Request, SoCalGas has prepared its response using the date range applicable to the activities that are the subject of this Request. SoCalGas further objects to this Request’s use of the term “lobbying” as vague, ambiguous, and without foundation. The Request states that the term “lobbying” shall be “construed broadly and, without limitation, to be inclusive of how [that] term[] [is] described in the Sempra Energy Political Activities Policy and the training materials related to the Policy.” Since the Sempra Political Activities Policy defines “lobbying” for reporting purposes, SoCalGas objects to this Request to the extent that it seeks information about “lobbying” as that term may be used for any other purpose, such as accounting. SoCalGas also objects to the extent that its response to this Request is misconstrued as providing information concerning activities that may be considered as “lobbying” outside of the lobbying reporting context, such as accounting. SoCalGas further objects to the extent that the definition of “lobbying” asserted by Cal Advocates is incomplete, inaccurate or without foundation. The Sempra Political Activities Policy also provides that “there are...local lobbying registration and disclosure laws with which Sempra Energy and the Sempra Energy Companies comply” (Sempra Political Activities Policy, at p. 1). As such, activities can be excluded as lobbying for reporting purposes by particular laws, regulations, ordinances, or guidance provided by the governmental body at issue, such as differing local jurisdictional definitions. Further, for purposes of responding to this Request, SoCalGas may include, identify or disclose certain activities for which it is not entirely clear whether they constitute “lobbying” under the Sempra Political Activities Policy regarding lobbying reporting, but in doing so SoCalGas objects to the extent that its response to this Request is misconstrued as, or equated with, an admission that the included, identified or disclosed activities necessarily constitute “lobbying” under the

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Sempra Political Activities Policy regarding lobbying reporting. SoCalGas further objects to this Request's use of the undefined term "engaged" as vague and ambiguous. SoCalGas further objects to the extent that the information sought by this Request is the subject of the Order Instituting Rulemaking Concerning Energy Efficiency Rolling Portfolios, Policies, Programs, Evaluation, and Related Issues (R. 13-11-005), including but not limited to the March 2, 2020 *Assigned Commissioner's Ruling Setting the Scope and Schedule for the Order to Show Cause Against Southern California Gas Company*); and/or the Order Instituting Rulemaking Regarding Policies, Procedures and Rules for the Self-Generation Incentive Program and Related Issues (R. 20-05-012), and that the proper venue for this discovery is not this Request served outside of those open proceedings. Subject to and without waiving these objections and the General Objections and Objections to "Instructions" stated above, which are expressly incorporated herein, SoCalGas responds as follows:

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QUESTION 5:

In internal SoCalGas communications, SoCalGas lists 8 actions including “One-on-One Meetings,” “Workshops,” “Community,” “Conferences,” “Internal,” “Philanthropy/Charitable Contributions,” “Academic,” and “Media.” In the context of these 8 proposed actions:

- a. Describe SoCalGas’ intended goal of these 8 actions.
- b. Describe any efforts by SoCalGas or its contractors to “Gain third party support” (from internal SoCalGas communications) between January 1, 2013 and today.
- c. Describe any efforts by SoCalGas or its contractors to have “active participation in non-profit organizations” including “place SCG policy managers on non-profit boards and provide resource support for key organizations” (from internal SoCalGas communications) between January 1, 2013 and today.
- d. Describe any activities SoCalGas or its contractors conducted related to the remainder of the 8 actions listed between January 1, 2013 and today.
- e. List all other organizations SoCalGas or its contractors engaged with related to the 8 actions between January 1, 2013 and today.
 - Include any donations or other forms of payment provided to any of these organizations between January 1, 2013 and today.

RESPONSE 5:

SoCalGas objects to this Request’s date range “between January 1, 2013 and today” as overly broad and unduly burdensome, particularly because the activities that are the subject of the documents referenced in this Request took place during a shorter or different time frame. In responding to this Request, SoCalGas has prepared its response using the date range applicable to the activities that are the subject of this Request. SoCalGas further objects to the extent that the information sought by this Request is the subject of the Order Instituting Rulemaking Concerning Energy Efficiency Rolling Portfolios, Policies, Programs, Evaluation, and Related Issues (R. 13-11-005), including but not limited to the March 2, 2020 *Assigned Commissioner’s Ruling Setting the Scope and Schedule for the Order to Show Cause Against Southern California Gas Company*); and/or the Order Instituting Rulemaking Regarding Policies, Procedures and Rules for the Self-Generation Incentive Program and Related Issues (R. 20-05-012), and that the proper venue for this discovery is not this Request served outside of those open proceedings. Subject to and without waiving this objection and the General Objections and Objections to “Instructions” stated above, which are expressly incorporated herein, SoCalGas responds as follows:

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QUESTION 6:

With regard to the lobbying described in response to questions 1-5, please identify:

- a. Each date that such lobbying occurred;
- b. The specific issues that the lobbying addressed;
- c. All of the individuals who authorized the lobbying;
- d. The name and title of each SoCalGas employee involved in the lobbying;
- e. Any agent, consultant or firm engaged to support or participate in any manner with the lobbying; and
- f. The total costs that SoCalGas has incurred in association with this lobbying.

RESPONSE 6:

SoCalGas objects to this Request's use of the phrase "total costs that SoCalGas has incurred," is vague, ambiguous, undefined and overbroad. SoCalGas further objects to this Request to the extent that it purports to impose on SoCalGas an obligation to generate or create records or data which do not exist, or which have not been generated or created in its regular course of business. Such an obligation exceeds the requirements under the CPUC's Discovery Custom and Practice Guidelines and California Code of Civil Procedure Section 2031.230 (proper response stating inability to comply with discovery request includes a statement that "the particular item or category [of records] has never existed"). See also A.05-04-020, In the Matter of the Joint Application of Verizon Communications Inc. and MCI, Inc., Administrative Law Judge's Ruling Addressing Motion of Qwest to Compel Responses, Aug. 5, 2005, at p. 7 (regarding motion to compel, emphasizing that "Verizon is not required to create new documents responsive to the data request") (also available at 2005 WL 1866062); A.05-02-027, In the Matter of the Joint Application of SBC Communications Inc. and AT&T Corp., Administrative Law Judge's Ruling Regarding ORA's Second Motion to Compel, June 8, 2005, at p.23 (on motion to compel, stressing that SBC Communications "shall not be required to produce new studies specifically in response to this DR") (also available at 2005 WL 1660395). SoCalGas further objects to the extent that the Request assumes, without foundation, that SoCalGas creates or keeps records or information in the ordinary course of business that track the time and costs each day of each of the employees and/or consultants who participated in the activities referenced in this Request, with the intent of reporting out a log of incremental time or costs associated with their daily activities. SoCalGas further objects to the extent that the information sought by this Request is the subject of the Order Instituting Rulemaking Concerning Energy Efficiency Rolling Portfolios, Policies, Programs, Evaluation,

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and Related Issues (R. 13-11-005), including but not limited to the March 2, 2020 *Assigned Commissioner's Ruling Setting the Scope and Schedule for the Order to Show Cause Against Southern California Gas Company*); and/or the Order Instituting Rulemaking Regarding Policies, Procedures and Rules for the Self-Generation Incentive Program and Related Issues (R. 20-05-012), and that the proper venue for this discovery is not this Request served outside of those open proceedings. Subject to and without waiving these objections, the specific objection to the term "lobbying" stated above, and the General Objections and Objections to "Instructions" stated above, which are expressly incorporated herein, SoCalGas responds as follows:

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QUESTION 7:

With regard to the lobbying described in response to question 6, please provide:

- a. Any contracts or other business agreements related to the lobbying;
- b. Any invoices related to the lobbying, regardless of the status of such invoice; and
- c. Any materials used to prepare for or presented during the lobbying.

RESPONSE 7:

SoCalGas objects to the use of the term “lobbying” in this Request (including subparts (a), (b), and (c)) as vague, ambiguous, and without foundation. The Request states that the term “lobbying” shall be “construed broadly and, without limitation, to be inclusive of how [that] term[] [is] described in the Sempra Energy Political Activities Policy and the training materials related to the Policy.” Since the Sempra Political Activities Policy defines “lobbying” for reporting purposes, SoCalGas objects to this Request to the extent that it seeks information about “lobbying” as that term may be used for any other purpose, such as accounting. SoCalGas also objects to the extent that its response to this Request is misconstrued as providing information concerning activities that may be considered as “lobbying” outside of the lobbying reporting context, such as accounting. SoCalGas further objects to the extent that the definition of “lobbying” asserted by Cal Advocates is incomplete, inaccurate or without foundation. The Sempra Political Activities Policy also provides that “there are...local lobbying registration and disclosure laws with which Sempra Energy and the Sempra Energy Companies comply” (Sempra Political Activities Policy, at p. 1). As such, activities can be excluded as lobbying for reporting purposes by particular laws, regulations, ordinances, or guidance provided by the governmental body at issue, such as differing local jurisdictional definitions. Further, for purposes of responding to this Request, SoCalGas may include, identify or disclose certain activities for which it is not entirely clear whether they constitute “lobbying” under the Sempra Political Activities Policy regarding lobbying reporting, but in doing so SoCalGas objects to the extent that its response to this Request is misconstrued as, or equated with, an admission that the included, identified or disclosed activities necessarily constitute “lobbying” under the Sempra Political Activities Policy regarding lobbying reporting. SoCalGas further objects to this Request’s use of the undefined terms “business agreements” and “related to” as vague, ambiguous, and overly broad. SoCalGas further objects to the extent that the information sought by this Request is the subject of the Order Instituting Rulemaking Concerning Energy Efficiency Rolling Portfolios, Policies, Programs, Evaluation, and Related Issues (R. 13-11-005), including but not limited to the March 2, 2020 *Assigned Commissioner’s Ruling Setting the Scope and Schedule for the Order to Show Cause Against Southern California Gas Company*); and/or the Order Instituting Rulemaking

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Regarding Policies, Procedures and Rules for the Self-Generation Incentive Program and Related Issues (R. 20-05-012), and that the proper venue for this discovery is not this Request served outside of those open proceedings. Subject to and without waiving these objections, the specific objection to the term “lobbying” stated above, and the General Objections and Objections to “Instructions” stated above, which are expressly incorporated herein, SoCalGas responds as follows:

SoCalGas is conducting a diligent search for information subject to this Request, and to date has not found anything responsive to this Request.

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QUESTION 8:

Please disaggregate the costs identified in response to question 6 into the following categories:

- a. Labor;
- b. Travel, lodging, meals, and incidental travel expenses;
- c. Consultant costs; and
- d. Other.

RESPONSE 8:

SoCalGas objects to this Request to the extent that it purports to impose on SoCalGas an obligation to generate or create records or data which do not exist, or which have not been generated or created in its regular course of business. Such an obligation exceeds the requirements under the CPUC's Discovery Custom and Practice Guidelines and California Code of Civil Procedure Section 2031.230 (proper response stating inability to comply with discovery request includes a statement that "the particular item or category [of records] has never existed"). See also A.05-04-020, In the Matter of the Joint Application of Verizon Communications Inc. and MCI, Inc., Administrative Law Judge's Ruling Addressing Motion of Qwest to Compel Responses, Aug. 5, 2005, at p. 7 (regarding motion to compel, emphasizing that "Verizon is not required to create new documents responsive to the data request") (also available at 2005 WL 1866062); A.05-02-027, In the Matter of the Joint Application of SBC Communications Inc. and AT&T Corp., Administrative Law Judge's Ruling Regarding ORA's Second Motion to Compel, June 8, 2005, at p.23 (on motion to compel, stressing that SBC Communications "shall not be required to produce new studies specifically in response to this DR") (also available at 2005 WL 1660395). SoCalGas further objects to the extent that the Request assumes, without foundation, that SoCalGas creates or keeps records or information in the ordinary course of business that track the time and costs each day of each of the employees and/or consultants who participated in the activities referenced in this Request, with the intent of reporting out a log of incremental time or costs associated with their daily activities. SoCalGas further objects to this Request as improper because it seeks to pre-litigate the next GRC. The costs that Cal Advocates requests from 2017 to present are not litigated until the next GRC where the 5-year historical period of actual costs is examined. SoCalGas further objects to the extent that the information sought by this Request is the subject of the Order Instituting Rulemaking Concerning Energy Efficiency Rolling Portfolios, Policies, Programs, Evaluation, and Related Issues (R. 13-11-005), including but not limited to the March 2, 2020 *Assigned Commissioner's Ruling Setting the*

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Scope and Schedule for the Order to Show Cause Against Southern California Gas Company); and/or the Order Instituting Rulemaking Regarding Policies, Procedures and Rules for the Self-Generation Incentive Program and Related Issues (R. 20-05-012), and that the proper venue for this discovery is not this Request served outside of those open proceedings. Subject to and without waiving these and the General Objections and Objections to “Instructions” stated above, which are expressly incorporated herein, SoCalGas responds as follows:

SoCalGas is conducting a diligent search for information subject to this Request, and to date has not found anything responsive to this Request.

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QUESTION 9:

Please identify each account to which any portion of the costs identified in response to question 6 were charged.

- a. State the account name and cost center number;
- b. State which portion of the payment is or will be booked to an above-the-line account (i.e. ratepayer funded) and which portion is or will be booked to a below-the-line account (i.e. shareholder funded);
- c. State how much was charged to the account; and
- d. Provide a narrative explanation for why the payments were assigned in the manner identified above.

RESPONSE 9:

SoCalGas objects to this Request to the extent that it purports to impose on SoCalGas an obligation to generate or create records or data which do not exist, or which have not been generated or created in its regular course of business. Such an obligation exceeds the requirements under the CPUC's Discovery Custom and Practice Guidelines and California Code of Civil Procedure Section 2031.230 (proper response stating inability to comply with discovery request includes a statement that "the particular item or category [of records] has never existed"). See also A.05-04-020, In the Matter of the Joint Application of Verizon Communications Inc. and MCI, Inc., Administrative Law Judge's Ruling Addressing Motion of Qwest to Compel Responses, Aug. 5, 2005, at p. 7 (regarding motion to compel, emphasizing that "Verizon is not required to create new documents responsive to the data request") (also available at 2005 WL 1866062); A.05-02-027, In the Matter of the Joint Application of SBC Communications Inc. and AT&T Corp., Administrative Law Judge's Ruling Regarding ORA's Second Motion to Compel, June 8, 2005, at p.23 (on motion to compel, stressing that SBC Communications "shall not be required to produce new studies specifically in response to this DR") (also available at 2005 WL 1660395). SoCalGas further objects to the extent that the Request assumes, without foundation, that SoCalGas creates or keeps records or information in the ordinary course of business that track the time and costs each day of each of the employees and/or consultants who participated in the activities referenced in this Request, with the intent of reporting out a log of incremental time or costs associated with their daily activities. SoCalGas further objects to this Request as improper because it seeks to pre-litigate the next GRC. The costs that Cal Advocates requests from 2017 to present are not litigated until the next GRC where the 5-year historical period of actual costs is examined. SoCalGas further objects to this Request's use of the undefined term "narrative

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explanation” as vague, ambiguous, and overly broad. SoCalGas further objects to the extent that the information sought by this Request is the subject of the Order Instituting Rulemaking Concerning Energy Efficiency Rolling Portfolios, Policies, Programs, Evaluation, and Related Issues (R. 13-11-005), including but not limited to the March 2, 2020 *Assigned Commissioner’s Ruling Setting the Scope and Schedule for the Order to Show Cause Against Southern California Gas Company*); and/or the Order Instituting Rulemaking Regarding Policies, Procedures and Rules for the Self-Generation Incentive Program and Related Issues (R. 20-05-012), and that the proper venue for this discovery is not this Request served outside of those open proceedings. Subject to and without waiving this objection and the General Objections and Objections to “Instructions” stated above, which are expressly incorporated herein, SoCalGas responds as follows:

SoCalGas is conducting a diligent search for information subject to this Request, and to date has not found anything responsive to this Request.

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QUESTION 10:

Provide copies of all Work Order Authorizations where charges for the activities identified in this data request were accounted for.

RESPONSE 10:

SoCalGas objects to the extent that the information sought by this Request is the subject of the Order Instituting Rulemaking Concerning Energy Efficiency Rolling Portfolios, Policies, Programs, Evaluation, and Related Issues (R. 13-11-005), including but not limited to the March 2, 2020 *Assigned Commissioner's Ruling Setting the Scope and Schedule for the Order to Show Cause Against Southern California Gas Company*; and/or the Order Instituting Rulemaking Regarding Policies, Procedures and Rules for the Self-Generation Incentive Program and Related Issues (R. 20-05-012), and that the proper venue for this discovery is not this Request served outside of those open proceedings. Subject to and without waiving these objections and the General Objections and Objections to "Instructions" stated above, which are expressly incorporated herein, SoCalGas responds as follows:

SoCalGas is conducting a diligent search for information subject to this Request, and to date has not found anything responsive to this Request.