

**SOUTHERN CALIFORNIA GAS COMPANY**  
**(DATA REQUEST CALADVOCATES-AW-SCG-2020-08)**  
**Date Received: December 31, 2020**  
**Date Submitted: January 15, 2021**

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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 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 2:**

Provide all bylaws for Californians for Balanced Energy Solutions (C4BES).

**RESPONSE 2:**

SoCalGas objects to this question as unduly burdensome to the extent it seeks documents or information that SoCalGas previously produced to Cal Advocates. Responding to this request is oppressive, unduly burdensome, and unnecessarily expensive as the burden of responding to such requests is substantially the same or less for Cal Advocates as for SoCalGas. Subject to and without waiving the General Objections and Objections to “Instructions” stated above, which are expressly incorporated herein, SoCalGas responds as follows:

SoCalGas has already produced any bylaws that it was able to locate in a reasonable search in its document production for CalAdvocates-SC-SCG-2019-06.

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**QUESTION 3:**

Provide documents identifying the officers of C4BES at the time of its formation, and documentary evidence establishing the date on which each such officer agreed to be an officer of C4BES.

**RESPONSE 3:**

SoCalGas objects to this question as unduly burdensome to the extent it seeks documents or information that SoCalGas previously produced to Cal Advocates. Responding to this request is oppressive, unduly burdensome, and unnecessarily expensive as the burden of responding to such requests is substantially the same or less for Cal Advocates as for SoCalGas. Subject to and without waiving the General Objections and Objections to “Instructions” stated above, which are expressly incorporated herein, SoCalGas responds as follows:

SoCalGas has already produced any documents responsive to this request that it was able to locate in a reasonable search in its document production for CalAdvocates-SC-SCG-2019-06.

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**QUESTION 4:**

Identify the total amount of all donations to C4BES in 2019.

- a. How much was donated by SoCalGas and how much was donated by other investor-owned utilities (IOUs) or entities representing IOUs during this period?

**RESPONSE 4:**

SoCalGas objects to this Request on the grounds that it is overly broad, vague, and ambiguous as to the phrase “all donations” and “entities representing IOUs.” Further, SoCalGas objects to this Request to the extent it calls for speculation as to “how much was donated by other investor-owned utilities (IOUs) or entities representing IOUs during this period.”

Subject to and without waiving this Objection, the General Objections and Objections to “Instructions” stated above, which are expressly incorporated herein, SoCalGas responds, on its own behalf, as follows:

- a. SoCalGas contributed \$222,000 in 2019 to C4BES. The contributions were made from below-the-line accounts.

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**QUESTION 5:**

Identify the total amount of all donations to C4BES in 2020.

- a. How much was donated by SoCalGas, and how much was donated by other IOUs or entities representing IOUs during this period?

**RESPONSE 5:**

SoCalGas objects to this Request on the grounds that it is overly broad, vague, and ambiguous as to the phrase “all donations” and “entities representing IOUs.” Further, SoCalGas objects to this Request to the extent it calls for speculation as to “how much was donated by other investor-owned utilities (IOUs) or entities representing IOUs during this period.”

Subject to and without waiving this Objection, the General Objections and Objections to “Instructions” stated above, which are expressly incorporated herein, SoCalGas responds, on its own behalf, as follows:

- a. SoCalGas contributed \$185,000 in December 2020 to C4BES. The contributions were made from below-the-line accounts.

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**QUESTION 6:**

Has John Switalski been paid to act as the C4BES Executive Director?

a. If so, how much has he been paid for each year from 2018 to the present?

**RESPONSE 6:**

In responding to this question, SoCalGas provided this question to the current business unit personnel most likely to have information relevant to this response. SoCalGas's response relies on the memories of these individuals and thus may not capture all responsive information. Moreover, certain personnel potentially with knowledge are no longer with SoCalGas.

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

SoCalGas's current personnel lack personal knowledge regarding Jon Switalski's compensation. However, SoCalGas assumes that Jon Switalski is paid to act as the C4BES Executive Director.