

## SOUTHERN CALIFORNIA GAS COMPANY

(DATA REQUEST CALADVOCATES-TB-SCG-2020-04)

Date Received: June 30, 2020

Responses to Questions [2-3, 7-11, 16-21, 23, 25] Submitted: July 10, 2020

Responses to Questions [1, 6, 12-15] Submitted July 24, 2020

Responses to Questions [amendment to 3, 22, 24a-e] Submitted August 9, 2020

Responses to Questions [4-5, 24f] Submitted August 28, 2020

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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 July 10, 2020 as unduly burdensome and unreasonable, particularly given the breadth and scope of the Request. (SoCalGas further notes that, under the first paragraph of the “Instructions,” Cal Advocates requests responses “within ten (10) *business days*,” which would be July 14, 2020, not July 10, 2020. Thus, the July 10 deadline set forth in the Data Request, in addition to being unduly burdensome and unreasonable, is also inconsistent with the Data Request’s Instructions.)
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.

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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.
  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.

**SOUTHERN CALIFORNIA GAS COMPANY**

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**QUESTION 4:**

**Confidential and Protected Material pursuant to PUC Section 583, GO 66-D, D.17-09-023**

Please provide the following information available to Sempra and/or SoCalGas regarding the entity [REDACTED]

- a. A narrative of the relationship between or among Sempra, SoCalGas, and the entity;
- b. The date and amount of any payments or donations made to the entity by Sempra and/or SoCalGas between January 1, 2015 and today.
- c. The Sempra and/or SoCalGas identification number for the entity;
- d. All contracts in effect at any time between January 1, 2015 and today between or among Sempra, SoCalGas and the entity, and all amendments and requisition requests;
- e. All invoices submitted by the entity and/or paid by Sempra and/or SoCalGas at any time between January 1, 2015 and today;
- f. All Work Order Authorizations related to payments made to the entity;
- g. If the entity is/was a subcontractor to any Sempra and/or SoCalGas vendor, provide the name of that vendor and all of the information set forth in subsections (a) through (f) above.
- h. If the entity is/was a charitable organization, please provide the date and amount of any donations made to the entity by Sempra and/or SoCalGas between January 1, 2015 and today.
- i. For any payments to the entity:
  - The accounts where the payments were booked;
  - Identification of 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); and
  - A narrative explanation for why the payments were assigned in the manner identified above.

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### **RESPONSE 4:**

#### **Sempra Response**

See response to Data Request Question No. 5, below.

#### **SoCalGas's Response**

SoCalGas objects to this Request and to each of its subparts to the extent that it seeks information about SoCalGas's 100% shareholder-funded accounts as an illegal infringement of SoCalGas's rights under the United States and California Constitutions. See Southern California Gas Company's (U 904 G) Motion for Reconsideration/Appeal to the Full Commission Regarding Administrative Law Judge's Ruling in the Discovery Dispute between Public Advocates Office and Southern California Gas Company, October 7, 2019 (Not in a Proceeding) (filed Dec. 2, 2019; pending before the Commission); Southern California Gas Company's (U 904 G) Motion to Quash Portion of the Subpoena to Produce Access to Certain Materials in Accounting Databases and to Stay Compliance Until the May 29th Completion of Software Solution to Exclude Those Protected Materials in the Databases (Not in a Proceeding) (filed May 22, 2020; pending); Southern California Gas Company's (U 904 G) Response to Public Advocates Office's Motion to Find Southern California Gas Company in Contempt of This Commission in Violation of Commission Rule 1.1 for Failure to Comply with a Commission Subpoena Issued May 5, 2020, and Fined for Those Violations from the Effective Date of the Subpoena (Not in a Proceeding) (filed July 2, 2020; pending); Southern California Gas Company's (U 904 G) Response to Public Advocates Office's Motion to Compel Confidential Declarations Submitted in Support of Southern California Gas Company's December 2, 2019 Motion for Reconsideration of First Amendment Association Issues and Request for Monetary Fines for the Utility's Intentional Withholding of this Information (Not in a Proceeding) (filed July 17, 2020; pending). Based on this objection, SoCalGas declines to provide a response to subparts (a), (b), (c), (e), and (i) of this Request.

Notwithstanding these objections and the General Objections and Objections to "Instructions" stated above, which are expressly incorporated herein, SoCalGas responds to subparts (d), (f), (g), and (h) of this Request as follows:

d. See contracts produced under protest as part of SoCalGas' data request response to CalAdvocates-SC-SCG-2019-05 (DR-5) submitted on November 5, 2019. (For the avoidance of doubt, SoCalGas does not waive, and expressly preserves, its objections under the United States and California Constitutions to the compelled production of these contracts.)

f. SoCalGas objects to this Request on the grounds that it is overly broad, vague, and ambiguous, as it apparently assumes that SoCalGas has a specific Work Order Authorization

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for each entity to which it makes payments. A single Work Order Authorization may cover many payments for many entities. SoCalGas notes that Work Order Authorizations potentially responsive to this Request may be located in offsite backup storage facilities and that SoCalGas's search for those documents is ongoing; SoCalGas reserves the right to supplement its response to this Request after that search is complete. Notwithstanding these objections, its objection stated above about 100% shareholder-funded accounts, and the General Objections and Objections to "Instructions" stated above, which are expressly incorporated herein, SoCalGas responds as follows:

See the Balanced Energy WOA produced to Public Advocates on September 12, 2019 as part of SoCalGas' response to CalAdvocates-SC-SCG-2019-04.

g. SoCalGas does not maintain records in its ordinary course of business that track whether its vendors with whom it has a direct contractual relationship have subcontractors performing work on the same contracts. SoCalGas is not presently aware of information responsive to this Request.

h. Not applicable.

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**QUESTION 5:**

Please provide the same information requested in Question 4 for each of the following entities:

- a. LB Consulting, Inc. – <https://www.lbstrategicconsulting.com/>
- b. Method Campaign Services - <https://www.methodcampaigns.com/>
- c. Act Now Los Angeles – previously at the website [actnowla.org](http://actnowla.org)
- d. BizFed - <https://bizfedlacounty.org/>
- e. Willenken LLP - <https://willenken.com/>
- f. We Expect Clean Air Now (WECAN) – formerly linked to the COFEM website
- g. Council of Mexican Federations in North America (COFEM) - <https://www.cofem.org/>
- h. California Community Builders – <https://www.ccbuilders.org/about/>
- i. The Two Hundred - <https://www.thetwohundred.org/>
- j. California Natural Gas Vehicle Coalition - <https://cngvc.org/>
- k. Coalition for Clean Air - <https://www.ccair.org/>
- l. Clean Energy Fuels - <https://www.cleanenergyfuels.com/>
- m. Western States Petroleum Association - <https://www.wspsa.org/>
- n. Californians for Affordable and Reliable Energy (CARE) - <https://www.careaboutenergy.org/about-us>
- o. Californians for Balanced Energy Solutions (C4BES) - <https://c4bes.org/>
- p. Coalition for Renewable Natural Gas - <http://www.rngcoalition.com/>

**RESPONSE 5:**

**Sempra Response**

Sempra objects to this request to the extent it seeks information not pertaining to SoCalGas. Sempra further objects to this request to the extent it seeks information from Sempra about expenditures that were retained at Sempra. Additionally, Sempra objects to providing information subject to the Attorney Client Privilege.

Sempra searched its GIFTS and SAP systems for Bracewell LLP and the other names on this list, for the time period indicated by Cal Advocates.

Any charitable contributions, political contributions, or other payments to any of these entities at Sempra's behest were retained at Sempra.

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Sempra's SAP system shows a political contribution to BizFed PAC that was allocated to SoCalGas. SoCalGas requested the contribution. For further information about BizFed, Sempra defers to SoCalGas.

SoCalGas is also in a better position to respond to Cal Advocates' questions about charitable and non-profit contributions made by SoCalGas.

In addition to the foregoing, Sempra made payments to Willenken LLP that were allocated to SoCalGas. Those payments were in connection with legal work directed at the utility level. Accordingly, SoCalGas is in a better position to provide responsive information about that legal work (to the extent not covered by Attorney Client Privilege).

**SoCalGas's Response**

SoCalGas objects to this Request and to each of its subparts to the extent that it seeks information about SoCalGas's 100% shareholder-funded accounts as an illegal infringement of SoCalGas's rights under the United States and California Constitutions. See Southern California Gas Company's (U 904 G) Motion for Reconsideration/Appeal to the Full Commission Regarding Administrative Law Judge's Ruling in the Discovery Dispute between Public Advocates Office and Southern California Gas Company, October 7, 2019 (Not in a Proceeding) (filed Dec. 2, 2019; pending before the Commission); Southern California Gas Company's (U 904 G) Motion to Quash Portion of the Subpoena to Produce Access to Certain Materials in Accounting Databases and to Stay Compliance Until the May 29th Completion of Software Solution to Exclude Those Protected Materials in the Databases (Not in a Proceeding) (filed May 22, 2020; pending); Southern California Gas Company's (U 904 G) Response to Public Advocates Office's Motion to Find Southern California Gas Company in Contempt of This Commission in Violation of Commission Rule 1.1 for Failure to Comply with a Commission Subpoena Issued May 5, 2020, and Fined for Those Violations from the Effective Date of the Subpoena (Not in a Proceeding) (filed July 2, 2020; pending); Southern California Gas Company's (U 904 G) Response to Public Advocates Office's Motion to Compel Confidential Declarations Submitted in Support of Southern California Gas Company's December 2, 2019 Motion for Reconsideration of First Amendment Association Issues and Request for Monetary Fines for the Utility's Intentional Withholding of this Information (Not in a Proceeding) (filed July 17, 2020; pending). These objections, as well as the General Objections and Objections to "Instructions" stated above, are expressly incorporated into SoCalGas's responses below.

The format SoCalGas is using to answer question 5 is by parts listed in question 4. For example, in Part a below, SoCalGas is answering question 4a, for all entities listed above (a-p) in question 5.

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---

### Part a)

SoCalGas objects to this Request's use of the undefined term "relationship" as overly broad, vague, and ambiguous. For purposes of this Request, SoCalGas interprets "relationship" to refer only to direct monetary payments made between the entity and SoCalGas. SoCalGas further objects to this Request as it pertains to Willenken LLP to the extent it seeks information protected from disclosure under the attorney-client privilege and attorney work product doctrine. Willenken LLP is SoCalGas's legal counsel for this matter, and has represented SoCalGas in a host of other matters. The information sought by this Request, as it pertains to Willenken LLP, implicates the attorney-client privilege and attorney work product doctrine. *See, e.g., Los Angeles County Bd. of Supervisors v. Super. Ct.* (2016) 2 Cal.5th 282, 300; *Los Angeles County Bd. of Supervisors v. Super. Ct.* (2017) 12 Cal.App.5th 1264, 1274-75.

Notwithstanding these objections, its objection stated above about 100% shareholder-funded accounts, and the General Objections and Objections to "Instructions" stated above, which are expressly incorporated herein, SoCalGas responds as follows:

- LB Consulting, Inc. – SoCalGas pays invoices to this vendor for work performed under its contract with SoCalGas (see contract in response 5d).
- We Expect Clean Air Now (WECAN) – WECAN was a SoCalGas initiative. We contracted with LB Consulting to execute the initiative. (See LB Consulting contract in response 5d).
- BizFed – SoCalGas is an Investing Member of BizFed at the Chairman's Circle level. (In providing this response, SoCalGas reiterates its objection under the United States and California Constitutions to the compelled disclosure of non-public information about SoCalGas's relationship with BizFed.)
- Council of Mexican Federations in North America (COFEM) – SoCalGas has made donations to this organization and paid for sponsorship at a conference.
- California Natural Gas Vehicle Coalition – SoCalGas has made donations and paid membership dues to this organization.
- Coalition for Clean Air – SoCalGas has made donations to this organization.
- Californians for Balanced Energy Solutions – SoCalGas has made donations to this organization. Further, as Cal Advocates is aware, SoCalGas' former employees Ken Chawkins and George Minter provided support to C4BES during their employment at SoCalGas, and Marathon Communications, on retainer with SoCalGas, provided support to C4BES.
- Coalition for Renewable Natural Gas – SoCalGas has made donations, paid membership dues and paid for sponsorship at conference.



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- Willenken LLP – Outside counsel for SoCalGas.

With respect to the remaining entities, SoCalGas either has no relationship with the entity or SoCalGas's association with that entity is protected from compelled disclosure under the United States and California Constitutions.

### **Part b)**

SoCalGas objects to this Request as it pertains to Willenken LLP to the extent it seeks information protected from disclosure under the attorney-client privilege and attorney work product doctrine. Willenken LLP is SoCalGas's legal counsel for this matter, and has represented SoCalGas in a host of other matters. The information sought by this Request, as it pertains to Willenken LLP, implicates the attorney-client privilege and attorney work product doctrine. See, e.g., *Los Angeles County Bd. of Supervisors v. Super. Ct.* (2016) 2 Cal.5th 282, 300; *Los Angeles County Bd. of Supervisors v. Super. Ct.* (2017) 12 Cal.App.5th 1264, 1274-75.

Notwithstanding these objections, its objection stated above about 100% shareholder-funded accounts, and the General Objections and Objections to "Instructions" stated above, which are expressly incorporated herein, SoCalGas responds as follows:

A database payment search was conducted for the entities referenced in Question 5. The search included the period January 1, 2015 through July 7, 2020. The search generated payment information, including donations for the following entities for SoCalGas only:

LB Consulting, Inc.  
Council of Mexican Federations in North America (COFEM)  
California Natural Gas Vehicle Coalition  
Coalition for Clean Air  
Californians for Balanced Energy Solutions (C4BES)  
Coalition for Renewable Natural Gas

See attached pdf document titled "Response-Journal Entries DR-15, Q5" for date and amount of payments.

See attached pdf titled "Donations," which includes donations to 501c(3) and other non-profits.

With respect to Willenken LLP, SoCalGas refers Cal Advocates to its GO 77-M reports for the years 2015 forward, which provide aggregate payment information for the firm.

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**Part c)**

LB Consulting, Inc. - 123600

Willenken LLP – 113785 for Willenken Wilson Loh & Delgado LLP and 500025 for Willenken Wilson Loh & Lieb LLP

Council of Mexican Federations in North America (COFEM) - 109933

California Natural Gas Vehicle Coalition - 26386

Coalition for Renewable Natural Gas - 118958

With respect to the remaining entities, SoCalGas either has no vendor ID for the entity or, because SoCalGas's association with the entity is protected from compelled disclosure under the United States and California Constitutions, SoCalGas declines to disclose the requested vendor ID.

Note: The vendor ID 01100CC is a general vendor ID used for donations. It isn't linked to one specific vendor.

**Part d)**

SoCalGas objects to this Request as it pertains to Willenken LLP as improperly seeking information protected from disclosure under the attorney-client privilege and attorney work product doctrine. Willenken LLP is SoCalGas's legal counsel for this matter, and has represented SoCalGas in a host of other matters. The information sought by this Request, as it pertains to Willenken LLP, therefore implicates the attorney-client privilege and attorney work product doctrine. *See, e.g., Los Angeles County Bd. of Supervisors v. Super. Ct.* (2016) 2 Cal.5th 282, 300; *Los Angeles County Bd. of Supervisors v. Super. Ct.* (2017) 12 Cal.App.5th 1264, 1274-75. SoCalGas further objects to this Request, as it pertains to Willenken LLP, as unduly burdensome and harassing to the extent the requested information can be derived from SoCalGas's GO 77-M report. Notwithstanding these objections, SoCalGas's objection stated above about 100% shareholder-funded accounts, and the General Objections and Objections to "Instructions" stated above, which are expressly incorporated herein, SoCalGas responds as follows:

See attached folder titled "DR-15, Response 5d - Contracts" with contracts and requisition requests for LB Consulting.

With respect to the remaining entities, SoCalGas either has no contract with the entity or, because SoCalGas's association with the entity is protected from compelled disclosure under

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---

the United States and California Constitutions, SoCalGas declines to disclose the requested contracts.

**Confidential and Protected Material pursuant to PUC Section 583, GO 66-D, D.17-09-023**

See also [REDACTED] contracts that were produced under protest as part of SoCalGas' data request response to CalAdvocates-SC-SCG-2019-05 (DR-5) submitted on November 5, 2019. (SoCalGas reiterates its objections to the compelled production of these contracts, which were produced under protest, and subject to SoCalGas's Motion for Reconsideration/Appeal to the Full Commission Regarding Administrative Law Judge's Ruling in the Discovery Dispute between Public Advocates Office and Southern California Gas Company, October 7, 2019 (Not in a Proceeding) (filed Dec. 2, 2019; pending before the Commission).)

### **Part e)**

SoCalGas objects to this Request as it pertains to Willenken LLP as improperly seeking information protected from disclosure under the attorney-client privilege and attorney work product doctrine. Willenken LLP is SoCalGas's legal counsel for this matter, and has represented SoCalGas in a host of other matters. The information sought by this Request, as it pertains to Willenken LLP, therefore implicates the attorney-client privilege and attorney work product doctrine. *See, e.g., Los Angeles County Bd. of Supervisors v. Super. Ct.* (2016) 2 Cal.5th 282, 300; *Los Angeles County Bd. of Supervisors v. Super. Ct.* (2017) 12 Cal.App.5th 1264, 1274-75. SoCalGas further objects to this Request, as it pertains to Willenken LLP, as unduly burdensome and harassing to the extent the requested information can be derived from SoCalGas's GO 77-M report. Notwithstanding these objections, SoCalGas's objection stated above about 100% shareholder-funded accounts, and the General Objections and Objections to "Instructions" stated above, which are expressly incorporated herein, SoCalGas responds as follows:

See attached folder titled "DR-15, Response 5e – Invoices."

### **Part f)**

SoCalGas further objects to this Request on the grounds that it is overly broad, vague, and ambiguous, as it apparently assumes that SoCalGas has a specific Work Order Authorization for each entity to which it makes payments. Notwithstanding these objections, its objection stated above about 100% shareholder-funded accounts, and the General Objections and Objections to "Instructions" stated above, which are expressly incorporated herein, SoCalGas responds as follows:



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**Confidential and Protected Material pursuant to PUC Section 583, GO 66-D, D.17-09-023**

Related to [REDACTED] - See the Balanced Energy WOA produced on September 12, 2019 as part of SoCalGas' response to CalAdvocates-SC-SCG-2019-04.

Related to Natural Gas Vehicle Coalition and Coalition for Renewable Natural Gas - See 300753737-25877-WOA Membership Cost Tracking-Attached

Related to California Natural Gas Vehicle Coalition – See WOA 300645944-25035-Gas Sustainability-

Related to Council of Mexican Federations in North America (COFEM) - 300347245-22485-Care Outreach - We have not yet located a copy of this WOA. Our search for this WOA is ongoing, and we will supplement our response if we locate the WOA.

**Part g)**

SoCalGas does not maintain records in its ordinary course of business that track whether its vendors with whom it has a direct contractual relationship have subcontractors performing work on the same contracts. SoCalGas is not presently aware of information responsive to this Request.

**Part h)**

See attached pdf titled "Donations," which includes donations to 501(c)(3) and other non-profits.

**Part i)**

SoCalGas objects to this Request as it pertains to Willenken LLP as improperly seeking information protected from disclosure under the attorney-client privilege and attorney work product doctrine. Willenken LLP is SoCalGas's legal counsel for this matter, and has represented SoCalGas in a host of other matters. The information sought by this Request, as it pertains to Willenken LLP, therefore implicates the attorney-client privilege and attorney work product doctrine. See, e.g., *Los Angeles County Bd. of Supervisors v. Super. Ct.* (2016) 2 Cal.5th 282, 300; *Los Angeles County Bd. of Supervisors v. Super. Ct.* (2017) 12 Cal.App.5th 1264, 1274-75. Notwithstanding these objections, SoCalGas's objection stated above about 100% shareholder-funded accounts, and the General Objections and Objections to "Instructions" stated above, which are expressly incorporated herein, SoCalGas responds as follows:

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Question: The accounts where the payments were booked;

Response: See attachments "Response-Journal Entries DR-15, Q5" and "Donations" for the Internal Order (IO) and Cost Center (CC) charges were made to.

Question: Identification of 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);

Response: All donations were booked to below-the-line accounts.

Other costs shown in the attachment "Response-Journal Entries DR-15, Q5" can be identified if payment was above the line or below the line by the internal order numbers.

The following internal orders are below the line:

FG4261002200, FG4264002200, and FG4265002200.

The following internal orders are above the line:

FG9080002200, FG9100002200, FG9210002200, FG9215702200, 300347245, 300645944, and 300753737.

Question: A narrative explanation for why the payments were assigned in the manner identified above.

Response: SoCalGas' charitable (and non-charitable) budget for donations is all below-the line. SoCalGas' non-charitable budget, may include memberships. Sometimes SoCalGas's business units fund memberships out of their own budget. Contracts are charged depending on the Department and nature of the contract.

**SOUTHERN CALIFORNIA GAS COMPANY**

**(DATA REQUEST CALADVOCATES-TB-SCG-2020-04)**

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**QUESTION 24:**

Refer to PAO-0000001 and 0000002, which are the first two pages of the collection of 209 pages of Bates-stamped documents provided to SoCalGas by Cal Advocates on March 11, 2020, for removal of all unsupported confidentiality designations. Regarding those two pages (referred to as "Document" here), please provide:

- a. A narrative explanation of what the Document represents.
- b. The date that that the Document was created. If a specific date is not available, please provide an approximation.
- c. All versions of the Document that exist from both before and after the date of the version in the 209 pages of Cal Advocates documents.
- d. Explain whether the Document is an excerpt from a larger document. If so, please provide all other information that comprised the entire document.
- e. Define the term "PAM" which is the heading for the second to last column of the Document.
- f. For each SoCalGas employee identified under the "PAM" column in the Document, please provide:
  - The full name of the employee and their title at the time the Document was created;
  - The amount of time the employee spent on activities related to C4BES, including discussion of C4BES with members of the business community and any supporting documentation, such as accounting or time entry documentation.
  - Explain whether work performed by a PAM would be allocated to above-the-line or below-the-line accounts, or a combination, and the rationale for such allocations.
  - Identify if any employee time was recorded to shareholder accounts (at any point) for activities related to C4BES for any of these employee, and if so, the accounts where the time is recorded.



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**RESPONSE 24:**

a) SoCalGas objects to this Request on the grounds that it is overly broad, vague, and ambiguous in failing to define the terms “narrative explanation.” Notwithstanding this objection and the General Objections and Objections to “Instructions” stated above, which are expressly incorporated herein, SoCalGas responds as follows: This is a document of potential C4BES board members.

b) SoCalGas does not have sufficient information to ascertain the date of creation of this document at this time.

c) SoCalGas objects to this Request as unduly burdensome in seeking “[a]ll” versions of the document referred to in this response. Notwithstanding this objection and the General Objections and Objections to “Instructions” stated above, which are expressly incorporated herein, SoCalGas responds as follows: SoCalGas agrees to conduct a reasonable search and to produce non-privileged documents responsive to this Request (if any).

d) Please refer to our response to part (c).

e) As used in the document, SoCalGas understands that PAM was used to mean Public Affairs Manager.

f) SoCalGas will provide a response to this question in a subsequent submittal.

**Amended Response – Submitted August 28, 2020**

**Confidential and Protected Material pursuant to PUC Section 583, GO 66-D, D.17-09-023**

b) In responding to this question, SoCalGas notes that [REDACTED] and George Minter, the two employees most likely to have relevant information to this response no longer are employed at SoCalGas and therefore this response is being made without the benefit of their input. SoCalGas’s response is based on its reasonable investigation of information currently available to it. Without waiving its General Objections and Objections to “Instructions” stated above, which are expressly incorporated herein, SoCalGas responds as follows:

SoCalGas conducted a diligent search. The earliest version of any document located which reflected similar content to this document is an Excel spreadsheet with a Date Created of

## SOUTHERN CALIFORNIA GAS COMPANY

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June 21, 2018. The earliest located comparable version of this document is a Word document with a Date Created of January 7, 2019.

c) See folder titled "DR-15, Response 24c"

d) Please refer to our response to part (c).

f) SoCalGas objects to this Request on the grounds that it purports to require SoCalGas to create documents or compile information that it does not create in the ordinary 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 tracks employee time for accounting purposes in the manner sought by this Request. SoCalGas further objects to this Request as improper to the extent it seeks to pre-litigate costs that will be litigated in the next GRC. The information 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 to the extent it purports to require SoCalGas to obtain information from former employees or from people who are not its employees. 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:

In responding to this Request, SoCalGas has made a good-faith effort to provide estimates based on each individual's present recollection, to a reasonable degree of certainty, of the time spent on the events subject to this Request. To the extent the employee could not provide an estimate to a reasonable degree of certainty, SoCalGas declines to provide a response.



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SoCalGas's Response to the First and Second Bullet-Points of Subpart (f)

For the persons listed in the document in question, below are their full names and job titles (as of July 1, 2018), and the amount of time (if any) the relevant individual estimates having spent on activities related to C4BES. SoCalGas notes that in responding to this Request, SoCalGas has made a good-faith effort to provide estimates based on each individual's present recollection, to a reasonable degree of certainty, of the time spent on the events subject to this Request. To the extent the employee could not provide an estimate to a reasonable degree of certainty, SoCalGas declines to provide a response. Further, as noted in the chart below, not all of these individuals were PAMs (notwithstanding the document cited in the Request), and it appears that PAM was used in the document as a generic term.

**Confidential and Protected Material pursuant to PUC Section 583, GO 66-D, D.17-09-023**

<b>Staff Name</b>	<b>Title on July 1, 2018</b>	<b>Estimated Staff Time</b>
[REDACTED]	Sr Acct Exec – II	40 minutes
[REDACTED]	Public Affairs Manager	3 hours
[REDACTED]	Public Policy Manager	No longer works at SoCalGas
[REDACTED]	Public Affairs Manager	2 hours
[REDACTED]	Regional Public Affairs Manager	2 hours
Kauss, Kent	Regional VP – External Relations	25-30 minutes
[REDACTED]	Public Affairs Manager	No longer works at SoCalGas
[REDACTED]	Community Relations Manager	5-10 minutes
[REDACTED]	Public Affairs Manager	2 hours
[REDACTED]	Senior Account Exec - II	45 minutes
[REDACTED]	Public Affairs Manager	70 minutes
[REDACTED]	Public Affairs Manager	2.5 hours
Minter, George	Regional VP, External Affairs & Environmental Strategy	No longer works at SoCalGas
[REDACTED]	Environmental Affairs Program Manager	0 minutes
Muse, Trisha	Director, Community Relations	0 minutes
[REDACTED]	Senior Account Exec – II	< 10 minutes
[REDACTED]	Public Affairs Manager	< 15 minutes

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[REDACTED]	Public Affairs Manager	10 minutes
[REDACTED]	Sr Account Exec - I	2 hours
[REDACTED]	Public Affairs Manager	1.5 hours

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SoCalGas's Response to the Third and Fourth Bullet-Points of Subpart (f)

Kent Kauss' time is charged to a below the line account. With respect to George Minter and [REDACTED] all of their time from May 1, 2018 until they stopped working for the company have been booked to a below the line account. With respect to other persons listed above, allocation of their time will occur in connection with the GRC process, which has not yet occurred. SoCalGas reiterates its objection stated above that the Request improperly seeks to pre-litigate costs that will be the subject of the next GRC.