

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA



FILED
05/29/19
04:59 PM

Order Instituting Rulemaking Regarding
Building Decarbonization.

Rulemaking 19-01-011
(Filed January 31, 2019)

**RESPONSE OF THE PUBLIC ADVOCATES OFFICE
TO SIERRA CLUB'S MOTION TO DENY PARTY STATUS TO
CALIFORNIANS FOR BALANCED ENERGY SOLUTIONS OR, IN THE
ALTERNATIVE, TO GRANT MOTION TO COMPEL DISCOVERY**

WILLIAM MAGUIRE
Attorney for the
Public Advocates Office

California Public Utilities Commission
300 Capitol Mall
Sacramento, CA 95814
Telephone: (415) 703-2642
Email: wm4@cpuc.ca.gov

May 29, 2019

I. INTRODUCTION

Pursuant to Rule 11.1 of the California Public Utilities Commission's (Commission) Rules of Practice and Procedure and Administrative Law Judge (ALJ) Rizzo's May 17, 2019 email Ruling, the Public Advocates Office at the California Public Utilities Commission (Public Advocates Office), hereby submits its Response to Sierra Club's Motion to Deny Party Status to Californians for Balanced Energy Solutions or, in the Alternative, to Grant Motion to Compel Discovery (Motion).

II. BACKGROUND

On March 13, 2019, Californians for Balanced Energy Solutions (C4BES) filed a Motion for Party Status that present C4BES as "a coalition of natural and renewable natural gas users"¹ and did not make reference to a relationship with Southern California Gas Company ("SoCalGas"). On May 14, 2019, Sierra Club filed its Motion alleging that: 1) SoCalGas was primarily, if not entirely, responsible for founding C4BES; 2) SoCalGas is on the C4BES Board of Directors; 3) SoCalGas recruited members to join C4BES; 4) SoCalGas retained a communications firm to develop C4BES objectives and talking points prior to member recruitment; and 5) SoCalGas substantially compensated at least one C4BES board member after he agreed to join the organization.² The Motion also urges the Commission to find C4BES violated Rule 1.1 of the Commission Rules of Practice and Procedure.³

III. DISCUSSION

The Public Advocates Office finds the allegations in Sierra Club's Motion both serious and troubling. If the allegations are true, C4BES' status as a party would have a detrimental impact on the proceeding and this would be a reasonable basis for excluding C4BES from the proceeding. Perhaps more importantly, the allegations raise serious

¹ Motion for Party Status at p. 2.

² Motion at p. 1.

³ Motion at p. 3.

questions about C4BES' representations and disclosures, as well as the nature of SoCalGas' participation, in Commission proceedings.

C4BES and SoCalGas both have the opportunity to and should respond to the allegations. Once C4BES and SoCalGas respond, the Commission should determine if the allegations have merit and, if so, take serious steps to address any inappropriate attempts to influence the Commission.

In the interest of shedding additional light on Sierra Club's allegations and protecting ratepayer interests, the Public Advocates Office is conducting discovery on SoCalGas regarding these allegations. SoCal Gas' response to this discovery is due June 6, 2019. Therefore, the Public Advocates Office hereby requests leave to supplement this filing with the data request responses, if pertinent, in order to assist in determining the veracity of Sierra Club's allegations.

IV. CONCLUSION

For the reasons stated herein, the Commission should determine if the allegations raised in the Motion are true. If the allegations are true, the Commission should grant Sierra Club's Motion and consider whether any further punitive action is merited.

Respectfully submitted,

/s/ WILLIAM MAGUIRE
WILLIAM MAGUIRE
Attorney for the
Public Advocates Office

California Public Utilities Commission
300 Capitol Mall
Sacramento, CA 95814
Telephone: (415) 703-2642
E-mail: wm4@cpuc.ca.gov

May 29, 2019