

ATTACHMENT B

**DECLARATION
NO. 2**

**Declaration of
Johnny Q. Tran**

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

**DECLARATION OF JOHNNY Q. TRAN IN SUPPORT OF SOUTHERN CALIFORNIA
GAS COMPANY’S (U 904 G) EMERGENCY MOTION FOR A PROTECTIVE ORDER
STAYING ALL PENDING AND FUTURE DATA REQUESTS FROM CALIFORNIA
PUBLIC OFFICE ADVOCATES OFFICE SERVED OUTSIDE OF ANY PROCEEDING
(RELATING TO THE BUILDING DECARBONIZATION MATTER), AND ANY
MOTIONS AND MEET AND CONFERS RELATED THERETO, DURING
CALIFORNIA GOVERNMENT COVID-19 EMERGENCY “SAFER AT HOME”
ORDERS**

I, Johnny Q. Tran, hereby declare as follows:

1. I am a resident of California over 18 years of age. I have personal knowledge of the facts set forth in this declaration, except as to those matters that are stated on belief or understanding, and as to those matters, I believe them to be true.

2. I am employed by Southern California Gas Company (“SoCalGas”) as Senior Counsel - Regulatory. I am the lead attorney for SoCalGas on the Building Decarbonization Proceeding, Rulemaking (R.) 19-01-011.

3. Due to the recent Coronavirus emergency, SoCalGas is allowing me to work from home full-time. My wife is a healthcare professional. Her job duties require her to be physically at the hospital. My wife and I have two young children (ages 2 and 4).

4. The daycare that my children attend is closed due to the Coronavirus emergency. As a result, on the days that my wife is at work, I am the sole caretaker of my children. My availability for work is severely limited on those days.

5. On March 23, 2020, I sent an email correspondence to Attorney Traci Bone, counsel for the California Public Advocates Office (“Cal Advocates”), requesting in light of the COVID-19 pandemic that Cal Advocates temporarily stay “all activities with respect to the data requests served [by Cal Advocates] outside of any proceeding . . . until two weeks after the expiration of the Statewide and City of Los Angeles stay-at-home order[s].” (A true and correct copy of this email is attached to this declaration as Exhibit A.)

6. On March 23, 2020, Ms. Bone replied to my March 23 email, asking me several questions including why I “cannot respond to discovery requests remotely,” and “cannot

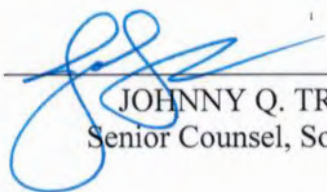
participate in a meet and confer conference call remotely.” I responded to Ms. Bone’s questions in an email sent the same day. (A true and correct copy of this email exchange is attached to this declaration as Exhibit B.)

7. On March 24, 2020, Ms. Bone sent me an email responding directly to my March 23 email (rather than responding to my most recent email to her.) In that email, Ms. Bone stated that while Cal Advocates “appreciate[s] the challenge that the COVID-19 crisis has placed” on SoCalGas and is “more than willing to work with SoCalGas to ensure it has adequate time to respond to the Cal Advocate’s data requests,” it rejected SoCalGas’s request for a temporary stay, instead continued to demand that SoCalGas respond to its discovery demands during the COVID-19 crisis and proposed a meet and confer for March 26 or March 27, 2020. (A true and correct copy of this email is attached to this declaration as Exhibit C.) Moreover, SoCalGas strongly disagrees with Ms. Bone’s portrayal of its efforts to respond to Cal Advocates’ data requests. Other than the most recent set of data requests (Set 13 which is due April 13), SoCalGas responded to all of Cal Advocates’ data requests, a total of 12 sets. Further, SoCalGas has already complied with both of ALJ DeAngelis’ orders by producing the documents at issue.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 25 day of March, 2020, at Fullerton, California.

By: _____



JOHNNY Q. TRAN
Senior Counsel, SoCalGas

EXHIBIT A

Tran, Johnny Q

From: Tran, Johnny Q
Sent: Monday, March 23, 2020 6:02 PM
To: Bone, Traci
Cc: Lee, Shawane L
Subject: Meet and Confer Regarding SoCalGas' Emergency Motion for Protective Order

Ms. Bone:

As you know, on Thursday, March 19, 2020, Governor Newsom issued a stay-at-home order. The City of Los Angeles issued a similar order that same day. These orders have impacted SoCalGas's business operations and its personnel. The legal staff and business unit employees who have been key in responding to California Advocates' data requests are now working from home. Many are affected by the closure of schools and daycares. Moreover, some of the key people to responding to Cal Advocates' data requests and other demands have been tasked with work directly related to the emergency. As I am sure you can understand, SoCalGas' business operations are stretched at this time.

As a natural gas utility, SoCalGas is required to operate. However, SoCalGas is focusing its energies on maintaining continuity of operations and focusing on the safety of its customers, employees and the public, while providing essential repairs and maintenance services during the COVID-19 pandemic. In light of the COVID-19 pandemic, SoCalGas cannot at this time continue to devote significant resources to responding to Cal Advocate's data requests.

We recognize that Cal Advocates has an important statutory role. Accordingly, SoCalGas is reluctant to ask for a stay. Unfortunately, the COVID-19 crisis is growing day by day and SoCalGas' main focus is the health and safety of its customers and employees, as well as the community at large. For this reason, we are hopeful that Cal Advocates will agree that activities with respect to the data requests served outside of any proceeding – i.e., any further requests or responses, meet and confers (including our call currently scheduled for March 24, 2020), and motions relating thereto – be temporarily postponed until two weeks after the expiration of the Statewide and City of Los Angeles stay-at-home order. Currently, the City of Los Angeles has issued a stay-at-home order that is set to expire on April 19, 2020—so two weeks from April 19, 2020 is May 3, 2020. The State of California order currently has no expiration date.

We trust that you understand the seriousness of the current pandemic and will readily agree. Please let us know as soon as possible if you agree. If we do not hear from you by 5:00 pm on Tuesday, March 24, 2020, we will seek relief from the Commission.

Johnny Q. Tran
Senior Counsel, Regulatory
Southern California Gas Company | Law Department
555 West Fifth Street, Suite 1400
Los Angeles, California 90013
Tel: (213) 244-2981
Email: JQTran@socalgas.com



 SCE
SOUTHERN CALIFORNIA ENERGY SERVICES

EXHIBIT B

Tran, Johnny Q

From: Tran, Johnny Q
Sent: Monday, March 23, 2020 9:32 PM
To: Bone, Traci
Cc: Lee, Shawane L; Campbell, Michael; Ward, Alec; Castello, Stephen; Lyser, Shelly; Prusnek, Brian C
Subject: RE: Meet and Confer Regarding SoCalGas' Emergency Motion for Protective Order

Ms. Bone, my responses below in red.

Johnny

From: Bone, Traci <traci.bone@cpuc.ca.gov>
Sent: Monday, March 23, 2020 6:24 PM
To: Tran, Johnny Q <JQTran@socalgas.com>
Cc: Lee, Shawane L <SLee5@socalgas.com>; Campbell, Michael <Michael.Campbell@cpuc.ca.gov>; Ward, Alec <Alec.Ward@cpuc.ca.gov>; Castello, Stephen <Stephen.Castello@cpuc.ca.gov>; Lyser, Shelly <Shelly.Lyser@cpuc.ca.gov>
Subject: [EXTERNAL] RE: Meet and Confer Regarding SoCalGas' Emergency Motion for Protective Order

*** EXTERNAL EMAIL - Be cautious of attachments, web links, and requests for information ***

Mr. Tran: I am in receipt of your email sent at 6:02 this evening. A few issues to be addressed:

1. I had understood that only Ms. Lee was working on Covid issues. Are you working on them as well? If so, please explain what you are doing in this regard. I am not currently assigned to SoCalGas's COVID-19 response.
2. Can you please explain why you cannot respond to discovery requests remotely? As you are aware, responding to Cal Advocates data request is not a one person job but requires input and coordination from various employees within our company. Due to the COVID-19 emergency, our key employees who would need to be involved in preparing the responses to these data request are busy with SoCalGas's relief efforts or are juggling work responsibilities while providing childcare. For example, Shawane Lee is the lead attorney on Cal Advocates data requests and she is tied up with handling COVID-19 related issues. Our key business unit representative has been pulled into a key role in the Incident Command Structure. As for myself, due to the closure of my two young children's day care, I have to care for my children while my wife is away at work. She is a healthcare professional whose job duties require her to be physically in the hospital.
3. Can you please explain why you cannot participate in a meet and confer conference call remotely? See my response to #2.
4. As I am sure you can appreciate, I am not in a position to grant your request. The Public Advocates Office executives will need to make this determination, and it may take more than the time you have provided to respond. I appreciate that you are not in a position to grant our request and that you have to elevate the request to Cal Advocates executives. Please provide me with a timeframe on when you can obtain that approval. In addition, I would appreciate it if Cal Advocates would temporarily stay all data requests, meet and confers, and motions while you seek your executives' approval. Please let me know if this is acceptable by COB Tuesday.

Traci Bone, Attorney
California Public Utilities Commission
505 Van Ness Avenue

San Francisco, CA 94102
Work: (415) 703-2048
Cell: (415) 713-3599
tbo@cpuc.ca.gov

From: Tran, Johnny Q <JQTran@socalgas.com>
Sent: Monday, March 23, 2020 6:02 PM
To: Bone, Traci <traci.bone@cpuc.ca.gov>
Cc: Lee, Shawane L <SLee5@socalgas.com>
Subject: Meet and Confer Regarding SoCalGas' Emergency Motion for Protective Order

Ms. Bone:

As you know, on Thursday, March 19, 2020, Governor Newsom issued a stay-at-home order. The City of Los Angeles issued a similar order that same day. These orders have impacted SoCalGas's business operations and its personnel. The legal staff and business unit employees who have been key in responding to California Advocates' data requests are now working from home. Many are affected by the closure of schools and daycares. Moreover, some of the key people to responding to Cal Advocates' data requests and other demands have been tasked with work directly related to the emergency. As I am sure you can understand, SoCalGas' business operations are stretched at this time.

As a natural gas utility, SoCalGas is required to operate. However, SoCalGas is focusing its energies on maintaining continuity of operations and focusing on the safety of its customers, employees and the public, while providing essential repairs and maintenance services during the COVID-19 pandemic. In light of the COVID-19 pandemic, SoCalGas cannot at this time continue to devote significant resources to responding to Cal Advocate's data requests.

We recognize that Cal Advocates has an important statutory role. Accordingly, SoCalGas is reluctant to ask for a stay. Unfortunately, the COVID-19 crisis is growing day by day and SoCalGas' main focus is the health and safety of its customers and employees, as well as the community at large. For this reason, we are hopeful that Cal Advocates will agree that activities with respect to the data requests served outside of any proceeding – i.e., any further requests or responses, meet and confers (including our call currently scheduled for March 24, 2020), and motions relating thereto – be temporarily postponed until two weeks after the expiration of the Statewide and City of Los Angeles stay-at-home order. Currently, the City of Los Angeles has issued a stay-at-home order that is set to expire on April 19, 2020—so two weeks from April 19, 2020 is May 3, 2020. The State of California order currently has no expiration date.

We trust that you understand the seriousness of the current pandemic and will readily agree. Please let us know as soon as possible if you agree. If we do not hear from you by 5:00 pm on Tuesday, March 24, 2020, we will seek relief from the Commission.

Johnny Q. Tran
Senior Counsel, Regulatory
Southern California Gas Company | Law Department
555 West Fifth Street, Suite 1400
Los Angeles, California 90013
Tel: (213) 244-2981
Email: JQTran@socalgas.com



EXHIBIT C

Tran, Johnny Q

From: Bone, Traci <traci.bone@cpuc.ca.gov>
Sent: Tuesday, March 24, 2020 3:35 PM
To: Tran, Johnny Q
Cc: Lee, Shawane L; Campbell, Michael; Lyser, Shelly; Ward, Alec; Castello, Stephen; Serizawa, Linda; Farrar, Darwin
Subject: [EXTERNAL] RE: Meet and Confer Regarding SoCalGas' Emergency Motion for Protective Order

*** EXTERNAL EMAIL - Be cautious of attachments, web links, and requests for information ***

Johnny:

In response to SoCalGas's demand for stay of the investigation as set forth in your email below, I have conferred with the Public Advocates Office (Cal Advocate's) executive team, as well as the staff working on the investigation into SoCalGas' use of ratepayer monies to lobby against decarbonization.

As all of the people I have conferred with are working remotely, and many staff at the Commission, including my own husband, have been involved in COVID-19 related efforts, we appreciate the challenges that the COVID-19 crisis has placed on both the CPUC and the utilities it regulates. To this end, we are more than willing to work with SoCalGas to ensure it has adequate time to respond to the Cal Advocate's data requests.

As SoCalGas is aware, the investigation started before June 2019 and SoCalGas has routinely withheld information requested in data requests so that the Cal Advocates has had to submit two motions to compel, both of which were granted, and one of which SoCalGas has appealed. In addition, Cal Advocates has, for nearly every data request and meet and confer, granted SoCalGas extension requests. Thus, the amount of discovery that the Public Advocates Offices has sought from SoCalGas, and the amount of time involved, is directly related to the fact that SoCalGas has not responded to that discovery in a timely and comprehensive manner.

It is unacceptable for SoCalGas to unilaterally cancel (after business hours) a scheduled meet and confer for today, particularly in light of the above circumstances. Rather than use the scheduled meet and confer to present your concerns and work toward accommodation, SoCalGas has unilaterally demanded that Cal Advocates cease all efforts on the SoCalGas investigation until some uncertain date in the future.

In lieu of responding substantively to SoCalGas' unilateral demands, Cal Advocates proposes that we reschedule the meet and confer that SoCalGas cancelled last night for a time later this week. At that time, we can discuss how and when SoCalGas will be able to comply with Cal Advocate's two prior discovery orders.

In addition, please be advised, based on our own experience during this crisis, that SoCalGas' claims that all of its attorneys and other employees cannot work on this issue because they are either out of the office or fully employed with Covid-19 work are not credible. There is a significant amount of work that SoCalGas employees can perform remotely in response to Cal Advocate's investigation – and such work should not be unduly burdensome. For example, Ms. Lee has stated that she has a list she could send us of which confidential designations could be lifted. Indeed, she obtained a one week extension for the meet and confer on this issue based on her prior representations that she would be consulting with her clients to identify those portions of the documents which would not require the confidential designations. At this point, review of those documents, lifting the confidential designations, and identifying the legal basis for any remaining confidential designations, can be easily performed remotely, and only requires the review of a single attorney. Similarly, the majority of the questions in data request CalAdvocates-TB-SCG-2020-02 ask SoCalGas to

explain how certain procedures work internally, or to provide documents, such as its GO77 filings. This type of information should be readily available and easily obtained through remote communications.

At the re-scheduled meet and confer, SoCalGas should be prepared to identify work that it can continue to perform in response to Cal Advocate's investigation and Administrative Law Judge DeAngelis' orders to comply with our discovery requests.

Cal Advocates staff are available for a meet and confer on Thursday, March 26 between 12-2 and 2:30-4 and are available on Friday, March 27, between 9-10:30 and 2-4. Please confer with Alec Ward to reschedule today's conference call.

Yours,

Traci Bone, Attorney
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102
Work: (415) 703-2048
Cell: (415) 713-3599
tbo@cpuc.ca.gov

From: Tran, Johnny Q <JQTran@socalgas.com>
Sent: Monday, March 23, 2020 6:02 PM
To: Bone, Traci <traci.bone@cpuc.ca.gov>
Cc: Lee, Shawane L <SLee5@socalgas.com>
Subject: Meet and Confer Regarding SoCalGas' Emergency Motion for Protective Order

Ms. Bone:

As you know, on Thursday, March 19, 2020, Governor Newsom issued a stay-at-home order. The City of Los Angeles issued a similar order that same day. These orders have impacted SoCalGas's business operations and its personnel. The legal staff and business unit employees who have been key in responding to California Advocates' data requests are now working from home. Many are affected by the closure of schools and daycares. Moreover, some of the key people to responding to Cal Advocates' data requests and other demands have been tasked with work directly related to the emergency. As I am sure you can understand, SoCalGas' business operations are stretched at this time.

As a natural gas utility, SoCalGas is required to operate. However, SoCalGas is focusing its energies on maintaining continuity of operations and focusing on the safety of its customers, employees and the public, while providing essential repairs and maintenance services during the COVID-19 pandemic. In light of the COVID-19 pandemic, SoCalGas cannot at this time continue to devote significant resources to responding to Cal Advocate's data requests.

We recognize that Cal Advocates has an important statutory role. Accordingly, SoCalGas is reluctant to ask for a stay. Unfortunately, the COVID-19 crisis is growing day by day and SoCalGas' main focus is the health and safety of its customers and employees, as well as the community at large. For this reason, we are hopeful that Cal Advocates will agree that activities with respect to the data requests served outside of any proceeding – i.e., any further requests or responses meet and confers (including our call currently scheduled for March 24, 2020), and motions relating thereto – be temporarily postponed until two weeks after the expiration of the Statewide and City of Los Angeles stay-at-home order. Currently, the City of Los Angeles has issued a stay-at-home order that is set to expire on April 19, 2020—so two weeks from April 19, 2020 is May 3, 2020. The State of California order currently has no expiration date.

We trust that you understand the seriousness of the current pandemic and will readily agree. Please let us know as soon as possible if you agree. If we do not hear from you by 5:00 pm on Tuesday, March 24, 2020, we will seek relief from the Commission.

Johnny Q. Tran
Senior Counsel, Regulatory
Southern California Gas Company | Law Department
555 West Fifth Street, Suite 1400
Los Angeles, California 90013
Tel: (213) 244-2981
Email: JQTran@socalgas.com



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This email originated outside of Sempra Energy. Be cautious of attachments, web links, or requests for information.

ATTACHMENT C

**DECLARATION
NO. 3**

**Declaration of
Andy Carrasco**

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

**DECLARATION OF ANDY CARRASCO IN SUPPORT OF SOUTHERN CALIFORNIA
GAS COMPANY'S (U 904 G) EMERGENCY MOTION FOR A PROTECTIVE ORDER
STAYING ALL PENDING AND FUTURE DATA REQUESTS FROM CALIFORNIA
PUBLIC OFFICE ADVOCATES OFFICE SERVED OUTSIDE OF ANY PROCEEDING
(RELATING TO THE BUILDING DECARBONIZATION MATTER), AND ANY
MOTIONS AND MEET AND CONFERS RELATED THERETO, DURING
CALIFORNIA GOVERNMENT COVID-19 EMERGENCY "SAFER AT HOME"
ORDERS**

I, Andy Carrasco, hereby declare as follows:

1. I am the Director of Regional Public Affairs in the Strategy and Engagement, and Environmental group for the Southern California Gas Company (SoCalGas). My responsibilities include oversight of SoCalGas's Regional Public Affairs across the entirety of our service territory with 30 employees. The Regional Public Affairs team engages the communities they serve, and educates stakeholders about SoCalGas's activities, customer programs and services. I have been employed at SoCalGas for over 19 years. Prior to becoming the Director of Regional Public Affairs, I held positions within the supplier diversity and marketing areas of SoCalGas.

2. I have personal knowledge of the facts set forth in this declaration, except as to those matters that are stated on belief or understanding, and as to those matters, I believe them to be true. If called as a witness, I could and would testify competently as to the following:

3. I am the senior management employee tasked with reviewing and responding to data requests from California Public Advocates Office (Cal Advocates) served outside of any proceeding related to the Building Decarbonization matter. My responsibilities related to data requests include reviewing incoming data requests; coordinating with employees in various parts of the company to locate the requested documents or information; and approving the company's response for submission to Cal Advocates.

4. On March 4, 2020, Governor Gavin Newsom declared a state of emergency arising from the COVID-19 (coronavirus) pandemic. On March 13, 2020, the President of the United States declared a national emergency for the same. As a result of the declarations of

emergency, effective March 20, 2020, I have been named the Public Information Officer (PIO) for the Incident Command System that SoCalGas has activated.

5. Some of my PIO duties include but are not limited to: using information from other members of the Incident Command System and general staff to develop accurate, accessible, and complete information on the incident, and other matters of general interest for both internal and external audiences; monitoring public information to ensure accuracy, acting as a liaison with elected and appointed officials; and interfacing with the public, media, other agencies, and stakeholders to provide information and updates based on changes in incident status.

6. Since becoming PIO, my full-time effort and focus is committed to SoCalGas's COVID-19 response.

7. As the SoCalGas PIO, I am committing my entire workday, after hours, and weekends to dealing with matters related to the COVID-19 response.

8. In my role as PIO, I have had to temporarily be relieved of my duties as Director of Regional Public Affairs, to focus on the needs of the company and our community. The majority of our employees at SoCalGas are having to do the same, as we are all focused on the immediate needs of our customers, community, and employees. The COVID-19 response will impact SoCalGas's business units from offering input to respond to Cal Advocates' inspection demands.

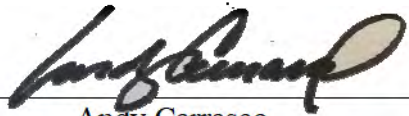
9. In my role as PIO, I am aware that all levels of SoCalGas employees, including senior management, are participating in emergency planning and response functions related to the COVID-19 crisis or are members of SoCalGas's Incident Command System.

10. With my refocused work duties COVID-19 related responsibilities, it is a significant and overwhelming hardship for me to effectively provide business unit support for the multitude of data requests, motions, and meet and confers propounded by Cal Advocates outside of a proceeding.

11. Upon information and belief, securing the time to input, review, and approve discovery and declarations and participate in meet and confers for Cal Advocates' data requests served outside of a proceeding during this emergency is very difficult.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 24 day of March, 2020, at Glendale, California.

By: 
Andy Carrasco
Director of Regional Public Affairs

ATTACHMENT D

**DECLARATION
NO. 1**

**Declaration of
Shawane L. Lee**

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

**DECLARATION OF SHAWANE L. LEE IN SUPPORT OF SOUTHERN CALIFORNIA
GAS COMPANY'S (U 904 G) EMERGENCY MOTION FOR A PROTECTIVE ORDER
STAYING ALL PENDING AND FUTURE DATA REQUESTS FROM CALIFORNIA
PUBLIC OFFICE ADVOCATES OFFICE SERVED OUTSIDE OF ANY PROCEEDING
(RELATING TO THE BUILDING DECARBONIZATION MATTER), AND ANY
MOTIONS AND MEET AND CONFERS RELATED THERETO, DURING
CALIFORNIA GOVERNMENT COVID-19 EMERGENCY "SAFER AT HOME"
ORDERS**

I, Shawane L. Lee, hereby declare as follows:

1. I am a Senior Counsel in the Regulatory Group for the Southern California Gas Company (SoCalGas). My responsibilities in this position include leading and providing legal support for SoCalGas business units for proceedings filed with the California Public Utilities Commission. I have been employed at SoCalGas for approximately 6 months. Prior to SoCalGas, I was employed as an Assistant General Counsel in the Regulatory Law Group for Exelon Corporation, PECO Energy Company for approximately 8 years.

2. I have personal knowledge of the facts set forth in this declaration, except as to those matters that are stated on belief or understanding, and as to matters, I believe them to be true. If called as a witness, I could and would testify competently as to the following:

3. From September 30, 2019, up to the present time, my responsibilities include leading the regulatory legal work for SoCalGas's Emergency Disaster Relief, Low Income Application, Climate Change Adaptation and Microgrid proceedings. I also have a lead role handling data requests served outside of any proceeding by California Public Advocates Office (Cal Advocates) related to the Building Decarbonization matter.

4. On March 4, 2020, Governor Gavin Newsom declared a state of emergency arising from the COVID-19 (coronavirus) pandemic. On March 13, 2020, the President of the United States declared a national emergency for the same. As a result of the declarations of emergency, I have committed a large majority of my workday to Emergency Disaster Relief, including planning, preparing, drafting, editing and reviewing SoCalGas's Advice Letter for consumer protections, which was filed on March 19. I continue to commit a substantial portion

of my workday providing legal advice and review for matters related to SoCalGas's COVID-19 response.

5. I am also the SoCalGas legal lead for the Low-Income Application proceeding and all matters related to Low Income. As a result of the national and state declaration of emergency for the COVID-19 pandemic, I support the CARE and Energy Savings Assistance (ESA) business units with the COVID-19 regulatory response, which includes, amongst other things, issues and motions related to pausing ESA contractor work and external communications to customers.

6. For instance, on March 19, 2020 at 1:30 PM, I joined a conference call scheduled by Energy Division, including Ed Randolph and Pete Skala, with regulatory and legal representatives from the Investor Owned Utilities (IOUs) to discuss our respective plans to modify Energy Efficiency and ESA program operations in response to COVID-19. I participated in the call as the legal lead for Low Income on behalf of SoCalGas. I have significant follow up work related to this call, including but not limited to responding to a motion filed by The East Los Angeles Community Union (TELACU) regarding paying ESA contractors during the pandemic, working with SoCalGas's business units on financial solutions for ESA contractors, and preparing and drafting the appropriate regulatory response.

7. As a result of the state and national declarations of emergency, my primary legal time, effort and focus is committed to SoCalGas's COVID-19 regulatory response.

8. As of March 13, 2020, at the direction of my management, I am telecommuting 100 percent from my home.

9. On March 19, 2020, Governor Newsom issued an order to California residents to stay at home indefinitely. On March 19, 2020, Los Angeles Mayor Eric Garcetti issued a Safer at Home emergency order, requiring residents of the City of Los Angeles to stay in their residences as much as possible and avoid all non-essential travel. I am a resident of Los Angeles County. I will continue to telecommute consistent with Governor Newsom and Mayor Garcetti's orders.

10. Because of the Safer at Home Orders, I am the sole person responsible for the care of my elderly mother who has an underlying illness and is shut in as a result of the COVID-19 virus, including making sure she has groceries, medication, cooked meals and companionship.

11. Because of the Safer at Home Orders, I am primarily responsible for monitoring the virtual education of my 13-year old twin daughters who no longer attend school in person as a result of Los Angeles County school closures.

12. With my increased regulatory legal duties related to COVID-19 and the care of my elderly mother and twin daughters, it is a significant and overwhelming hardship for me to effectively provide legal support for the multitude of aggressive data requests, motions, and combative meet and confers¹ propounded by Cal Advocates related to Building Decarbonization (outside of a proceeding).

13. For instance, on March 12, 2020, I had a telephone conversation with counsel for Cal Advocates, Traci Bone, and advised her that SoCalGas employees were dealing with issues related to the COVID-19 emergency.

14. On March 19, 2020 at 1:00 PM, SoCalGas Senior Counsel, Johnny Tran and I had a Meet and Confer with Attorney Traci Bone of Cal Advocates regarding the Confidentiality Markings for 209 documents produced in response to CalAdvocates-SC-SCG-2019-06.

15. Before the Meet and Confer began, I advised Attorney Bone that I had to leave the Meet and Confer for 30 minutes to join the Energy Division call scheduled from 1:30–2:00 PM. I reconvened the Meet and Confer at 2:00 PM.

16. On Friday, March 20, 2020, I received email correspondence from Attorney Bone demanding that I “Please identify the Energy Division staff Ms. Lee has been working with regarding the COVID 19 issues, including the leader of the call she was required to attend on March 19.” (A true and correct copy of this email correspondence excluding the attachment is attached as Exhibit A.)

17. In Attorney Bone’s March 20, 2020 email correspondence she additionally demanded that SoCalGas (1) “carefully review the 209 pages” of documents containing confidentiality redactions to “ensure that those redactions that remain are consistent with well-established claims of confidentiality” and “[f]or each page that [the company] continue[s] to claim contains confidential information” “provide citations to the relevant supporting law”; and

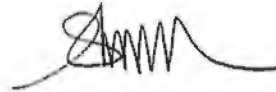
¹ On March 19, 2020, during a Meet and Confer, Attorney Traci Bone said she is filing a Motion for Sanctions against me personally for bad faith because she claims I did not adequately advise the SoCalGas business unit there is (allegedly) no basis for certain confidentiality markings. This is an example of the aggression and combative tactics I must endure during this challenging time.

(2) “provide [a] list of redactions that will be removed” from the pages,” and “specific supporting authorities for continued claims of confidentiality no later than” “within a week.”

18. The parties had a meet and confer scheduled on March 24, 2020 regarding Data Request 12. SoCalGas cancelled the meet and confer, in part because I was not available to participate in the meet and confer due to my duties related to the COVID-19 Low Income response. For instance, the evening of March 23, 2020, I received correspondence from the Energy Division directing SoCalGas to send a letter, in 24 hours, to the company’s ESA contractors regarding advance payments during the COVID-19 work pause. I worked the evening of March 23, 2020 and March 24 from 7:30 AM until 5:00 PM to complete the company’s response. It was not possible for me to participate in a meet and confer on March 24 and also produce a timely response to the Energy Division’s letter by 5:00 PM.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 24th day of March, 2020, at Los Angeles, California.



By: _____

SHAWANE L. LEE
Senior Counsel, SoCalGas

EXHIBIT A

From: Bone, Traci <traci.bone@cpuc.ca.gov>
Sent: Friday, March 20, 2020 4:54 PM
To: Lee, Shawane L; Tran, Johnny Q
Cc: Campbell, Michael; Castello, Stephen; Ward, Alec; Lyser, Shelly
Subject: [EXTERNAL] Summary of 3/19/2020 Meet and Confer re: Confidential Designations in 209 pages of materials
Attachments: RE: Confidentiality of Information in SoCalGas DRs provided to the Public Advocates Office

*** EXTERNAL EMAIL - Be cautious of attachments, web links, and requests for information ***

Ms. Lee and Mr. Tran:

The following summarizes our Meet and Confer on March 19, 2020, to discuss SoCalGas' claims of confidentiality for 209 pages of documents which SoCalGas has redacted. The conference call was attended by both of you as attorneys for SoCalGas, me, as an attorney for the Public Advocates Offices, and Stephen Castello, also with the Public Advocates Office.

I provides the 209 pages of confidential materials to you both via a secure web server on March 11, 2020, with each page numbered for ease of reference.

We had originally agreed to have this Meet and Confer on March 13, 2020, but on March 12, 2020, Ms. Lee proposed that we defer the Meet and Confer so that she could work with your clients to identify which redactions could be removed prior to our Meet and Confer so that we could have a speedier and more productive meeting. Ms. Lee implied during our conversation that this would result in a meaningful number of redactions being lifted. On this basis, I agreed with her proposal to extend the date of the Meet and Confer. I communicated this agreement in an email to you both, making clear that "given this significant extension, I expect that during our meet and confer on March 19, SoCalGas will limit itself to only good faith assertions of confidentiality and will be prepared to support such claims with relevant legal citations." See attached email chain dated March 12.

In Ms. Lee's confirming email, she retracted her representations on the call and suggested that "compromise" from the Office of Ratepayer Advocates was necessary: "I cannot confirm which documents or the number of documents that can be downgraded; therefore, I cannot agree there will be a "significant number" at this time. Hopefully, we will be able to come to a compromise regarding this matter." See attached email chain dated March 12.

The Meet and Confer regarding these issues occurred on Thursday, March 19, 2020. However, notwithstanding that the purpose of the extension had been so that Ms. Lee could identify those documents where the redactions could be removed, it quickly became evident during the Meet and Confer that Ms. Lee had not seriously considered which of the redactions were inappropriate and should be removed. For example, Ms. Lee insisted that the names of SoCalGas employees at pages 1-2 were entitled to confidentiality to, among other things, prevent them from receiving robocalls, even though no other personal identifying information regarding those employees was included in the relevant documents. She also insisted that the names of executives for various associations and

businesses at pages 1-2 were confidential, even though this information could be readily obtained on the internet.

Regarding page 3, Ms. Lee claimed that the names of public figure, such as former California governors, were confidential. Mr. Tran suggested that the name of an attorney on pages 3-4 was also potentially confidential as an attorney client communication. Ms. Lee also claimed that SoCalGas has a confidentiality provision in its contract with Marathon which prevents SoCalGas from releasing the prices that Marathon charges SoCalGas for their services without being in breach of contract.

For pages 5-19, which appear to be a single document, you claimed the entire document was confidential because it disclosed internal business strategy. Neither one of you had considered the likelihood that this document has been shared with other parties outside of SoCalGas so that it would not be confidential. You committed to look into the possibility that these documents have been shared with parties outside of SoCalGas.

Both of you repeatedly requested that I explain to you why a document should not be kept confidential. Neither of you acknowledged the basic law at issue here - that SoCalGas does not have a right to simply mark anything that its wants as confidential and that SoCalGas, not the Public Advocates Office, has the burden of showing why something is confidential consistent with the law. Rather, you treated this as a "negotiation" in which Public Advocates Office representatives had to make their case to you why the claim of confidentiality could not be sustained.

I was clear that it appears that none of the documents are confidential under the law and that all of the redactions should be lifted.

You did provide citations to two cases which you claim allow you to keep employee names and business strategies confidential.

As a result of extensive questioning by me during the Meet and Confer, you conceded that the names of C4BES Board members are not confidential, and that information readily available on the internet may not be confidential. You also affirmed that pages 1-2 were a SoCalGas document, but that you did not know if it had been shared with any party outside of SoCalGas.

You were unable to explain why an email on page 26 from a SoCalGas employee that included the Chair of the C4BES was confidential. You agreed to look into this.

Given these begrudging concessions which should have been provided without significant questioning by me, I expressed my concern that you were not acting in good faith when you requested the extension, that you were not familiar with the documents, and that you were continuing to make baseless claims of confidentiality. I explained that as an officer of the court you have a responsibility to ensure that the claims of confidentiality that your client has made are supported, and that I would not hesitate to seek sanctions against you for your failure to act in good faith to ensure that your client was not making baseless claims of confidentiality. I pointed out that I was familiar with SoCalGas' tactics in both this investigation, and the recent determinations of the court in the *Gandsy v. SoCalGas* case.

You both expressed that you were offended by my remarks because you could not be responsible for all of the redactions made in roughly 8,000 documents produced to the Public Advocates Offices. Ms. Lee also explained that she was working on Covid-19 issues with Energy Division and had many other competing priorities. I pointed out that the 8,000 documents were not at issue, just

the 209 pages that had been provided to you a week ago, and that I did not believe that Ms. Lee was acting consistent with her representations to me on Wednesday, March 12, 2020, that SoCalGas was seriously considering which redactions could be lifted.

Mr. Tran wanted to understand the reasons for making the information in the 209 pages public, and I explained that SoCalGas' use of ratepayer funds to develop business plans that undermine California's climate change goals were an issue of public importance that the public has a right to know about. Mr. Tran asserted that SoCalGas' advocacy in favor of natural gas and renewable gas was consistent with California policies. I replied that that was an open debate that requires an open forum.

At some point, we discussed the Public Affairs Managers (PAMs) identified on pages 1-2 and whether their salaries are paid by ratepayers, shareholders, or a combination, and whether and how SoCalGas allocates their time for those purposes. Both of you claimed to know nothing about those issues.

We concluded with the understanding that you would provide a list to us identifying where SoCalGas would agree to lift the confidentiality redactions and that the rest of the issues will be addressed in a Motion to the Commission's President.

In conclusion:

1. We encourage you to carefully review the 209 pages we have provided to you and that you ensure that those redactions that remain are consistent with well-established claims of confidentiality. For each page that you continue to claim contains confidential information, please provide citations to the relevant supporting law;
2. Please provide your list of redactions that will be removed, and specific supporting authorities for continued claims of confidentiality no later than a week from today, March 27, 2020. As an alternative to listing the redactions, you may choose instead to identify the lifting of the yellow highlights by coloring them green to indicate that SoCalGas is no longer claiming that the information is confidential;
3. Please identify the Energy Division staff Ms. Lee has been working with regarding the COVID 19 issues, including the leader of the call she was required to attend on March 19; and
4. Please confirm receipt of this email no later than Monday, March 23, 2020.

If you have any questions or concerns regarding the foregoing, please do not hesitate to contact me. The Public Advocates Office looks forward to your prompt resolution of these issues.

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