

**SAN DIEGO GAS & ELECTRIC COMPANY
SOUTHERN CALIFORNIA GAS COMPANY
PIPELINE SAFETY & RELIABILITY PROJECT (PSRP)
(A.15-09-013)
(DATA REQUEST ORA-101)**

**Date Requested: June 5, 2018
Date Responded: June 8, 2018**

PRELIMINARY STATEMENT

1. These responses and objections are made without prejudice to, and are not a waiver of, SDG&E's and SoCalGas' right to rely on other facts or documents in these proceedings.
2. By making the accompanying responses and objections to these requests for data, SDG&E and SoCalGas do not waive, and hereby expressly reserves, its right to assert any and all objections as to the admissibility of such responses into evidence in this action, or in any other proceedings, on any and all grounds including, but not limited to, competency, relevancy, materiality, and privilege. Further, SDG&E and SoCalGas makes the responses and objections herein without in any way implying that it considers the requests, and responses to the requests, to be relevant or material to the subject matter of this action.
3. SDG&E and 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 SDG&E and 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 SDG&E's and 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.
4. A response stating an objection shall not be deemed or construed that there are, in fact, responsive information or documents which may be applicable to the data request, or that SDG&E and SoCalGas acquiesces in the characterization of the premise, conduct or activities contained in the data request, or definitions and/or instructions applicable to the data request.
5. SDG&E and SoCalGas expressly reserves the right to supplement, clarify, revise, or correct any or all of the responses and objections herein, and to assert additional objections or privileges, in one or more subsequent supplemental or additional response(s).
6. SDG&E and SoCalGas will make available for inspection at their offices any responsive documents. Alternatively, SDG&E and SoCalGas will produce copies of the documents.
7. Publicly available information and documents including, but not limited to, documents that are part of the proceeding record, newspaper clippings, court papers, and materials available on the Internet, will not be produced.

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GENERAL OBJECTIONS

1. SDG&E and SoCalGas object to each instruction, definition, and request to the extent that it purports to impose any requirement or discovery obligation greater than or different from those under the CPUC Rules of Practice and Procedure, Statutes, and the applicable Orders of the Commission.
2. SDG&E and SoCalGas object to each request that is overly broad, unduly burdensome, or not reasonably calculated to lead to the discovery of admissible evidence.
3. SDG&E and SoCalGas object to each instruction, definition and data request to the extent that it seeks information protected from disclosure by the attorney-client privilege, deliberative process privilege, attorney work product doctrine, or any other applicable privilege. Should any such disclosure by SDG&E and SoCalGas occur, it is inadvertent and shall not constitute a waiver of any privilege.
4. SDG&E and SoCalGas object to each instruction, definition and data request as overbroad and unduly burdensome to the extent it seeks documents or information that are readily or more accessible to Office of Ratepayer Advocates (ORA) from ORA's own files, from documents or information in ORA's possession, or from documents or information that SDG&E and SoCalGas previously released to the public or produced to ORA. Responding to such requests would be oppressive, unduly burdensome, and unnecessarily expensive, and the burden of responding to such requests is substantially the same or less for ORA as for SDG&E and SoCalGas.
5. SDG&E and SoCalGas object to each instruction, definition and data request to the extent that it seeks the production of documents and information that were produced to SDG&E and SoCalGas by other entities and that may contain confidential, proprietary, or trade secret information.
6. To the extent any of ORA's data requests seek documents or answers that include expert material, including but not limited to analysis or survey materials, SDG&E and SoCalGas object to any such requests as premature and expressly reserves the right to supplement, clarify, revise, or correct any or all responses to such requests, and to assert additional objections or privileges, in one or more subsequent supplemental response(s) in accordance with the time period for exchanging expert reports set by the Commission.
7. SDG&E and SoCalGas incorporate by reference every general objection set forth above into each specific response set forth below. A specific response may repeat a general objection for emphasis or some other reason. The failure to include any general objection in any specific response does not waive any general objection to that request. Moreover, SDG&E and SoCalGas do not waive their right to amend any responses.

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Please also refer to San Diego Gas & Electric Company's and Southern California Gas Company's Notice of Ex Parte Communications, dated May 29, 2018, in Application 15-09-013. Please specifically refer to attachment A, pages 3-16.

QUESTION 1:

For each location shown on pages 3-16, provide a list identifying whether:

- a. California Public Utilities Code Section 851 applies to each location;
- b. For locations where California Public Utilities Code Section 851 applies, identify whether SoCalGas/SDG&E filed an advice letter in compliance with California Public Utilities Code Section 851;
- c. For locations where California Public Utilities Code Section 851 applies, identify whether SoCalGas/SDG&E received Commission authorization of the advice letter in compliance with California Public Utilities Code Section 851.

RESPONSE 1:

SDG&E and SoCalGas object to this data request on the following grounds:

1. It seeks information not admissible in evidence or reasonably calculated to lead to the discovery of admissible evidence because evidentiary hearings on Phase 1 issues have been completed and the evidentiary record closed. A Proposed Decision, if adopted by the Commission, would close this proceeding. If the Commission directs a Phase 2 to this proceeding or another proceeding is opened, and the questions presented in ORA Data Request #101 are relevant to the scoped issues, SDG&E and SoCalGas will entertain such a data request at that time.
2. It is unduly burdensome given that it seeks information not admissible in evidence or reasonably calculated to lead to the discovery of admissible evidence.
3. The requested response date is unreasonable, allowing only six business days to research and provide considerable information.
4. It requests that SDG&E and SoCalGas refer to San Diego Gas & Electric Company's and Southern California Gas Company's Notice of Ex Parte Communications, dated May 29, 2018, even though such Notice of Ex Parte Communications was re-served on June 4, 2018 with corrected captions to certain photographs included in Attachment A.
5. It is vague and ambiguous in its use of the term "Section 851 applies," rendering the meaning of the questions uncertain.
6. Depending how one interprets the term "Section 851 applies," it assumes facts that are not supported by any evidence.

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QUESTION 2:

For each instance where SoCalGas/SDG&E asserts it filed an advice letter and received Commission authorization in compliance with California Public Utilities Code Section 851, please provide the documentation showing this.

RESPONSE 2:

SDG&E and SoCalGas object to this data request on the following grounds:

1. It seeks information not admissible in evidence or reasonably calculated to lead to the discovery of admissible evidence because evidentiary hearings on Phase 1 issues have been completed and the evidentiary record closed. A Proposed Decision, if adopted by the Commission, would close this proceeding. If the Commission directs a Phase 2 to this proceeding or another proceeding is opened, and the questions presented in ORA Data Request #101 are relevant to the scoped issues, SDG&E and SoCalGas will entertain such a data request at that time.
2. It is unduly burdensome given that it seeks information not admissible in evidence or reasonably calculated to lead to the discovery of admissible evidence.
3. It is vague and ambiguous in its use of the phrase "in each instance" and would be unduly burdensome if interpreted to refer to "instances" other than the locations shown in Attachment A to the June 4, 2018 Notice of Ex Parte Communications.
4. The requested response date is unreasonable, allowing only six business days to research and provide considerable information.

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Regarding SoCalGas/SDG&E's Ex Parte Communications

QUESTION 3:

For each photograph provided in Attachment A to the Ex Parte Notices re-served on June 4th 2018 with corrections, provide the date the photograph was taken.

RESPONSE 3:

SDG&E and SoCalGas object to this data request on the following grounds:

1. It seeks information not admissible in evidence or reasonably calculated to lead to the discovery of admissible evidence because evidentiary hearings on Phase 1 issues have been completed and the evidentiary record closed. A Proposed Decision, if adopted by the Commission, would close this proceeding. If the Commission directs a Phase 2 to this proceeding or another proceeding is opened, and the questions presented in ORA Data Request #101 are relevant to the scoped issues, SDG&E and SoCalGas will entertain such a data request at that time.
2. It is unduly burdensome given that it seeks information not admissible in evidence or reasonably calculated to lead to the discovery of admissible evidence.
3. The requested response date is unreasonable, allowing only six business days to research and provide considerable information.

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QUESTION 4:

For each photograph, provide any and all written communications regarding the selection of each site in a photograph.

RESPONSE 4:

SDG&E and SoCalGas object to this data request on the following grounds:

1. It seeks information not admissible in evidence or reasonably calculated to lead to the discovery of admissible evidence because evidentiary hearings on Phase 1 issues have been completed and the evidentiary record closed. A Proposed Decision, if adopted by the Commission, would close this proceeding. If the Commission directs a Phase 2 to this proceeding or another proceeding is opened, and the questions presented in ORA Data Request #101 are relevant to the scoped issues, SDG&E and SoCalGas will entertain such a data request at that time.
2. It is unduly burdensome given that it seeks information not admissible in evidence or reasonably calculated to lead to the discovery of admissible evidence.
3. It is unduly burdensome to search for “any and all communications regarding the selection of each site in a photograph” when the photographs depict particular locations along Line 1600 and the relevance of communications about the selection of such locations is limited at best.
4. The requested response date is unreasonable, allowing only six business days to research and provide considerable information.

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QUESTION 5:

Provide each of the pipeline patrols performed in compliance with 49 CFR §192.705, between 2013 and 2018 on the segments of Line 1600 located at the “apartments in the Mira Mesa area” as shown on Attachment A page 9 to the Ex Parte Notices re-served on June 4th 2018.

RESPONSE 5:

SDG&E and SoCalGas object to this data request on the following grounds:

1. It seeks information not admissible in evidence or reasonably calculated to lead to the discovery of admissible evidence because evidentiary hearings on Phase 1 issues have been completed and the evidentiary record closed. A Proposed Decision, if adopted by the Commission, would close this proceeding. If the Commission directs a Phase 2 to this proceeding or another proceeding is opened, and the questions presented in ORA Data Request #101 are relevant to the scoped issues, SDG&E and SoCalGas will entertain such a data request at that time.
2. It is unduly burdensome given that it seeks information not admissible in evidence or reasonably calculated to lead to the discovery of admissible evidence.
3. The requested response date is unreasonable, allowing only six business days to research and provide considerable information.

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QUESTION 6:

Provide each of the leak surveys performed in compliance with 49 CFR §192.706 and Commission General Order 112-F, between 2013 and 2018 on the segments of Line 1600 located at the “apartments in the Mira Mesa area” as shown on Attachment A page 9 to the Ex Parte Notices re-served on June 4th 2018.

RESPONSE 6:

SDG&E and SoCalGas object to this data request on the following grounds:

1. It seeks information not admissible in evidence or reasonably calculated to lead to the discovery of admissible evidence because evidentiary hearings on Phase 1 issues have been completed and the evidentiary record closed. A Proposed Decision, if adopted by the Commission, would close this proceeding. If the Commission directs a Phase 2 to this proceeding or another proceeding is opened, and the questions presented in ORA Data Request #101 are relevant to the scoped issues, SDG&E and SoCalGas will entertain such a data request at that time.
2. It is unduly burdensome given that it seeks information not admissible in evidence or reasonably calculated to lead to the discovery of admissible evidence.
3. The requested response date is unreasonable, allowing only six business days to research and provide considerable information.

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QUESTION 7:

Provide a copy of SoCalGas/SDG&E's procedures regarding maintaining its right of ways.

RESPONSE 7:

SDG&E and SoCalGas object to this data request on the following grounds:

1. It seeks information not admissible in evidence or reasonably calculated to lead to the discovery of admissible evidence because evidentiary hearings on Phase 1 issues have been completed and the evidentiary record closed. A Proposed Decision, if adopted by the Commission, would close this proceeding. If the Commission directs a Phase 2 to this proceeding or another proceeding is opened, and the questions presented in ORA Data Request #101 are relevant to the scoped issues, SDG&E and SoCalGas will entertain such a data request at that time.
2. It is unduly burdensome given that it seeks information not admissible in evidence or reasonably calculated to lead to the discovery of admissible evidence.
3. The requested response date is unreasonable, allowing only six business days to research and provide considerable information.

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QUESTION 8:

Provide reference to any and all SoCalGas/SDG&E procedures regarding encroachment on its rights of way. Please also provide all such procedures.

RESPONSE 8:

SDG&E and SoCalGas object to this data request on the following grounds:

1. It seeks information not admissible in evidence or reasonably calculated to lead to the discovery of admissible evidence because evidentiary hearings on Phase 1 issues have been completed and the evidentiary record closed. A Proposed Decision, if adopted by the Commission, would close this proceeding. If the Commission directs a Phase 2 to this proceeding or another proceeding is opened, and the questions presented in ORA Data Request #101 are relevant to the scoped issues, SDG&E and SoCalGas will entertain such a data request at that time.
2. It is unduly burdensome given that it seeks information not admissible in evidence or reasonably calculated to lead to the discovery of admissible evidence.
3. It is vague and ambiguous in its use of the phrase “[p]rovide reference to any and all SoCalGas/SDG&E procedures”
4. It is unduly burdensome to “[p]rovide reference to any and all SoCalGas/SDG&E procedures regarding encroachment” if that is meant to identify every document that references such procedures, and such would seek information not admissible in evidence or reasonably calculated to lead to the discovery of admissible evidence.
5. The requested response date is unreasonable, allowing only six business days to research and provide considerable information.

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QUESTION 9:

For each picture in Attachment A to the Ex Parte Notices re-served on June 4th that shows a non- SoCalGas/SDG&E property on SoCalGas or SDG&E's right-of-way:

- A. Provide the deed that legally provides for the non-SoCalGas/SDG&E property to be on SoCalGas/SDG&E's right-of-way. For example, if the non-SoCalGas/SDG&E property has an easement to be on SoCalGas/SDG&E's right-of-way, please provide all such easements.
- B. If there is no provision in the deed to allow for the non-SoCalGas/SDG&E property to be on SoCalGas/SDG&E property to be on SoCalGas/SDG&E's right-of-way, please say so in each instance.

RESPONSE 9:

SDG&E and SoCalGas object to this data request on the following grounds:

1. It seeks information not admissible in evidence or reasonably calculated to lead to the discovery of admissible evidence because evidentiary hearings on Phase 1 issues have been completed and the evidentiary record closed. A Proposed Decision, if adopted by the Commission, would close this proceeding. If the Commission directs a Phase 2 to this proceeding or another proceeding is opened, and the questions presented in ORA Data Request #101 are relevant to the scoped issues, SDG&E and SoCalGas will entertain such a data request at that time.
2. It is unduly burdensome given that it seeks information not admissible in evidence or reasonably calculated to lead to the discovery of admissible evidence
3. The requested response date is unreasonable, allowing only six business days to research and provide considerable information.
4. It appears to assume facts not supported by any evidence is asserting that SoCalGas or SDG&E own the properties at issue, rather than an easement over such properties.
5. It seeks documents (deeds and easements) that are publicly available to ORA.

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QUESTION 10:

Which federal and state requirements require operators, including SoCalGas and SDG&E, to take steps to identify and report encroachments or other uses of operators' rights of way for natural gas pipelines. Please list all such requirements.

RESPONSE 10:

SDG&E and SoCalGas object to this data request on the following grounds:

1. It seeks information not admissible in evidence or reasonably calculated to lead to the discovery of admissible evidence because evidentiary hearings on Phase 1 issues have been completed and the evidentiary record closed. A Proposed Decision, if adopted by the Commission, would close this proceeding. If the Commission directs a Phase 2 to this proceeding or another proceeding is opened, and the questions presented in ORA Data Request #101 are relevant to the scoped issues, SDG&E and SoCalGas will entertain such a data request at that time.
2. It is unduly burdensome given that it seeks information not admissible in evidence or reasonably calculated to lead to the discovery of admissible evidence.
3. The requested response date is unreasonable, allowing only six business days to research and provide considerable information.