

**SAN DIEGO GAS & ELECTRIC COMPANY  
SOUTHERN CALIFORNIA GAS COMPANY  
PIPELINE SAFETY & RELIABILITY PROJECT (PSRP)  
(A.15-09-013)  
(DATA REQUEST ORA-28)**

**Date Requested: August 4, 2016  
Date Responded: August 18, 2016**

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**PRELIMINARY STATEMENT**

1. These responses and objections are made without prejudice to, and are not a waiver of, SDG&E 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 does 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. SDG&E and SoCalGas possession, custody, or control does not include any constructive possession that may be conferred by SDG&E or 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 objects to the production of documents or information protected by the attorney-client communication privilege or the attorney work product doctrine.
6. SDG&E and SoCalGas expressly reserve 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 response(s).
7. 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. SDG&E and SoCalGas will Bates-number such documents only if SDG&E and SoCalGas deem it necessary to ensure proper identification of the source of such documents.
8. Publicly available information and documents including, but not limited to, newspaper clippings, court papers, and materials available on the Internet, will not be produced.

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9. SDG&E and SoCalGas object to any assertion that the data requests are continuing in nature and will respond only upon the information and documents available after a reasonably diligent search on the date of its responses. However, SDG&E and SoCalGas will supplement its answers to include information acquired after serving its responses to the Data Requests if it obtains information upon the basis of which it learns that its response was incorrect or incomplete when made.
10. In accordance with the CPUC's Discovery: Custom And Practice Guidelines, SDG&E and SoCalGas will endeavor to respond to ORA's data requests by the identified response date or within 10 business days. If it cannot do so, it will so inform ORA.
11. SDG&E and SoCalGas object to any ORA contact of SDG&E and SoCalGas officers or employees, who are represented by counsel. ORA may seek to contact such persons only through counsel.
12. SDG&E and SoCalGas objects to ORA's instruction to send copies of responses to entities other than ORA.

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**Subject: Cost Effectiveness Analysis for the Pipeline Safety & Reliability Project by PWC and Neil Navin Prepared Testimony Attachment A & B PSRP Report**

**QUESTION 1:**

The Cost-Effectiveness Analysis in A.15-09-013 on the cover page states,

“WITH INPUT AND DATA FROM APPLICANTS AND CONTENT FROM APPLICANTS’ CONSULTANTS”

In Response to ORA-16 Question 2 a through d, Applicants affirm PwC’s role in the CEA as it states:

- PwC used the Applicants’ quantifiable data as the basis for the different analyses performed in the CEA;
- PwC did not generate its own quantifiable data for purposes of the CEA;
- PwC accepted the Applicants’ asserted benefits to perform the analyses set forth in the CEA;
- PwC participated in discussions with Applicants but the ultimate list of benefits was provided by Applicants in collaboration with and agreed to by PwC;
- PwC’s role in the CEA is the quantification of data to define the relative costs and benefits of the Proposed Project and the Alternatives;.
- PwC did not independently produce cost or benefit data used in the CEA; and
- PwC accepted Applicants’ estimates of fixed and operating costs and benefits for the Proposed Project and the Alternatives and used them for the CEA. PwC did not independently verify Applicants’ costs and benefits.

- a) Please provide the names and curriculum vitae of all of the Applicants’ employees who provided input and data.
- b) Please provide all written input and data that Applicants gave to the Applicants’ consultants.
- c) Please provide the names and curriculum vitae of each person from the Applicants’ Consultants who provided the content in the Cost-Effectiveness Analysis.
- d) Please identify the name of the person or persons from the Applicants’ Consultants responsible for preparing each section of the Cost-Effectiveness Analysis.

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**RESPONSE 1:**

- a. SDG&E and SoCalGas (Applicants) object to this request on the grounds that it is vague, overbroad, unduly burdensome and appears to seek information that is neither admissible in evidence nor likely to lead to the discovery of admissible evidence. Subject to and without waiving these objections, Applicants respond as follows.

A number of Applicants' witnesses and their supporting staff provided input and data to the Cost-Effectiveness Analysis (CEA). The witness qualifications may be found at the end of each witness' prepared direct testimony, which may be accessed here: <http://www.sdge.com/regulatory-filing/15786/pipeline-safety-reliability-project>

- b. Applicants object to this request insofar as it is over-broad, vague, compound, and burdensome. It seeks an expansive amount of information, most of which would not be relevant and, additionally, would be impossible to compile. Applicants further object to this request, whether broadly or more narrowly construed, to the extent it calls for production of any privilege internal documents of Applicants. A request for such records is unreasonable and unduly burdensome in light of the work product doctrine and other privileges protecting such internal documents from discovery.

Pricewaterhouse Coopers (PwC) and Davies Consulting, LLC (Davies) were retained by Brownstein Hyatt Farber Schreck (BHFS), Applicants' outside counsel, to assist BHFS in its representation and advisement of Applicants. Work performed by PwC and Davies was done under the direction of and overseen by BHFS, and documentation and communication was made by and through legal counsel. Accordingly, all documentation and communications, other than materials relied upon by PwC and Davies in preparing the CEA, are protected by the attorney/client and attorney work product privileges. (Cal. Evid. Code §§ 952, 954; Cal. Code Civ. Proc. § 2018.030; *Costco Wholesale Corp. v. Superior Court (Randall)* (2009) 47 Cal.4th 725, 732; *Gordon v. Superior Court* (1997) 55 Cal.App.4th 1546, 1557 [“[T]he [attorney-client] privilege is absolute and disclosure may not be ordered, without regard to relevance, necessity or any particular circumstances peculiar to the case.”]; *Citizens for Ceres v. Superior Court* (2013) 217 Cal. App. 4th 889, 912 [explaining that work produced by an attorney's agents and consultants is protected by the attorney work product doctrine].)

Subject to and without waiving these objections, Applicants respond as follows.

Written input and data provided by Applicants and Davies to PwC and relied upon by PwC for its CEA is included in the CEA itself or in the prepared direct testimony and workpapers made available on the Applicants' website: <http://www.sdge.com/regulatory-filing/15786/pipeline-safety-reliability-project>

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- c. Applicants object to this request on the grounds that it is vague, overbroad, unduly burdensome and appears to seek information that is neither admissible in evidence nor likely to lead to the discovery of admissible evidence. Subject to and without waiving these objections, Applicants respond as follows.

The following members from PwC oversaw the content and preparation of the CEA: Anthony Caletka and Cynthia Lorie. The following members from Davies provided content for the CEA: Grant Davies and Ramsay Sawaya. Their curriculum vitae are attached.

- d. Please see the response to 1(c) above.