

**SAN DIEGO GAS & ELECTRIC COMPANY
SOUTHERN CALIFORNIA GAS COMPANY**

LINE 1600

(A.15-09-013)

(DATA REQUEST ORA DR 106)

Date Requested: March 25, 2020

Date Responded: April 6, 2020

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 reserve, their 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 make the responses and objections herein without in any way implying that they consider 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. 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.

**SAN DIEGO GAS & ELECTRIC COMPANY
SOUTHERN CALIFORNIA GAS COMPANY**

LINE 1600

(A.15-09-013)

(DATA REQUEST ORA DR 106)

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Date Responded: April 6, 2020

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 Public Advocates Office (“Cal Advocates” or “PAO”) from Cal Advocates’ own files, from documents or information in Cal Advocates’ possession, or from documents or information that SDG&E and SoCalGas previously released to the public or produced to Cal Advocates. 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 Cal Advocates 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 Cal Advocates’ 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.

**SAN DIEGO GAS & ELECTRIC COMPANY
SOUTHERN CALIFORNIA GAS COMPANY**

LINE 1600

(A.15-09-013)

(DATA REQUEST ORA DR 106)

Date Requested: March 25, 2020

Date Responded: April 6, 2020

QUESTION 1:

Please provide a list of every agency SoCalGas/SDG&E has requested to take lead agency status for purposes of CEQA review of the testing and/or replacement of Line 1600. Such review should include review of any of the design alternatives provided by SED. (Hereafter, this will be called "Line 1600".)

RESPONSE 1:

(1) In responding to this data request, SDG&E and SoCalGas (jointly, Utilities) object that the subject matter of this data request, the Utilities' response and any documents, data or materials produced with such response are not within the scope of Phase 2 in this proceeding, as set forth in D.20-02-024, or admissible in evidence in Phase 2. (2) Also, the Utilities object that the reference to "testing and/or replacement of Line 1600" is vague and ambiguous as to time and subject; (3) Further, the Utilities object that Question 1 lacks foundation and includes an assumption not founded in fact in referencing "design alternatives provided by SED."

Subject to and without waiving the foregoing objections, the Utilities respond as follows:

The Utilities understand the reference to "testing and/or replacement of Line 1600" to refer to the work set forth in the Utilities' September 26, 2018 Line 1600 Test or Replacement Plan (Line 1600 Plan), which was approved by the January 15, 2019 Letter from Lee Palmer, Deputy Director, Safety and Enforcement Division, California Public Utilities Commission to Roger Schwecke, Southern California Gas Company, and subsequent actions taken to implement the approved Design Alternative 1, and not to the Utilities' proposed project to construct Line 3602 and de-rate Line 1600, as set forth in Application 15-09-013 or any other testing or replacement of Line 1600. If PAO has a different understanding of such reference, the Utilities ask PAO to clarify its intended meaning. The Utilities' answers to all of the Questions in this Data Request using such reference, or one like it, are made based upon the Utilities' understanding of its scope.

The Utilities have not requested any agency to take lead agency status for purposes of CEQA review of the testing and/or replacement of Line 1600 pursuant to the Utilities' Line 1600 Plan. Under CEQA, the project applicant is not identified as the party responsible for determining which agency should act as the Lead Agency for purposes of CEQA review. "Each public agency is responsible for complying with CEQA and these Guidelines." (14 CCR 15020). The identification of the Lead Agency is described in the CEQA Guidelines. (Pub. Res. Code 21083(c)). In cases where a project requires a discretionary approval by more than one public agency, the Guidelines list the criteria by which the Lead Agency is determined. (14 CCR 15050, 15051, 15367, Appendix A). If there is a dispute as to which agency should take that

**SAN DIEGO GAS & ELECTRIC COMPANY
SOUTHERN CALIFORNIA GAS COMPANY**

LINE 1600

(A.15-09-013)

(DATA REQUEST ORA DR 106)

Date Requested: March 25, 2020

Date Responded: April 6, 2020

role, the CEQA Guidelines state that the agencies must try to resolve the dispute among themselves and failing that, the Office of Planning and Research may resolve the dispute (14 CCR 15053). This is not a function that SDG&E, as the project applicant, would perform. Therefore, the Utilities have not requested any agency to take lead agency status for purposes of any necessary CEQA review of the work to implement the Utilities' approved Line 1600 Plan.

**SAN DIEGO GAS & ELECTRIC COMPANY
SOUTHERN CALIFORNIA GAS COMPANY**

LINE 1600

(A.15-09-013)

(DATA REQUEST ORA DR 106)

Date Requested: March 25, 2020

Date Responded: April 6, 2020

QUESTION 2:

For each agency listed in response to question 1, please list each agency who has agreed to assume lead agency status.

RESPONSE 2:

In responding to this data request, SDG&E and SoCalGas (jointly, Utilities) object that the subject matter of this data request, the Utilities' response and any documents, data or materials produced with such response are not within the scope of Phase 2 in this proceeding, as set forth in D.20-02-024, or admissible in evidence in Phase 2.

Subject to and without waiving the foregoing objection, the Utilities respond as follows:

N/A. For the reasons set forth in response to Question 1, the Utilities have not requested any agency to take lead agency status for purposes of any necessary CEQA review of the work to implement the Utilities' approved Line 1600 Plan.

**SAN DIEGO GAS & ELECTRIC COMPANY
SOUTHERN CALIFORNIA GAS COMPANY**

LINE 1600

(A.15-09-013)

(DATA REQUEST ORA DR 106)

Date Requested: March 25, 2020

Date Responded: April 6, 2020

QUESTION 3:

For each agency listed in response to question 1, please provide all correspondence from SoCalGas to the agency requesting that agency assume lead status over a portion of Line 1600.

RESPONSE 3:

In responding to this data request, SDG&E and SoCalGas (jointly, Utilities) object that the subject matter of this data request, the Utilities' response and any documents, data or materials produced with such response are not within the scope of Phase 2 in this proceeding, as set forth in D.20-02-024, or admissible in evidence in Phase 2.

Subject to and without waiving the foregoing objection, the Utilities respond as follows:

N/A. For the reasons set forth in response to Question 1, the Utilities have not requested any agency to take lead agency status for purposes of any necessary CEQA review of the work to implement the Utilities' approved Line 1600 Plan.

**SAN DIEGO GAS & ELECTRIC COMPANY
SOUTHERN CALIFORNIA GAS COMPANY**

LINE 1600

(A.15-09-013)

(DATA REQUEST ORA DR 106)

Date Requested: March 25, 2020

Date Responded: April 6, 2020

QUESTION 4:

For each agency listed in response to question 1, please provide all correspondence from the agency to SoCalGas showing that the agency would assume lead agency status.

RESPONSE 4:

In responding to this data request, SDG&E and SoCalGas (jointly, Utilities) object that the subject matter of this data request, the Utilities' response and any documents, data or materials produced with such response are not within the scope of Phase 2 in this proceeding, as set forth in D.20-02-024, or admissible in evidence in Phase 2.

Subject to and without waiving the foregoing objection, the Utilities respond as follows:

N/A. For the reasons set forth in response to Question 1, the Utilities have not requested any agency to take lead agency status for purposes of any necessary CEQA review of the work to implement the Utilities' approved Line 1600 Plan. Note, however, the Utilities' response to ORA DR 105, which provides a Notice of Exemption from CalTrans associated with a discretionary permit.

**SAN DIEGO GAS & ELECTRIC COMPANY
SOUTHERN CALIFORNIA GAS COMPANY**

LINE 1600

(A.15-09-013)

(DATA REQUEST ORA DR 106)

Date Requested: March 25, 2020

Date Responded: April 6, 2020

QUESTION 5:

For each agency listed in response to question 1, please state whether SoCalGas/SDG&E disclosed to the agency that the project to be under CEQA review was part of a larger project considered as one of the SED design alternatives.

RESPONSE 5:

(1) In responding to this data request, SDG&E and SoCalGas (jointly, Utilities) object that the subject matter of this data request, the Utilities' response and any documents, data or materials produced with such response are not within the scope of Phase 2 in this proceeding, as set forth in D.20-02-024, or admissible in evidence in Phase 2. (2) Also, the Utilities further object that Question 5 lacks foundation and includes an assumption that is not supported by fact in referring to "SED design alternatives." SED did not provide any "design alternatives" for Line 1600 (as referenced in Question 1) and therefore there are no "SED design alternatives." Therefore, the Utilities did not represent to anyone that work on a specific Line 1600 segment was "part of a larger project considered as one of the SED design alternatives."

Subject to and without waiving the foregoing objections, the Utilities respond as follows:

N/A. For the reasons set forth in response to Question 1 and above, the Utilities have not requested any agency to take lead agency status for purposes of any necessary CEQA review of the work to implement the Utilities' approved Line 1600 Plan.

**SAN DIEGO GAS & ELECTRIC COMPANY
SOUTHERN CALIFORNIA GAS COMPANY**

LINE 1600

(A.15-09-013)

(DATA REQUEST ORA DR 106)

Date Requested: March 25, 2020

Date Responded: April 6, 2020

QUESTION 6:

In response to question 5, for each instance where SoCalGas/SDG&E did in fact disclose to a given agency that the project to be under CEQA review was part of a larger project considered as one of the SED design alternatives, please provide the documentation showing this.

RESPONSE 6:

(1) In responding to this data request, SDG&E and SoCalGas (jointly, Utilities) object that the subject matter of this data request, the Utilities' response and any documents, data or materials produced with such response are not within the scope of Phase 2 in this proceeding, as set forth in D.20-02-024, or admissible in evidence in Phase 2. (2) Also, the Utilities further object that Question 6 lacks foundation and includes an assumption that is not supported by fact. SED did not provide any "design alternatives" for Line 1600 (as referenced in Question 1) and therefore there are no "SED design alternatives." Therefore, the Utilities did not represent to anyone that work on a specific Line 1600 segment was "part of a larger project considered as one of the SED design alternatives."

Subject to and without waiving the foregoing objections, the Utilities respond as follows:

N/A. For the reasons set forth in response to Questions 1 and 5 and above, the Utilities have not requested any agency to take lead agency status for purposes of any necessary CEQA review of the work to implement the Utilities' approved Line 1600 Plan.

**SAN DIEGO GAS & ELECTRIC COMPANY
SOUTHERN CALIFORNIA GAS COMPANY**

LINE 1600

(A.15-09-013)

(DATA REQUEST ORA DR 106)

Date Requested: March 25, 2020

Date Responded: April 6, 2020

QUESTION 7:

For each agency listed in response to question 1, please state whether SoCalGas/SDG&E disclosed to the agency that the project was undertaken and authorized pursuant to a Certificate of Public Convenience and Necessity Application to the California Public Utilities Commission, which prompted Application 15-09-013.

RESPONSE 7:

In responding to this data request, SDG&E and SoCalGas (jointly, Utilities) object that the subject matter of this data request, the Utilities' response and any documents, data or materials produced with such response are not within the scope of Phase 2 in this proceeding, as set forth in D.20-02-024, or admissible in evidence in Phase 2.

The Utilities further object that Question 7 includes an assumption that is not supported by fact. In D.18-06-028, the Commission was clear that it denied the Utilities' request for a CPCN for a new pipeline (Line 3602) and instructed the Utilities to comply with Public Utilities Code Section 958 and the Commission-approved Pipeline Safety and Enhancement Plan ("PSEP"). The Commission held: "Because this decision has denied a CPCN for the proposed 36-inch Line 3602 pipeline and any proposal designed to bring Line 1600 into compliance with Pub. Util. Code § 958 that involves installing a pipeline to replace Line 1600 that increases system capacity above the current capacity of 595 MMcfd (FOF), it is not necessary to conduct a Phase Two of this proceeding to continue CEQA work." D.18-06-028 at 106-07, 123 (COL 4), 125 (COL 15). The Commission emphasized that "the proposed Line 3602 is a separate project from PSEP remediation of an existing pipeline, regardless of whether remediation is through pressure testing, replacing in whole or in part, derating, or abandoning." D.18-06-028 at 107 (emphasis added); *accord* D.20-02-024 at 25. Therefore, implementation of the Utilities' Line 1600 Plan is not "undertaken and authorized pursuant to a Certificate of Public Convenience and Necessity Application to the California Public Utilities Commission," and the Utilities have not made any representation to any agency that implementation of such Plan is "undertaken and authorized pursuant to a Certificate of Public Convenience and Necessity Application to the California Public Utilities Commission."

Subject to and without waiving the foregoing objections, the Utilities respond as follows:

N/A. For the reasons set forth in response to Question 1 and above, the Utilities have not requested any agency to take lead agency status for purposes of any necessary CEQA review of the work to implement the Utilities' approved Line 1600 Plan.

**SAN DIEGO GAS & ELECTRIC COMPANY
SOUTHERN CALIFORNIA GAS COMPANY**

LINE 1600

(A.15-09-013)

(DATA REQUEST ORA DR 106)

Date Requested: March 25, 2020

Date Responded: April 6, 2020

QUESTION 8:

For each agency that SoCalGas has communicated with to request it be lead agency for CEQA review of Line 1600, please provide the name, phone number, and email address of the person or persons with which SoCalGas communicated.

RESPONSE 8:

In responding to this data request, SDG&E and SoCalGas (jointly, Utilities) object that the subject matter of this data request, the Utilities' response and any documents, data or materials produced with such response are not within the scope of Phase 2 in this proceeding, as set forth in D.20-02-024, or admissible in evidence in Phase 2.

Subject to and without waiving the foregoing objection, the Utilities respond as follows:

N/A. For the reasons set forth in response to Question 1, the Utilities have not requested any agency to take lead agency status for purposes of any necessary CEQA review of the work to implement the Utilities' approved Line 1600 Plan.

**SAN DIEGO GAS & ELECTRIC COMPANY
SOUTHERN CALIFORNIA GAS COMPANY**

LINE 1600

(A.15-09-013)

(DATA REQUEST ORA DR 106)

Date Requested: March 25, 2020

Date Responded: April 6, 2020

QUESTION 9:

In response to question 6, for each instance where SoCalGas/SDG&E did in fact disclose to a given agency that the project was undertaken and authorized pursuant to a Certificate of Public Convenience and Necessity Application to the California Public Utilities Commission, which prompted Application 15-09-013, please provide the documentation showing this.

RESPONSE 9:

In responding to this data request, SDG&E and SoCalGas (jointly, Utilities) object that the subject matter of this data request, the Utilities' response and any documents, data or materials produced with such response are not within the scope of Phase 2 in this proceeding, as set forth in D.20-02-024, or admissible in evidence in Phase 2.

Subject to and without waiving the foregoing objection, the Utilities respond as follows:

N/A. Please see the responses to Question 1, 6, and 7.

**SAN DIEGO GAS & ELECTRIC COMPANY
SOUTHERN CALIFORNIA GAS COMPANY**

LINE 1600

(A.15-09-013)

(DATA REQUEST ORA DR 106)

Date Requested: March 25, 2020

Date Responded: April 6, 2020

QUESTION 10:

Please provide a map showing the Line 1600 related project to be undertaken.

- a. On this map, please identify each segment for which SoCalGas requested a lead agency to do CEQA review.
- b. For each segment on this map identified in response to question 9a, please identify each agency that SoCalGas/SDG&E requested to be a lead agency to do CEQA review.
- c. For each segment on this map identified in response to question 9a, please identify each agency that has agreed in writing to be a lead agency to do CEQA review.
- d. Please identify all portions on the Line 1600 related project that do not have an agency that has agreed to do CEQA review. If no such portions exist, please so state.

RESPONSE 10:

In responding to this data request, SDG&E and SoCalGas (jointly, Utilities) object that the subject matter of this data request, the Utilities' response and any documents, data or materials produced with such response are not within the scope of Phase 2 in this proceeding, as set forth in D.20-02-024, or admissible in evidence in Phase 2. The Utilities understand the reference to "question 9a" to mean "question 10a."

Subject to and without waiving the foregoing objection, the Utilities respond as follows:

The SED-approved Design Alternative 1 consists of 19 separate projects as shown on the map (Figure 1) presented in the Utilities' Line 1600 Plan.

- a. N/A. For the reasons set forth in response to Question 1, the Utilities have not requested any agency to take lead agency status for purposes of any necessary CEQA review of the work to implement the Utilities' approved Line 1600 Plan.
- b. N/A. For the reasons set forth in response to Question 1, the Utilities have not requested any agency to take lead agency status for purposes of any necessary CEQA review of the work to implement the Utilities' approved Line 1600 Plan.
- c. For the reasons set forth in response to Question 1, the Utilities have not requested any agency to take lead agency status for purposes of any necessary CEQA review of the work to implement the Utilities' approved Line 1600 Plan. Therefore, to the extent PAO intends the word "agreed" in Question 10(c) to mean an agreement in response to a request by the Utilities, there is no such agreement. The Utilities have applied (or will

**SAN DIEGO GAS & ELECTRIC COMPANY
SOUTHERN CALIFORNIA GAS COMPANY**

LINE 1600

(A.15-09-013)

(DATA REQUEST ORA DR 106)

Date Requested: March 25, 2020

Date Responded: April 6, 2020

apply) to agencies from which a discretionary permit may be needed. The SED-approved Design Alternative 1 consists of 19 separate projects as shown on the map (Figure 1) presented in the Utilities' Line 1600 Plan. As of the date of this response, two such projects have advanced to the point where permits have been sought. On Figure 1, those projects are shown as the Midway Replacement Project and the Black Mountain Replacement Project. The Utilities' response to ORA DR 105 provides a Notice of Exemption from CalTrans associated with a discretionary permit.

- d. The Utilities have applied (or will apply) to agencies from which a discretionary permit may be needed. The SED-approved Design Alternative 1 consists of 19 separate projects as shown on the map (Figure 1) presented in the Utilities' Line 1600 Plan. As of the date of this response, only two such projects have advanced to the point where permits have been sought. Please refer to the Utilities' response to ORA DR 105 Question 5 for a schedule for each project.

**SAN DIEGO GAS & ELECTRIC COMPANY
SOUTHERN CALIFORNIA GAS COMPANY**

LINE 1600

(A.15-09-013)

(DATA REQUEST ORA DR 106)

Date Requested: March 25, 2020

Date Responded: April 6, 2020

QUESTION 11:

In response to Public Advocates Office's Data Request 105, Question 6, SoCalGas/SDG&E state in part, "Notably, the PAO (then ORA) argued that CEQA review by the Commission was not required on various grounds." With this quote in mind, please provide the following:

- a. The document that SoCalGas/SDG&E is relying upon to make this statement.
- b. The exact quoted passages of the document SoCalGas/SDG&E is relying upon to make this statement, including page numbers in the provided document.

RESPONSE 11:

In responding to this data request, SDG&E and SoCalGas (jointly, Utilities) object that the subject matter of this data request, the Utilities' response and any documents, data or materials produced with such response are not within the scope of Phase 2 in this proceeding, as set forth in D.20-02-024, or admissible in evidence in Phase 2.

Subject to and without waiving the foregoing objection, the Utilities respond as follows:

- a. June 1, 2018 Office of Ratepayer Advocates Reply Comments.
- b. ORA's statement is found on pages 1-3 (footnotes omitted from quote below):

"Southern California Gas Company/San Diego Gas & Electric Company (SoCalGas/SDG&E) assert that the Commission's hydrotest plan requirements would violate CEQA.

SoCalGas/SDG&E state:

PD Options 1 and 2 are alternatives to the Proposed Project that would impact the environment, and cannot be authorized until the Commission complies with CEQA. Halting the environmental review, is legal error.

As the lead agency under CEQA for the Proposed Project, the Commission must comply with CEQA and make a written determination of any approved project's environmental impacts. [footnote omitted] Yet, the PD ends the Commission's CEQA review, while it also requires the Utilities to implement either the No Project Alternative or an alternative involving replacement of approximately 32 miles of the existing Line 1600 pipeline. Opponents may argue that these alternatives' environmental impacts require analysis in an Environmental Impact Report (EIR). [footnote omitted] If the Commission closes the proceeding without certifying a final EIR that analyzes those alternatives, the Commission risks violating CEQA. [footnote omitted]

**SAN DIEGO GAS & ELECTRIC COMPANY
SOUTHERN CALIFORNIA GAS COMPANY**

LINE 1600

(A.15-09-013)

(DATA REQUEST ORA DR 106)

Date Requested: March 25, 2020

Date Responded: April 6, 2020

Moreover, replacement activities may require future discretionary actions, which require CEQA analyses. Without a certified EIR from the Commission, there would be significant delay and the risk of piecemealing environmental review by other agencies that would only be permitting small portions of this linear project. To comply with CEQA and avoid potential litigation and/or delays, the Commission must complete its CEQA review.

These claims are misplaced. The Commission can and should find that a hydrotesting plan for Line 1600 is exempt from CEQA either because this is a ministerial act, or because the plan is Categorical Exempt from CEQA. Specifically, the Commission can find that the Proposed Decision's hydrotest plan requirements are ministerial (Proposed Decision, p. 102) since those hydrotest plan requirements are necessary to comply with requirements of California Public Utilities (PU or Cal. Pub. Util.) Code Section 958, to have a "comprehensive testing implementation plan." The PD's requirement that SoCalGas/SDG&E provide the Commission with a plan to test or replace Line 1600 is exactly what PU Code Section 958(a) would require SoCalGas/SDG&E to do if there were no CPCN Application before the Commission. Therefore, the Commission has not exercised its discretion to deviate from this requirement, and the Commission can find its decision is ministerial. If the Commission wishes to make such a finding, the Commission should add a Conclusion of Law stating:

"The Commission's requirement to have a hydrotest plan for Line 1600 is a ministerial act under CEQA, as it is a necessary measure to comply with Cal. Pub. Util. Code §958."

Alternatively, the Commission can find that the hydrotest plan requirements are Categorical Exempt from CEQA.⁷ Title 14 of the California Code of Regulations (CCR) §15301 exempts from CEQA the maintenance and repair of existing facilities. In this instance, the testing of Line 1600 would fall under maintenance of an existing facility and would qualify for a Categorical Exemption under Section 15301. Additionally, Title 14 CCR §15302(c) exempts the replacement or reconstruction of existing structures.⁸ Where a segment of Line 1600 failed a test and would require in situ replacement, it would be exempt from CEQA under Section 15302. Finally, Title 14 CCR §15311 exempts from CEQA, "construction, or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities. Any staging areas or other needed temporary construction to test or replace Line 1600 would be exempt from CEQA under Section 15311.

If the Commission finds the hydrotest plan is categorically exempt under CEQA, the PD should include a Conclusion of Law that states,

"The Commission's requirement to have a hydrotest plan for Line 1600 is categorically exempt from CEQA pursuant to Title 14 CCR §§15301, 15302(c), and 15311."

**SAN DIEGO GAS & ELECTRIC COMPANY
SOUTHERN CALIFORNIA GAS COMPANY**

LINE 1600

(A.15-09-013)

(DATA REQUEST ORA DR 106)

Date Requested: March 25, 2020

Date Responded: April 6, 2020

QUESTION 12:

For each question in this data request, please answer with the following assumptions.

- a. First, answer as if the question is being asked within the context of A.15-09-013.
- b. Second, answer as if the question is being asked outside of the context of A.15-09-013, but being asked pursuant to Public Advocates Office's authority under California Public Utilities Code Section 309.5(e).
- c. Please identify where the answer differs because of the requested assumption to use under 11a or 11b.

RESPONSE 12:

In responding to this data request, SDG&E and SoCalGas (jointly, Utilities) object that the subject matter of this data request, the Utilities' response and any documents, data or materials produced with such response are not within the scope of Phase 2 in this proceeding, as set forth in D.20-02-024, or admissible in evidence in Phase 2.

The Utilities further object to Question 12 as vague, ambiguous, cumulative and, depending upon its interpretation, burdensome and harassing. The Utilities do not understand the reference to "assumptions." The Utilities do not understand what is meant by the "within the context of A.15-09-013," given that PAO purports to be serving its data requests in the proceeding commenced as A.15-09-013 and about topics addressed by D.18-06-028 issued in proceeding A.15-09-013. The Utilities do not understand what is meant by "outside the context of A.15-09-013" given that PAO purports to be serving its data requests in the proceeding commenced as A.15-09-013 and about topics addressed by D.18-06-028 issued in proceeding A.15-09-013.

Subject to and without waiving the foregoing objections, the Utilities respond as follows:

If PAO is asking whether the facts change depending upon the authority upon which PAO relies to be serving data requests upon Utilities at this time, the answer is no.

**SAN DIEGO GAS & ELECTRIC COMPANY
SOUTHERN CALIFORNIA GAS COMPANY**

LINE 1600

(A.15-09-013)

(DATA REQUEST ORA DR 106)

Date Requested: March 25, 2020

Date Responded: April 6, 2020

QUESTION 13:

For each agency that SoCalGas has requested to be a lead agency to do CEQA review on Line 1600, please provide the following:

- a. All names of staff with which SoCalGas communicated.
- b. All contact information for each staff member with which SoCalGas communicated, including email addresses and phone numbers. Please ensure that the email address and phone number is listed in a fashion that corresponds with each name.
- c. The official title of each staff person with which SoCalGas communicated.
- d. The agency which is represented by that staff person with which SoCalGas communicated.

RESPONSE 13:

In responding to this data request, SDG&E and SoCalGas (jointly, Utilities) object that the subject matter of this data request, the Utilities' response and any documents, data or materials produced with such response are not within the scope of Phase 2 in this proceeding, as set forth in D.20-02-024, or admissible in evidence in Phase 2.

Subject to and without waiving the foregoing objection, the Utilities respond as follows:

N/A. For the reasons set forth in response to Question 1, the Utilities have not requested any agency to take lead agency status for purposes of any necessary CEQA review of the work to implement the Utilities' approved Line 1600 Plan

**SAN DIEGO GAS & ELECTRIC COMPANY
SOUTHERN CALIFORNIA GAS COMPANY**

LINE 1600

(A.15-09-013)

(DATA REQUEST ORA DR 106)

Date Requested: March 25, 2020

Date Responded: April 6, 2020

QUESTION 14:

Please identify the individuals at SoCalGas who communicated with the staff people provided in response to question 13.

RESPONSE 14:

In responding to this data request, SDG&E and SoCalGas (jointly, Utilities) object that the subject matter of this data request, the Utilities' response and any documents, data or materials produced with such response are not within the scope of Phase 2 in this proceeding, as set forth in D.20-02-024, or admissible in evidence in Phase 2.

Subject to and without waiving the foregoing objection, the Utilities respond as follows:

N/A. Please see the responses to Questions 1 and 13.

**SAN DIEGO GAS & ELECTRIC COMPANY
SOUTHERN CALIFORNIA GAS COMPANY**

LINE 1600

(A.15-09-013)

(DATA REQUEST ORA DR 106)

Date Requested: March 25, 2020

Date Responded: April 6, 2020

QUESTION 15:

Please show which individuals from SoCalGas in response to question 14 spoke with individuals from agencies in response to question 13.

RESPONSE 15:

In responding to this data request, SDG&E and SoCalGas (jointly, Utilities) object that the subject matter of this data request, the Utilities' response and any documents, data or materials produced with such response are not within the scope of Phase 2 in this proceeding, as set forth in D.20-02-024, or admissible in evidence in Phase 2.

Subject to and without waiving the foregoing objection, the Utilities respond as follows:

N/A. Please see the responses to Questions 1, 13, and 14.

**SAN DIEGO GAS & ELECTRIC COMPANY
SOUTHERN CALIFORNIA GAS COMPANY**

LINE 1600

(A.15-09-013)

(DATA REQUEST ORA DR 106)

Date Requested: March 25, 2020

Date Responded: April 6, 2020

QUESTION 16:

For this next set of questions, please see the article at the following link:

<https://www.sandiegouniontribune.com/business/energy-green/story/2020-03-18/four-groups-join-fight-against-natural-gas-pipeline-project-along-i-15>

In this article, please in particular reference the quote that states, “SDG&E, working with fellow Sempra Energy affiliate Southern California Gas, plans to replace 37 miles of Line 1600 that runs through urban and suburban areas and hydrotest the remaining 13 miles in more rural areas. The project will be done in 19 segments, and workers on the first portion a 2.44-mile stretch on Midway Drive in Escondido broke ground last month.”

- a. Did SoCalGas communicate with anyone at the Commission in any way relating to article’s point that “The project will be done in 19 segments.”?
- b. If yes, who from SoCalGas did the communicating?
- c. If yes, with whom at the Commission did SoCalGas communicate?
- d. Did SoCalGas communicate with anyone at the Commission in any way relating to the point that the Commission did not need to be a lead agency to do CEQA review?
- e. If yes, with whom at the Commission did SoCalGas communicate?
- f. Provide all documentation supporting the answers to these questions.

RESPONSE 16:

In responding to this data request, SDG&E and SoCalGas (jointly, Utilities) object that the subject matter of this data request, the Utilities’ response and any documents, data or materials produced with such response are not within the scope of Phase 2 in this proceeding, as set forth in D.20-02-024, or admissible in evidence in Phase 2.

Subject to and without waiving the foregoing objection, the Utilities respond as follows:

The Utilities interpret Question 16 as calling for information about the actions of either SDG&E or SoCalGas. The Utilities provide sufficient information to demonstrate that persons at the Commission were and are aware that implementation of the Utilities’ SED-approved Line 1600

**SAN DIEGO GAS & ELECTRIC COMPANY
SOUTHERN CALIFORNIA GAS COMPANY**

LINE 1600

(A.15-09-013)

(DATA REQUEST ORA DR 106)

Date Requested: March 25, 2020

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Plan involves 19 separate projects, and do not attempt to identify each and every person who may have such knowledge.

- a. Yes. See, e.g., September 26, 2018 Line 1600 Test or Replacement Plan (Line 1600 Plan) and January 15, 2019 Letter from Lee Palmer, Deputy Director, Safety and Enforcement Division, California Public Utilities Commission to Roger Schwecke, Southern California Gas Company (SED Approval Letter). In addition, that the Line 1600 Plan includes 19 separate projects was recognized in at least the following pleadings filed with the Commission and served on all parties to A.15-09-013, including ORA (now PAO): July 1, 2019 Response Of San Diego Gas & Electric Company (U 902 G) And Southern California Gas Company (U 904 G) To Petition For Modification Of Decision 18-06-028 Of Protect Our Communities Foundation, Sierra Club, Southern California Generation Coalition, And The Utility Reform Network; October 2, 2019 Opening Comments Of San Diego Gas & Electric Company (U 902 G) And Southern California Gas Company (U 904 G) On Proposed Decision Approving Limited Modifications To Decision 18-06-028; October 7, 2019 Reply Comments Of San Diego Gas & Electric Company (U 902 G) And Southern California Gas Company (U 904 G) On Proposed Decision Approving Limited Modifications To Decision 18-06-028; October 17, 2019 San Diego Gas & Electric Company's (U902 G) And Southern California Gas Company's (U904 G) Notice Of Ex Parte Communication; December 16, 2019 Opening Comments Of San Diego Gas & Electric Company (U 902 G) And Southern California Gas Company (U 904 G) On Alternate Proposed Decision Approving Limited Modifications To Decision 18-06-028; December 16, 2019 Opening Comments Of San Diego Gas & Electric Company (U 902 G) And Southern California Gas Company (U 904 G) On Revised Proposed Decision Of ALJ Kersten Approving Modifications To Decision 18-06-028. The 19 projects were also listed in the monthly PSEP report that is posted publicly, starting in March 1, 2019.¹
- b. The Line 1600 Plan which described the 19 independent projects was transmitted to SED via a September 26, 2018 email from Shirley Arazi to Kenneth Bruno and Matthewson Epuna. Many individuals at the Utilities were involved in the preparation of the pleadings set forth above, including the attorneys identified on the pleadings. The individuals present during the ex parte communications with Commissioner Randolph's office are identified in the October 17, 2019 San Diego Gas & Electric Company's (U902 G) And Southern California Gas Company's (U904 G) Notice Of Ex Parte Communication.
- c. The Line 1600 Plan which described the 19 independent projects was transmitted to SED via a September 26, 2018 email from Shirley Arazi to Kenneth Bruno and Matthewson

¹ <https://www.sdge.com/regulatory-filing/469/gas-pipeline-safety-order-instituting-rulemaking-2011>

**SAN DIEGO GAS & ELECTRIC COMPANY
SOUTHERN CALIFORNIA GAS COMPANY**

LINE 1600

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Epuna. The pleadings identified above were served on the A.15-09-013 service list, and the individuals at the Commission who received such pleadings can be ascertained by the Certificate of Service associated with each such pleading.

- d. The Utilities did not “communicate with anyone at the Commission in any way relating to the point that the Commission did not need to be a lead agency to do CEQA review.” Rather, the Commission informed the Utilities that CEQA review of the Utilities’ Line 1600 Plan was not required in D.18-06-028 at, inter alia, 102-08. The Commission declined to modify D.18-06-028 in that regard in D.20-04-028.
- e. The Utilities did not “communicate with anyone at the Commission in any way relating to the point that the Commission did not need to be a lead agency to do CEQA review.” Rather, the Commission informed the Utilities that CEQA review of the Utilities’ Line 1600 Plan was not required in D.18-06-028 at, inter alia, 102-08. The Commission declined to modify D.18-06-028 in that regard in D.20-04-028.
- f. The documents referenced in this response, other than the September 26, 2018 email from the Utilities to SED conveying the September 26, 2018 Line 1600 Test or Replacement Plan, are publicly available. The September 26, 2018 email is provided herewith.