

PUBLIC ADVOCATES OFFICE DATA REQUEST: CALPA-SDG&E-04
R.18-10-007 – SB901 WILDFIRE MITIGATION PLAN OIR
SDG&E RESPONSE

Date Received: September 20, 2019
Date Submitted: September 30, 2019

I. GENERAL OBJECTIONS

1. SDG&E objects generally to each request to the extent that it seeks information protected by the attorney-client privilege, the attorney work product doctrine, statutory mediation confidentiality (see Cal. Evid. Code §§ 1115-28) or any other applicable privilege or evidentiary doctrine. No information protected by such privileges will be knowingly disclosed.
2. SDG&E objects generally to each request that is overly broad and unduly burdensome. As part of this objection, SDG&E objects to discovery requests that seek “all documents” or “each and every document” and similarly worded requests on the grounds that such requests are unreasonably cumulative and duplicative, fail to identify with specificity the information or material sought, and create an unreasonable burden compared to the likelihood of such requests leading to the discovery of admissible evidence. Notwithstanding this objection, SDG&E will produce all relevant, non-privileged information not otherwise objected to that it is able to locate after reasonable inquiry.
3. SDG&E objects generally to each request to the extent that the request is vague, unintelligible, or fails to identify with sufficient particularity the information or documents requested and, thus, is not susceptible to response at this time.
4. SDG&E objects generally to each request that: (1) asks for a legal conclusion to be drawn or legal research to be conducted on the grounds that such requests are not designed to elicit facts and, thus, violate the principles underlying discovery; (2) requires SDG&E to do legal research or perform additional analyses to respond to the request; or (3) seeks access to counsel’s legal research, analyses or theories.
5. SDG&E objects generally to each request to the extent it seeks information or documents that are not reasonably calculated to lead to the discovery of admissible evidence.
6. SDG&E objects generally to each request to the extent that it is unreasonably duplicative or cumulative of other requests.
7. SDG&E objects generally to each request to the extent that it would require SDG&E to search its files for matters of public record such as filings, testimony, transcripts, decisions, orders, reports or other information, whether available in the public domain or through FERC or CPUC sources.
8. SDG&E objects generally to each request to the extent that it seeks information or documents that are not in the possession, custody or control of SDG&E.
9. SDG&E objects generally to each request to the extent that the request would impose an undue burden on SDG&E by requiring it to perform studies, analyses or calculations or to create documents that do not currently exist.

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10. SDG&E objects generally to each request that calls for information that contains trade secrets, is privileged or otherwise entitled to confidential protection by reference to statutory protection. SDG&E objects to providing such information absent an appropriate protective order.

II. EXPRESS RESERVATIONS

1. No response, objection, limitation or lack thereof, set forth in these responses and objections shall be deemed an admission or representation by SDG&E as to the existence or nonexistence of the requested information or that any such information is relevant or admissible.
2. SDG&E reserves the right to modify or supplement its responses and objections to each request, and the provision of any information pursuant to any request is not a waiver of that right.
3. SDG&E reserves the right to rely, at any time, upon subsequently discovered information.
4. These responses are made solely for the purpose of this proceeding and for no other purpose.

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III. RESPONSES

QUESTION 1:

For SDG&E's initial 2019 Safety Certification issued on July 26, 2019, please provide the record and content of all communications between SDG&E and the CPUC. SDG&E does not need to include its July 18, 2019 Request for Initial Safety Certification, nor the July 26, 2019 Safety Certification in its response to this request.

OBJECTION:

SDG&E objects to this request on the grounds set forth in General Objection Nos. 2, 5 and 8. Subject to the foregoing objections, SDG&E responds as follows.

RESPONSE 1:

On July 12, 2019, prior to submitting its initial July 18 Request for Initial Safety Certification, SDG&E received written Guidelines from CPUC Safety and Enforcement Division's Deputy Executive Director Elizaveta Malashenko, which are attached hereto (CalPA-SDGE-04 Q1 Attachment 1). On July 22, 2019, Ms. Malashenko also emailed Dan Skopec, SDG&E Vice President of Regulatory Affairs, and Brian Prusnek, SDG&E Director of Regulatory Affairs, requesting that SDG&E provide additional information. That email is also attached (CalPA-SDGE-04 Q1 Attachment 2). SDG&E responded to this request in its July 24, 2019 letter providing supplemental information. Mr. Skopec and Mr. Prusnek also had oral communications with Ms. Malashenko regarding the initial safety certification that were, to the best of their recollection, consistent with the written materials provided herewith.