



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF CALIFORNIA

**FILED**  
12/23/19  
04:59 PM

Order Instituting Investigation on the Commission's Own Motion into the Operations and Practices of Southern California Gas Company with Respect to the Aliso Canyon Storage Facility and the Release of Natural Gas, and Order to Show Cause Why Southern California Gas Company Should Not Be Sanctioned for Allowing the Uncontrolled Release of Natural Gas from Its Aliso Canyon Storage Facility. (U904G.)

Investigation 19-06-016

**SAFETY AND ENFORCEMENT DIVISION'S  
RESPONSE TO SOUTHERN CALIFORNIA GAS COMPANY'S  
MOTION TO STRIKE PORTIONS OF THE  
SAFETY AND ENFORCEMENT DIVISION'S RESPONSE TO  
SOUTHERN CALIFORNIA GAS COMPANY'S  
MOTION TO QUASH SUBPOENA**

**I. INTRODUCTION**

Pursuant to Rule 11.1(e) of the California Public Utilities Commission's (CPUC or Commission) Rules of Practice and Procedure (Rules), the Safety and Enforcement Division (SED) submits this response to Southern California Gas Company's (SoCalGas) motion seeking to strike portions of SED's response to SoCalGas' motion to quash subpoena (Motion to Strike). As demonstrated below, SoCalGas' Motion to Strike has no basis in law or fact and should be denied.

**II. BACKGROUND**

On November 26, 2019, SED submitted its response to SoCalGas's November 1, 2019 motion seeking to quash the Commission's subpoena. As support for SED's position that Mr. Kenneth Bruno did not have a conflict of interest and did not inappropriately interfere with either SED's investigation or Blade Energy Partners'

(Blade) Root Cause Analysis (RCA) of the Aliso Canyon gas leak, SED attached to its responsive motion a declaration of Mr. Bruno, in which Mr. Bruno clearly states that he was only diagnosed with cancer on April 10, 2019. The Blade RCA was released in May of 2019. Consequently, due to the timing of Mr. Bruno's diagnosis, Mr. Bruno did not have a conflict of interest and could not have interfered with Blade's RCA.<sup>1</sup>

On December 6, 2019, SoCalGas filed a motion to strike portions of SED's November 26, 2019, response to SoCalGas' motion to quash. SoCalGas alleges that sections of SED's response, including Mr. Bruno's declaration, inappropriately referenced a prohibited *ex parte* communication and should therefore be excised. As demonstrated below, SoCalGas' Motion to Strike has no basis in law or fact and should be denied.

### **III. DISCUSSION**

SoCalGas argues that the Commission should grant its Motion to Strike because (1) Mr. Bruno's declaration has been excluded from the record; (2) permitting SED to rely on Mr. Bruno's declaration would allow parties to circumvent the Commission's *ex parte* rules; and (3) since Mr. Bruno is not a party to the proceeding, SoCalGas is not able to issue discovery to him or cross examine him.<sup>2</sup>

#### **A. The Facts Contained In Mr. Bruno's Declaration Have Not Been Excluded From The Record In Perpetuity.**

On November 7, 2019, Administrative Law Judge (ALJ) Kenney correctly and appropriately issued an email ruling that required Mr. Bruno's attorney, Mr. Rex Parris to comply with the *ex parte* rules and excluded Mr. Parris' email from the record because it was a prohibited *ex parte* communication. ALJ Kenney also stated that Mr. Parris had failed to state the purpose of the email or why it was sent to the service list. However, the fact that a prohibited *ex parte* communication occurred does not mean that the facts

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<sup>1</sup> As further demonstrated in SED's response to SoCalGas' motion to quash (see Exhibit E), Mr. Bruno was removed from working on the Aliso investigation in June 2019.

<sup>2</sup> See, SoCalGas Motion to Strike pp. 3-4.

contained in said communication are forever barred from any proceeding before the Commission, which is exactly what SoCalGas is seemingly arguing and would be the result if the Commission granted SoCalGas' meritless motion.

In contrast to Mr. Parris, SED is a party to this proceeding, and SED appropriately and legally attached a factual document to its November 26, 2019, motion, and clearly set forth why SED referenced Mr. Bruno's declaration. Other than one court case that actually supports SED's action and the Commission's *Ex Parte* rules that do not apply in the context of SED's motion, SoCalGas fails to cite to a single case or rule in support of its interesting, but ultimately flawed argument.<sup>3</sup>

If the Commission were to take SoCalGas' argument at face value, not even stretching it to its logical extreme, then none of the issues raised in SoCalGas' November 18, 2019, prohibited email communication or SED's prohibited response to the service list could be raised again. Under SoCalGas' logic, SoCalGas should be barred from responding to SED's response to SoCalGas' motion to quash subpoena. As with Mr. Bruno's declaration, such makes absolutely no sense, and would be a ludicrous outcome. SED's response to SoCalGas' motion comported with the law. The facts contained in and referenced in SED's motion were and are valid. If granted, SoCalGas' motion would arguably lead to the filing and "weaponizing" of prohibited *ex parte* communications to specifically banish relevant facts from the record forever. Such makes a mockery of the Commission's rules and leads to untenable outcomes. On this basis alone the Commission should deny SoCalGas' Motion to Strike.

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<sup>3</sup> The legal standard cited by SoCalGas asks whether the material is irrelevant, false, improper, or not in conformity with the law. Here, the facts contained in SED's attachment (Mr. Bruno's declaration) are clearly relevant, made under oath, proper and conform with the law. The facts go to the heart of SoCalGas' unfounded allegations against Mr. Bruno, have been made under oath, and were properly submitted to the Commission in a lawful filing by SED.

**B. Referencing Mr. Bruno’s Declaration Does Not Circumvent The Commission’s *Ex Parte* Rules.**

SoCalGas next argues without support that allowing SED to reference facts contained in a prohibited *ex parte* communication would undermine the Commission’s *ex parte* rules. The *ex parte* rules exist to prevent inappropriate communications with decision makers. It is the communication that is at issue, not the facts contained in said communication. As argued above, if the Commission were to apply SoCalGas’ logic, it would result in ludicrous outcomes. In addition, since *ex parte* communications can conceivably contain references to record evidence, adopting SoCalGas’ logic would mean that any record evidence referenced in a prohibited *ex parte* communication would now be stricken from the record; an illogical and untenable outcome if there ever was one.

All of this begs the question, why is SoCalGas so desperate to keep pertinent facts from the Commission? As SED has argued, SoCalGas’ spurious allegations against Mr. Bruno have no basis in fact and the facts contained in his declaration unequivocally demonstrate such. SoCalGas is playing “Squirrel!!!”<sup>4</sup> with the Commission by attempting to deflect from its failure to properly operate and maintain its Aliso Canyon gas storage facility, which resulted in the largest methane gas leak in the history of this country. The Commission should put a stop to SoCalGas’ antics, especially since SoCalGas has unclean hands when it comes to putting extra record evidence before decision makers.<sup>5</sup>

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<sup>4</sup> “A SQUIRREL!!! moment is when you have been distracted by random nothingness. To be diverted from one task/situation with no effort. To have ones (sic) attention easily diverted. Disney Pixar Movie UP: SQUIRREL!!! moment originates from this animated movie where we meet Dug, The Talking Dog, who delivers the hilarious reoccurring SQUIRREL!! gag, while trying to remain focused is distracted instantly.” See, <https://www.urbandictionary.com/define.php?term=squirrel> and <https://www.youtube.com/watch?v=SSUXXzN26zg>.

<sup>5</sup> SoCalGas has introduced extra record evidence in *ex parte* communications before, also in the context of a safety related natural gas proceeding. In Application A.15-09-013, SoCalGas introduced evidence for the first time to Commissioners’ offices that its own Line 1600 was in the immediate vicinity of four story buildings at one location, changing the facts in its own data responses that were part of the record that there were no highly populated Class 4 locations along that line. (See A.15-09-013, Public Advocates Office Motion for Order to Show Cause Why Southern California Gas Company and San Diego Gas & Electric Company Should Not Be Found in Violation of Commission Rule of Practice and Procedure 1.1;

**C. SoCalGas' Alleged Inability To Question Mr. Bruno Is Irrelevant As To Whether SED Can Reference Mr. Bruno's Declaration.**

Lastly, SoCalGas argues that because it has not yet had an opportunity to question Mr. Bruno, the Commission cannot consider the facts contained in his declaration. The issue of SoCalGas' alleged inability to question Mr. Bruno is irrelevant to whether SED can reference Mr. Bruno's declaration.<sup>6</sup> SED is citing to and relying on facts to demonstrate that Mr. Bruno could not have had a conflict of interest and/or interfered with either Blade's RCA or SED's investigation. SoCalGas' due process rights are not impacted; deposing Mr. Bruno is irrelevant. SoCalGas has an opportunity to question SED about this issue and the Commission can weigh SED's evidence as it sees fit.

Just like SoCalGas' argument vis a vis Mr. Bruno's alleged conflict of interest, SoCalGas' Motion to Strike is frivolous and wastes the Commission's time and resources. SoCalGas should spend its time not trying to desperately deflect the Commission's attention from its disastrous Aliso Canyon leak, but should instead focus its energy on providing just and reliable services and facilities to promote the safety, health, comfort, and convenience of its patrons, employees, and the public. Causing the worst natural gas leak in the U.S.'s history and undermining California's efforts to

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Title 49 of the Code of Federal Regulations Sections 192.5 and Other Safety Requirements, June 20, 2018, p. 3, fns 11 and 12. Available at: <http://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M216/K500/216500459.PDF>. A Class 4 location is defined under 49 CFR Section 192.5 as "any class location unit where buildings with four or more stories above ground are prevalent."). Indeed, SoCalGas discussed for the first time in these ex parte communications "the challenges the company would face in having to construct new pipeline in the existing right of way due to the proximity of homes and other environmental issues. . ." (See for example: SDG&E and SoCalGas's Notice of Ex Parte Communication (Ex parte communication), May 24, 2018, pp. 2-3. Available at: <http://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M219/K473/219473999.PDF>). SoCalGas also provided extra record photos to illustrate its discussion. (See Attachment A to Ex Parte Communication, Corrected Photo Captions, SDG&E and SoCalGas Presentation Potential Replacement Scenario Options, Line 1600 ROW On-the-Ground Photos, May 2018. Available at: <http://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M219/K474/219474630.PDF> ).

<sup>6</sup> Moreover, SoCalGas has had an opportunity to question Mr. Bruno. Mr. Bruno was to be available to be deposed on or around December 18, 2019, but SoCalGas claimed that it could not do so due to a conflict. (See Attachment A). Following SoCalGas' logic would allow SoCalGas to "game" the situation by continually delaying questioning Mr. Bruno, thereby denying the Commission the ability to consider facts pertinent to the Commission's investigation until some point in the future.

address and combat climate change does not promote the safety, health, comfort, and convenience of its patrons, employees, and the public.<sup>7</sup>

#### IV. CONCLUSION

For the foregoing reasons, SED respectfully requests that (1) SoCalGas' Motion to Strike be denied.

Respectfully submitted,

NICHOLAS SHER  
DARRYL GRUEN

/s/ Nicholas Sher

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Nicholas Sher

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Safety and Enforcement Division  
California Public Utilities Commission  
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December 23, 2019

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<sup>7</sup> Recent studies and articles demonstrate that natural gas leaks from gas facilities, like Aliso Canyon and SoCalGas' distribution and transmission facilities, are much worse than thought. This does not bode well for our planet. See, <https://www.theguardian.com/environment/2016/feb/26/los-angeles-aliso-canyon-gas-leak-methane-largest-us-history>; <https://theconversation.com/the-us-natural-gas-industry-is-leaking-way-more-methane-than-previously-thought-heres-why-that-matters-98918>; [https://www.washingtonpost.com/climate-environment/a-blowout-turned-an-ohio-gas-well-into-a-methane-super-emitter/2019/12/16/fcbdf622-1f9e-11ea-bed5-880264cc91a9\\_story.html](https://www.washingtonpost.com/climate-environment/a-blowout-turned-an-ohio-gas-well-into-a-methane-super-emitter/2019/12/16/fcbdf622-1f9e-11ea-bed5-880264cc91a9_story.html).

# **ATTACHMENT A**

**From:** Duffy, Joseph <[joseph.duffy@morganlewis.com](mailto:joseph.duffy@morganlewis.com)>  
**Sent:** Thursday, December 12, 2019 4:02 PM  
**To:** Patricia Oliver <[poliver@parrislawyers.com](mailto:poliver@parrislawyers.com)>; Michael Leslie <[mleslie@bsfllp.com](mailto:mleslie@bsfllp.com)>; Gruen, Darryl <[darryl.gruen@cpuc.ca.gov](mailto:darryl.gruen@cpuc.ca.gov)>; Andrew Esbenshade <[aesbenshade@bsfllp.com](mailto:aesbenshade@bsfllp.com)>  
**Cc:** Mariana McConnell ([Mcconnell@kiesel.law](mailto:Mcconnell@kiesel.law)) <[Mcconnell@kiesel.law](mailto:Mcconnell@kiesel.law)>; Dillon Sandidge <[dsandidge@parrislawyers.com](mailto:dsandidge@parrislawyers.com)>; Zwang-Weissman, Yardena R. <[yardena.zwang-weissman@morganlewis.com](mailto:yardena.zwang-weissman@morganlewis.com)>  
**Subject:** RE: SoCalGas Leaks -- Deposition of CPUC Employee Kenneth Bruno

Patricia

We are available on the 21st. Thanks for everyone's patience. I'll respond to the additional questions directed our way by next week. Thanks.

Joe

Joseph Duffy  
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Assistant: Gloria R. Moonesinghe | +1.213.612.7330 | [gloria.moonesinghe@morganlewis.com](mailto:gloria.moonesinghe@morganlewis.com)

**From:** Patricia Oliver <[poliver@parrislawyers.com](mailto:poliver@parrislawyers.com)>  
**Date:** Wednesday, Dec 11, 2019, 11:23 AM  
**To:** Duffy, Joseph <[joseph.duffy@morganlewis.com](mailto:joseph.duffy@morganlewis.com)>, Michael Leslie <[mleslie@bsfllp.com](mailto:mleslie@bsfllp.com)>, Gruen, Darryl <[darryl.gruen@cpuc.ca.gov](mailto:darryl.gruen@cpuc.ca.gov)>, Andrew Esbenshade <[aesbenshade@bsfllp.com](mailto:aesbenshade@bsfllp.com)>  
**Cc:** Mariana McConnell ([Mcconnell@kiesel.law](mailto:Mcconnell@kiesel.law)) <[Mcconnell@kiesel.law](mailto:Mcconnell@kiesel.law)>, Dillon Sandidge <[dsandidge@parrislawyers.com](mailto:dsandidge@parrislawyers.com)>  
**Subject:** RE: SoCalGas Leaks -- Deposition of CPUC Employee Kenneth Bruno

[EXTERNAL EMAIL]

Dear Mr. Duffy, did you hear back on whether Jan. 21 works?

Many thanks,

Patricia

**From:** Duffy, Joseph <[joseph.duffy@morganlewis.com](mailto:joseph.duffy@morganlewis.com)>  
**Sent:** Thursday, December 5, 2019 8:08 PM  
**To:** Michael Leslie <[mleslie@bsfllp.com](mailto:mleslie@bsfllp.com)>; Gruen, Darryl <[darryl.gruen@cpuc.ca.gov](mailto:darryl.gruen@cpuc.ca.gov)>; Patricia Oliver <[poliver@parrislawyers.com](mailto:poliver@parrislawyers.com)>; Andrew Esbenshade <[aesbenshade@bsfllp.com](mailto:aesbenshade@bsfllp.com)>  
**Cc:** Mariana McConnell ([Mcconnell@kiesel.law](mailto:Mcconnell@kiesel.law)) <[Mcconnell@kiesel.law](mailto:Mcconnell@kiesel.law)>; Dillon Sandidge <[dsandidge@parrislawyers.com](mailto:dsandidge@parrislawyers.com)>  
**Subject:** RE: SoCalGas Leaks -- Deposition of CPUC Employee Kenneth Bruno



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Thanks all. I'll check on that date now.

Joseph Duffy

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**From:** Michael Leslie <[mleslie@bsflp.com](mailto:mleslie@bsflp.com)>

**Date:** Thursday, Dec 05, 2019, 6:26 PM

**To:** Gruen, Darryl <[darryl.gruen@cpuc.ca.gov](mailto:darryl.gruen@cpuc.ca.gov)>, Patricia Oliver <[poliver@parrislawyers.com](mailto:poliver@parrislawyers.com)>, Duffy, Joseph <[joseph.duffy@morganlewis.com](mailto:joseph.duffy@morganlewis.com)>, Andrew Esbenshade <[aesbenshade@bsflp.com](mailto:aesbenshade@bsflp.com)>

**Cc:** Mariana McConnell ([Mcconnell@kiesel.law](mailto:Mcconnell@kiesel.law)) <[Mcconnell@kiesel.law](mailto:Mcconnell@kiesel.law)>, Dillon Sandidge <[dsandidge@parrislawyers.com](mailto:dsandidge@parrislawyers.com)>

**Subject:** RE: SoCalGas Leaks -- Deposition of CPUC Employee Kenneth Bruno

[EXTERNAL EMAIL]

January 21 would work for Developer Plaintiffs.

--Mike

**Michael Leslie**

Partner

---

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725 S Figueroa St, 31<sup>st</sup> Floor

Los Angeles, CA 90017

(t) (213) 629-9040

[mleslie@bsflp.com](mailto:mleslie@bsflp.com)

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**From:** Gruen, Darryl [<mailto:darryl.gruen@cpuc.ca.gov>]

**Sent:** Thursday, December 5, 2019 5:31 PM

**To:** Patricia Oliver <[poliver@parrislawyers.com](mailto:poliver@parrislawyers.com)>; Duffy, Joseph <[joseph.duffy@morganlewis.com](mailto:joseph.duffy@morganlewis.com)>; Andrew Esbenshade <[aesbenshade@bsflp.com](mailto:aesbenshade@bsflp.com)>

**Cc:** Mariana McConnell ([Mcconnell@kiesel.law](mailto:Mcconnell@kiesel.law)) <[Mcconnell@kiesel.law](mailto:Mcconnell@kiesel.law)>; Michael Leslie <[mleslie@bsflp.com](mailto:mleslie@bsflp.com)>; Dillon Sandidge <[dsandidge@parrislawyers.com](mailto:dsandidge@parrislawyers.com)>

**Subject:** RE: SoCalGas Leaks -- Deposition of CPUC Employee Kenneth Bruno

The week of December 30 does not work for me either.

January 21st would work for me; January 22<sup>nd</sup> would not.

Sincerely,

Darryl

**From:** Patricia Oliver <[poliver@parrislawyers.com](mailto:poliver@parrislawyers.com)>  
**Sent:** Thursday, December 05, 2019 4:49 PM  
**To:** Gruen, Darryl <[darryl.gruen@cpuc.ca.gov](mailto:darryl.gruen@cpuc.ca.gov)>; Duffy, Joseph <[joseph.duffy@morganlewis.com](mailto:joseph.duffy@morganlewis.com)>; Andrew Esbenshade ([AEsbenshade@BSFLLP.com](mailto:AEsbenshade@BSFLLP.com)) <[AEsbenshade@BSFLLP.com](mailto:AEsbenshade@BSFLLP.com)>  
**Cc:** Mariana McConnell ([Mcconnell@kiesel.law](mailto:Mcconnell@kiesel.law)) <[Mcconnell@kiesel.law](mailto:Mcconnell@kiesel.law)>; Michael Leslie ([mleslie@bsflp.com](mailto:mleslie@bsflp.com)) <[mleslie@bsflp.com](mailto:mleslie@bsflp.com)>; Dillon Sandidge <[dsandidge@parrislawyers.com](mailto:dsandidge@parrislawyers.com)>  
**Subject:** RE: SoCalGas Leaks -- Deposition of CPUC Employee Kenneth Bruno

Dear Counsel,

The date proposed does not work. What about January 21 or 22?

Kind regards,

Patricia

**From:** Gruen, Darryl <[darryl.gruen@cpuc.ca.gov](mailto:darryl.gruen@cpuc.ca.gov)>  
**Sent:** Thursday, December 5, 2019 12:07 PM  
**To:** Patricia Oliver <[poliver@parrislawyers.com](mailto:poliver@parrislawyers.com)>; Duffy, Joseph <[joseph.duffy@morganlewis.com](mailto:joseph.duffy@morganlewis.com)>; Andrew Esbenshade ([AEsbenshade@BSFLLP.com](mailto:AEsbenshade@BSFLLP.com)) <[AEsbenshade@BSFLLP.com](mailto:AEsbenshade@BSFLLP.com)>  
**Cc:** Mariana McConnell ([Mcconnell@kiesel.law](mailto:Mcconnell@kiesel.law)) <[Mcconnell@kiesel.law](mailto:Mcconnell@kiesel.law)>; Michael Leslie ([mleslie@bsflp.com](mailto:mleslie@bsflp.com)) <[mleslie@bsflp.com](mailto:mleslie@bsflp.com)>; Dillon Sandidge <[dsandidge@parrislawyers.com](mailto:dsandidge@parrislawyers.com)>  
**Subject:** RE: SoCalGas Leaks -- Deposition of CPUC Employee Kenneth Bruno

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Thank you, Joe.

I am confirming receipt, and will get back to everyone soon on this as well.

Darryl

**From:** Patricia Oliver <poliver@parrislawyers.com>  
**Sent:** Thursday, December 05, 2019 11:56 AM  
**To:** Duffy, Joseph <joseph.duffy@morganlewis.com>; Gruen, Darryl <darryl.gruen@cpuc.ca.gov>; Andrew Esbenshade (AEsbenshade@BSFLLP.com) <AEsbenshade@BSFLLP.com>  
**Cc:** Mariana McConnell (Mcconnell@kiesel.law) <Mcconnell@kiesel.law>; Michael Leslie (mleslie@bsflp.com) <mleslie@bsflp.com>; Dillon Sandidge <dsandidge@parrislawyers.com>  
**Subject:** RE: SoCalGas Leaks -- Deposition of CPUC Employee Kenneth Bruno

Thank you Joe. We'll compare notes internally and respond.

**From:** Duffy, Joseph <joseph.duffy@morganlewis.com>  
**Sent:** Thursday, December 5, 2019 11:48 AM  
**To:** Patricia Oliver <poliver@parrislawyers.com>; Gruen, Darryl <darryl.gruen@cpuc.ca.gov>; Andrew Esbenshade (AEsbenshade@BSFLLP.com) <AEsbenshade@BSFLLP.com>  
**Cc:** Mariana McConnell (Mcconnell@kiesel.law) <Mcconnell@kiesel.law>; Michael Leslie (mleslie@bsflp.com) <mleslie@bsflp.com>; Dillon Sandidge <dsandidge@parrislawyers.com>  
**Subject:** RE: SoCalGas Leaks -- Deposition of CPUC Employee Kenneth Bruno

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How does something the week of December 30 work? (appreciating there is some holiday time mixed in there) Maybe the 3<sup>rd</sup>?

Joe

**Joseph Duffy**

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**From:** Patricia Oliver <poliver@parrislawyers.com>  
**Sent:** Thursday, December 5, 2019 11:40 AM  
**To:** Duffy, Joseph <joseph.duffy@morganlewis.com>; Gruen, Darryl <darryl.gruen@cpuc.ca.gov>; Andrew Esbenshade (AEsbenshade@BSFLLP.com) <AEsbenshade@BSFLLP.com>  
**Cc:** Mariana McConnell (Mcconnell@kiesel.law) <Mcconnell@kiesel.law>; Michael Leslie (mleslie@bsflp.com) <mleslie@bsflp.com>; Dillon Sandidge <dsandidge@parrislawyers.com>  
**Subject:** RE: SoCalGas Leaks -- Deposition of CPUC Employee Kenneth Bruno

[EXTERNAL EMAIL]

Dear Mr. Gruen and Mr. Duffy,

Thank you both for your responses and clarifications. Mr. Duffy, when can we anticipate a response and dates for the deposition? The schedules are filling up, and with the holidays soon upon us, I wanted to make sure we get this on calendar for everyone.

Kind regards,

Patricia

**From:** Duffy, Joseph <[joseph.duffy@morganlewis.com](mailto:joseph.duffy@morganlewis.com)>  
**Sent:** Wednesday, December 4, 2019 2:51 PM  
**To:** Gruen, Darryl <[darryl.gruen@cpuc.ca.gov](mailto:darryl.gruen@cpuc.ca.gov)>; Patricia Oliver <[poliver@parrislawyers.com](mailto:poliver@parrislawyers.com)>; Andrew Esbenshade (<[AEsbenshade@BSFLLP.com](mailto:AEsbenshade@BSFLLP.com)> <[AEsbenshade@BSFLLP.com](mailto:AEsbenshade@BSFLLP.com)>  
**Cc:** Mariana McConnell (<[Mcconnell@kiesel.law](mailto:Mcconnell@kiesel.law)> <[Mcconnell@kiesel.law](mailto:Mcconnell@kiesel.law)>; Michael Leslie (<[mleslie@bsflfp.com](mailto:mleslie@bsflfp.com)> <[mleslie@bsflfp.com](mailto:mleslie@bsflfp.com)>; Dillon Sandidge <[dsandidge@parrislawyers.com](mailto:dsandidge@parrislawyers.com)>  
**Subject:** RE: SoCalGas Leaks -- Deposition of CPUC Employee Kenneth Bruno

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Darryl and Patricia

I will follow up on the other questions shortly but we are not going to be available on the 18<sup>th</sup> unfortunately. I can propose other dates and again will follow up on the other issues.

Joe

**Joseph Duffy**

**Morgan, Lewis & Bockius LLP**

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**From:** Patricia Oliver <[poliver@parrislawyers.com](mailto:poliver@parrislawyers.com)>

**Sent:** Monday, December 02, 2019 1:25 PM

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**Subject:** SoCalGas Leaks -- Deposition of CPUC Employee Kenneth Bruno

Dear Counsel,

We reached out to everyone involved to obtain consensus on the date for Mr. Kenneth Bruno's deposition. It appears all agree December 18 works for this deposition at the Lancaster office of the Parris Law firm. In addition, we are sending photographs to Mr. Darryl Gruen at the CPUC to confirm that they can be produced to SoCalGas in response to the notice of deposition. We do not anticipate any issues with that production but should be able to confirm one week before deposition.

There are some details about the deposition itself that we still need to resolve:

- (1) What information, if any, from the CPUC investigation does SoCalGas consider non-discoverable in the civil litigation?
- (2) Has SoCalGas produced all documents it anticipates using at this deposition?
- (3) How much time does SoCalGas anticipate is needed for its questioning?

Mr. Duffy, please let me know when you can respond to these remaining questions.

Thank you,

Patricia



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