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March 9, 2021

Hon. Frances Rothschild, Presiding Justice
Hon. Victoria Gerrard Chaney, Associate Justice
Hon. Helen I. Bendix, Associate Justice
California Court of Appeal
Second Appellate District, Division One
Ronald Reagan State Building
300 S. Spring Street
2nd Floor, North Tower
Los Angeles, California 90013

Re: *Southern California Gas Company v. Public Utilities*
Commission of the State of California
Second Appellate District, Division One, Case No.
B310811

Amicus curiae letter in support of petition for writ of review, mandate, and/or other appropriate relief

Honorable Justices,

San Diego Gas & Electric Company (“SDG&E”) respectfully urges this Court to grant the stay and petition for review in this case. As explained in the writ petition, the California Public Utilities Commission (“CPUC”) has issued orders infringing upon the constitutional rights of an investor-owned utility (“IOU”),¹ including rights under the First and Fourteenth Amendments to the United States Constitution and Article I of the California Constitution. The issued orders are based on a broad interpretation of the discovery rights of the Public Advocates Office (“CalPA”), a separate organization within the CPUC. Accordingly, the issues at stake may have broader implications for other IOUs and regulated entities in California, including SDG&E.

SDG&E understands and deeply respects the regulatory authority possessed by the CPUC and CalPA, including authority to inspect IOU documents. Such authority, however, is not

¹ Southern California Gas Company and SDG&E are affiliates and share the same corporate parent, Sempra Energy.

unlimited. In this case, it is concerning that CalPA is seeking to use its limited authority to pursue goals beyond its statutory mandate and in a manner that infringes upon IOU First Amendment rights. That the CPUC would approve of CalPA's tactics is equally if not more troubling. In particular, SDG&E is troubled by that part of the CPUC order putting third parties who associate with an IOU on notice that their contacts are subject to discovery. Given the nature of these issues, including the need for more clarity in the law around the rights of IOUs to use shareholder (i.e., non-ratepayer) funds to support First Amendment activity without fear of discovery or interference, SDG&E respectfully requests guidance from this Court.

Best Regards,

/s/ John A. Pacheco

John A. Pacheco

Assistant General Counsel

San Diego Gas & Electric

Company

PROOF OF SERVICE

I, Lisa Fucci-Ortiz, declare as follows:

I am employed in the County of San Diego, State of California, I am over the age of eighteen years and am not a party to this action; my business address is 8330 Century Park Court, CP32D, San Diego, CA, in said County and State. On March 9, 2021, I served the following document(s):

AMICUS CURIAE LETTER IN SUPPORT OF PETITION FOR WRIT OF REVIEW, MANDATE, AND/OR OTHER APPROPRIATE RELIEF

on the parties stated below, by the following means of service:

<p>California Public Utilities Commission</p> <p>Rachel Peterson Executive Director 505 Van Ness Avenue, San Francisco, CA 94102 415-703-3808 Rachel.Peterson@cpuc.ca.gov</p> <p>Arocles Aguilar General Counsel 505 Van Ness Avenue, San Francisco, CA 94102 415-703-2015 Arocles.Aguilar@cpuc.ca.gov</p>	<p>California Advocates</p> <p>Elizabeth Echols Director 505 Van Ness Avenue, San Francisco, CA 94102 415-703-2588 elizabeth.echols@cpuc.ca.gov</p> <p>Darwin Farrar General Counsel 505 Van Ness Avenue, San Francisco, CA 94102 415-703-1599 darwin.farrar@cpuc.ca.gov</p> <p>Traci Bone Counsel 505 Van Ness Avenue, San Francisco, CA 94102 415-703-2048 traci.bone@cpuc.ca.gov</p>
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BY ELECTRONIC SERVICE THROUGH TRUEFILING: I caused the documents to be electronically served through TrueFiling.

(STATE) I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on March 9, 2021.

/s/ Lisa Fucci-Ortiz
LISA FUCCI-ORTIZ