



Shivani Sidhar
Regulatory Case Manager
San Diego Gas and Electric Company
8330 Century Park Court
San Diego, CA 92123-1530

April 29, 2016

Sent Via FedEx

A.15-09-010

Mr. Nils Stannik
Office of Ratepayer Advocates
505 Van Ness Avenue, Room 4108
San Francisco, CA 94102

Re: SDG&E Response to ORA Data Request 02 - Wildfire Expense Memorandum Account Application

Dear Mr. Skinner:

Attached please find SDG&E's response to ORA Data Request 02 (ORA-SDG&E-A.15-09-010-02), dated April 1, 2016. SDG&E's response includes general objections and narrative responses where applicable. Also included is a removable hard drive which contains documents and files relevant to the questions asked. An identical hard drive has been sent to Mr. Ed Moldavsky.

At the termination of this proceeding SDG&E requests that both hard drives be returned to SDG&E.

If you have any questions or require additional information, please feel free to contact me by phone at (858) 637-7914 or e-mail: SSidhar@semprautilities.com.

Sincerely,

Signed

Shivani Sidhar
Regulatory Case Manager

Enclosures

cc: Chris Lyons – SDG&E
Stacie Atkinson – SDG&E
Edward Moldavsky - ORA

**ORA DATA REQUEST
ORA-SDG&E DR-02, Q1-6
SDG&E WEMA PROCEEDING - A.15-09-010
SDG&E OBJECTIONS
DATE RECEIVED: APRIL 1, 2016
DATE OF RESPONSES: APRIL 29, 2016**

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.

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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.

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. With respect to the Office of Ratepayer Advocates, however, SDG&E will produce such information subject to the requirements of Public Utilities Code Section 583 and General Order 66-C.

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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 (A.15-09-010) and for no other purpose.

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III. OBJECTIONS TO REQUESTS

Request 1: [Please provide] [a]ll discovery containing relevant information regarding causation and/or SDG&E's operational prudence, which SDG&E produced and/or received in the civil litigation associated with the Witch, Rice and Guejito Fires of 2007.

Objection: SDG&E objects to this request on the grounds set forth in General Objections 2, 3, 4, 5, 8 and 10. Subject to this objection, SDG&E will attempt to provide a response by April 29, 2016.

Response: Subject to the foregoing objection, SDG&E responds as follows. As you requested, SDG&E is transmitting to ORA two removable hard drives containing its document production and relevant discovery responses from the civil litigation associated with the Witch, Rice and Guejito Fires of 2007.

As discussed during our April 27, 2016 meet and confer, a portion of the materials on these hard drives were marked as confidential in the course of the civil litigation. As we also discussed, in the interests of providing these materials to you as promptly as possible, SDG&E is not separately marking those materials as "**Confidential Pursuant to P.U. Code § 583 and General Order 66-C,**" but it is producing these materials on the understanding that they will be treated as confidential pursuant to those legal provisions. SDG&E is willing to further examine and discuss the appropriateness of any confidentiality designation with ORA.

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Request 2: [Please provide] [a]ll deposition transcripts taken in the civil litigation of the Witch, Rice and Guejito Fires of 2007.

Objection: SDG&E objects to this request on the grounds set forth in General Objections 2, 3, 5, 6 and 10. SDG&E notes that California law generally prohibits a party to litigation in the Superior Courts who has purchased a transcript from distributing that transcript to other parties or persons. SDG&E takes the position that producing deposition transcripts in this regulatory proceeding (A.15-09-010) is appropriate because they are documents in its possession, custody or control that may be responsive to this discovery request. However, SDG&E is providing these requests subject to the limitation that they cannot be provided to any other persons without SDG&E's prior written consent or by court or CPUC order. Subject to this objection, SDG&E will attempt to provide a response by April 29, 2016.

Response: Subject to the foregoing objection, SDG&E responds as follows. On the two removable hard drives, referenced above, SDG&E has also provided relevant deposition transcripts from the civil litigation regarding the Witch, Rice and Guejito Fires of 2007.

As discussed during our April 27, 2016 meet and confer, a portion of the materials on these hard drives were marked as confidential in the course of the civil litigation. As we also discussed, in the interests of providing these materials to you as promptly as possible, SDG&E is not separately marking those materials as "**Confidential Pursuant to P.U. Code § 583 and General Order 66-C,**" but it is producing these materials on the understanding that they will be treated as confidential pursuant to those legal provisions. SDG&E is willing to further examine and discuss the appropriateness of any confidentiality designation with ORA.

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Request 3: [Please provide] [a] written narrative of all facts in SDG&E's possession regarding causation and/or SDG&E's operational prudence, in relation to the Witch, Rice and Guejito Fires of 2007.

Objection: SDG&E objects to this request on the grounds set forth in General Objections 1, 2, 3, 4, 5, 7, 9 and 10. Subject to this objection, SDG&E will attempt to provide a response by April 29, 2016.

Response: Subject to the foregoing objection, SDG&E responds as follows. SDG&E's prepared direct testimony submitted in this proceeding on September 25, 2015 contains narratives responsive to this request. Appendices to that testimony (particularly Mr. Schavrien's direct testimony) contain further such narratives. Cal Fire and CPSD (in connection with the Wildfire OIIs) have also produced narratives, although SDG&E reserves its rights to disagree with or dispute all or a portion of those narratives. Further facts on these issues are contained in the materials produced in response to Requests 1 and 2 above.

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Request 4: [Please provide] [e]ach and every document containing any factual or legal admission by SDG&E in relation to the Witch, Rice and Guejito Fires of 2007.

Objection: SDG&E objects to this request on the grounds set forth in General Objections 1, 2, 3, 4, 5, 7, 9 and 10. In connection with this objection, SDG&E notes that it has been involved in more than 2,000 civil cases relating to these fires, as described in the prepared direct testimony of Ms. Karen Sedgwick. Even if this request were construed to relate solely to that litigation, searching documents relating to those lawsuits and trying to determine whether they contain what ORA might deem an “admission . . . in relation to the Witch, Rice and Guejito Fires” is, on its face, overly broad, unintelligible, and unduly burdensome. Subject to this objection, SDG&E will attempt to provide a response by April 29, 2016.

Response: Subject to the foregoing objection, SDG&E responds as follows. See Response to Requests 1-3 above.

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Request 5: [Please provide] [e]ach and every document containing any factual or legal admission by any person or entity in relation to the Witch, Rice and Guejito Fires of 2007.

Objection: SDG&E objects to this request on the grounds set forth in General Objections 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10. In connection with this objection, SDG&E notes that it has been involved in more than 2,000 civil cases relating to these fires, as described in the prepared direct testimony of Ms. Karen Sedgwick. Even if this request were construed to relate solely to that litigation, searching documents relating to those lawsuits and trying to determine whether they contain what ORA might deem an “admission . . . in relation to the Witch, Rice and Guejito Fires” is, on its face, overly broad, unintelligible, and unduly burdensome. Further, this request seeks information not in the possession, custody or control of SDG&E. Subject to this objection, SDG&E will attempt to provide a response by April 29, 2016.

Response: Subject to the foregoing objection, SDG&E responds as follows. See Response to Requests 1-3 above.

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Request 6: [Please provide] [e]xculpatory information.

Objection: SDG&E objects to this request on the grounds set forth in General Objections 1, 2, 3, 4, 5, 7, 9 and 10. In particular, SDG&E does not know what ORA means by the term “exculpatory” in this context. Subject to this objection, SDG&E will attempt to provide a response by April 29, 2016.

Response: Subject to the foregoing objection, SDG&E responds as follows. See Response to Requests 1-3 above.

Attachments: SDGE Lof of Confidential Documents 2007 Wildfire Production

BegBates	EndBates
SDGE0000001	SDGE0000982
SDGE0004400	SDGE0004623
SDGE0005733	SDGE0005820
SDGE0006741	SDGE0006741
SDGE0008513	SDGE0008535
SDGE0010063	SDGE0010133
SDGE0012826	SDGE0012848
SDGE0020489	SDGE0020489
SDGE0023141	SDGE0023155
SDGE0098983	SDGE0110160
SDGE0111285	SDGE0111664
SDGE0131382	SDGE0131477
SDGE0131500	SDGE0131534
SDGE0172749	SDGE0181661
SDGE0181767	SDGE0183240
SDGE0183315	SDGE0214379
SDGE0206718	SDGE0207633
SDGE0208158	SDGE0208191
SDGE0249330_SNP	SDGE0249330_SNP
SDGE0249950_SNP	SDGE0249955_SNP
SDGE0250443_TLM	SDGE0250519_TLM
SDGE0251112_LSH	SDGE0251132_LSH
SDGE0254726	SDGE0254732
SDGE0289576_MW	SDGE0289914_MW
SDGE0290056	SDGE0290387
SDGE0291206	SDGE0291408
SDGE0313063_RvdL	SDGE0313238_RvdL
SDGE0313728	SDGE0313791
SDGE0314060	SDGE0314240
SDGE0314349	SDGE0314373
SDGE0315818	SDGE0315826
SDGE0315896	SDGE0315901
SDGE0319238	SDGE0319246

SDGE0321305_CAW	SDGE0321451_CAW
SDGE0322002_CAW	SDGE0322859_CAW
SDGE0323161	SDGE0323179
SDGE0323352	SDGE0323370
SDGE0323727_TK	SDGE0323742_TK
SDGE0323800_TK	SDGE0323825_TK
SDGE0323944_TK	SDGE0323946_TK
SDGE0324256_TK	SDGE0324304_TK
SDGE0324308	SDGE0324369
SDGE0324420	SDGE0324428
SDGE0324469	SDGE0324475
SDGE0324480	SDGE0324486
SDGE0324827	SDGE0324931
SDGE0325674	SDGE0325730