

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF CALIFORNIA**



**FILED**

03-26-12

04:59 PM

Order Instituting Rulemaking Pursuant to Senate Bill No. 790 to Consider and Adopt a Code of Conduct, Rules and Enforcement Procedures Governing the Conduct of Electrical Corporations Relative to the Consideration, Formation and Implementation of Community Choice Aggregation Programs.

Rulemaking 12-02-009  
(Filed February 16, 2012)

**OPENING COMMENTS OF SAN DIEGO GAS & ELECTRIC COMPANY (U 902-E)**

Georgetta J. Baker  
San Diego Gas & Electric Company  
101 Ash Street, HQ12  
San Diego, California 92101-3017  
Telephone: (619) 699-5064  
Facsimile: (619) 699-5027  
Email: [gbaker@semprautilities.com](mailto:gbaker@semprautilities.com)

Attorney for:  
SAN DIEGO GAS & ELECTRIC COMPANY

March 26, 2012

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF CALIFORNIA**

Order Instituting Rulemaking Pursuant to Senate Bill No. 790 to Consider and Adopt a Code of Conduct, Rules and Enforcement Procedures Governing the Conduct of Electrical Corporations Relative to the Consideration, Formation and Implementation of Community Choice Aggregation Programs.

Rulemaking 12-02-009  
(Filed February 16, 2012)

**OPENING COMMENTS OF SAN DIEGO GAS & ELECTRIC COMPANY (U 902-E)**

**I. INTRODUCTION**

San Diego Gas & Electric Company (“SDG&E”) submits these Opening Comments on the above-referenced Order Instituting Rulemaking (“OIR”) that the California Public Utilities Commission (“Commission”) issued herein on February 2, 2012, in response to Senate Bill (“SB”) 790.<sup>1</sup> This OIR proposes rules of conduct and enforcement procedures relative to electrical corporations marketing against Community Choice Aggregation (“CCA”) programs.

At the outset, SDG&E notes that to date, there are no CCAs located in SDG&E’s service territory.<sup>2</sup> Despite the absence of local CCAs, SDG&E continues to fulfill its statutory obligation to cooperate fully with local communities and governments considering CCA. To that end, SDG&E reiterates that it does not engage in marketing that disparages CCA programs, nor does it encourage customers to opt out of CCA. SDG&E supports a customer’s freedom of choice, and competition through the development of CCA. Accordingly, SDG&E has not, nor will it become, engaged in a marketing campaign to hinder the development and success of a CCA.

---

<sup>1</sup> Senate Bill 709 (Leno), Stats 2011, ch. 599.

<sup>2</sup> While there are currently no CCAs located in SDG&E’s service territory, SDG&E has responded to several cities’ requests for information under its Commission-approved Rate Schedule CCA-INFO.

Because this OIR proposes draft Rules of Conduct and Enforcement Procedures of general applicability, however, SDG&E offers these comments and recommends certain modifications to avoid unintended consequences and ensure that:

- (1) no rules established herein relative to CCA will in any way interfere with an IOU's ongoing responsibilities (a) to maintain the high-quality service customers expect and are entitled to receive and (b) to fully and accurately inform customers when responding to their inquiries about the utility's Commission-approved programs, services, rules and rates, including Commission-approved rules concerning CCA; and
- (2) any additional requirements that the Commission seeks to impose on utilities that go beyond those required by SB 790 are practical and necessary.

More specifically, SDG&E proposes that the Commission:

- Clarify the definitions set forth in Section 3.1 of this OIR pertaining to marketing, lobbying (sections 1) a) and b), respectively, and section 5) to ensure that normal utility communications with customers are not chilled and that appropriate costs are appropriately accounted for;
- Clarify that the Commission will determine on a case-by-case basis whether to allow an electrical corporation to condition receipt of goods and services upon non-participation in a CCA program;
- Clarify that no audit will be required unless and until the electrical corporation engages in marketing against a CCA;
- Modify the expedited procedures to provide more latitude and discretion on a case-by-case basis;
- Eliminate the proposal prohibiting utilities from using their billing envelope and other customer communications for advertising unless the same opportunity is offered to CCAs;
- Eliminate the prohibition on utilities lobbying government officials on public and political issues regarding CCAs;
- Eliminate as unnecessary the "Affiliate" restrictions on "marketing against" CCAs.

## II. COMMENTS ON THE PROPOSED CODE OF CONDUCT AND DISPUTE RESOLUTION PROCESS

### A. **SDG&E Agrees That Previously Established, Commission-Approved CCA Rules and New Requirements Imposed by SB 790 Included in the Draft Code of Conduct Are Appropriate, Subject to Certain Clarifications and Modifications**

SDG&E does not contest that: (1) the costs of marketing against and lobbying against CCAs are charged to shareholders; (2) the process for customers to “opt out” of CCA must conform to Commission-approved tariffs and rules; (3) utilities may not condition the availability of any goods or services, such as energy efficiency programs or other ratepayer or shareholder funded benefits, on a local government not participating in a CCA program unless it is mandated by the Commission to do so; (4) utilities may not withhold surplus power sales from CCAs just because they are CCAs; and (5) utilities may not charge ratepayers for promotional or political advertising, provided those terms are appropriately defined to exclude information about Commission-approved utility programs, services, rules and rates.<sup>3</sup> These points are discussed below.

### B. **The Draft Code of Conduct Should Be Clarified to Confirm that Utilities May Accurately and Fully Answer Customer and Community Questions about Commission–approved Utility Programs, Services, Rates and Tariffs without Violating the Code of Conduct’s Restrictions on Marketing Against CCAs**

The draft Code of Conduct appears to have defined terms such as “market” and “lobby” to encompass a broad range of activities, including, but not limited to, written or oral statements to customers regarding electric corporations’ and CCAs’ energy supply services and rates. To remove ambiguity and lend clarity to the draft Code of Conduct, SDG&E proposes that language be added to clarify that “marketing against” a CCA does not preclude a utility from accurately

---

<sup>3</sup> See *Pacific Telephone and Telegraph*, 1974 Cal. PUC LEXIS 1663, 77 CPUC 117; *Pacific Gas & Electric Co. v. Public Utilities Comm’n of California et al.*, 475 U.S. 1 (1986) (“*Pacific Gas & Electric*”); *West Ohio Gas Co. v. Public Utilities Comm’n*, 294 U.S. 63, 72 (1935).

and fully addressing inquires from or proactively providing information on the utility's CPUC-approved programs, service, rates, including CPUC-approved tariffs and rates that define the utility's and customers' obligations and responsibilities under CCA Service. Nor does "lobbying against" a CCA include communications with public officials or the public or any portion of the public for the purpose of informing and educating a government agency of an IOU's CPUC-approved programs, services, rates and rules, including CPUC-approved tariffs and rates that define the utility's and customers' obligations and responsibilities under CCA Service or restrict an IOU from participating in debate on CCA-related matters that are being considered by the Legislature or the CPUC with which an IOU may disagree. Additionally, Section 5 of the Proposed Rules provides that "No electrical corporation shall recover the costs of any direct or indirect expenditure by the electric utility for promotional or political advertising from any person other than the shareholders or other owners of the utility." To clarify what is meant by "promotional or political advertising," SDG&E proposes that the following language be added as the final sentence in that section:

As defined in 16 U.S.C. Sec. 2625 (h) (2), the terms "political advertising" and "promotional advertising" do not include (A) advertising which informs electric consumers how they can conserve energy or can reduce peak demand for electric energy, (B) advertising required by law or regulation... (C) advertising regarding service interruptions, safety measures, or emergency conditions, (D) advertising concerning employment opportunities with such utility, (E) advertising which promotes the use of energy efficient appliances, equipment or services, or (F) any explanation or justification of existing or proposed rate schedules, or notifications of hearings thereon.

These revisions are especially necessary when viewed in the context of Sections 2 and 8 of the draft Rules of Conduct. Section 2 provides that a utility shall not lobby or market against a CCA except through an independent marketing division and Section 8 provides, "An electric corporation shall not offer or provide customers advice or assistance with regard to the service of

[CCAs], except through its independent marketing division.” Absent the requested clarification, those provisions, as drafted, could be read to chill the utility’s ability to answer fully and accurately routine inquiries from customers about rates, products and services that affect the level of customer service that SDG&E’s customers are accustomed to receiving. This in turn could lead to customer confusion if the utility is not permitted to explain Commission-approved utility services to all of its retail customers, regardless of whether the customers are involved with or contemplating service with a CCA. The requested clarifications will avoid those unintended consequences.

Overly broad construction of the terms marketing, lobbying and promotional and political advertising can also run afoul of constitutionally-protected commercial speech. The United States Supreme Court has stated that generally the government may not regulate or restrict a public utility’s otherwise lawful and truthful communications and marketing to customers for the purpose of engaging in the sale of electricity, unless certain conditions are met.<sup>4</sup> Contrary to this constitutional guarantee, the proposed rule, similar to that contemplated in D.05-12-041, could be read to prohibit utilities from “contact[ing] utility customers to retain them or actively market utility services”<sup>5</sup> even if the utility’s communications and marketing was truthful and not misleading. Unless clarified, the proposed rules of conduct would impermissibly burden SDG&E’s free speech rights.<sup>6</sup>

---

<sup>4</sup> *Central Hudson Gas & Elec. Corp. v. Public Serv. Comm’n of N.Y.*, 447 U.S. 557 (1980) (“*Central Hudson*”) (striking down a New York Public Service Commission ban on promotional advertising by public utilities). *See also Pacific Gas & Electric*, 475 U.S. at 17.

<sup>5</sup> D.05-12-041 at 23 (addressing charges for CCA) (“[W]e expect utilities to answer questions about their own rates and services and the process by which utilities will cut-over customers to the CCA. However, if they provide affirmatively contact customers in efforts to retain them or otherwise engage in actively marketing services, they should conduct those activities at shareholder expense. We d[o] not believe utility ratepayers should be forced to support such marketing.”).

<sup>6</sup> *See Buckley v. Valeo*, 424 U.S. 1, 49 (1976) (holding appellant had the right to be free from government restrictions that abridge its own rights in order to “enhance the relative voice” of its opponents). *See also Miami Herald Publishing Co. v. Tornillo*, 418 U.S. 241, 256 (1974).

The California State Supreme Court has established that truthful commercial speech is protected by the First Amendment,<sup>7</sup> and that the Central Hudson Test applies to the free speech clause of the California State Constitution.<sup>8</sup> Moreover, the California Business and Professions Code §17500.1 states that the Commission may not prohibit any advertising or marketing or other communication by a public utility that is not false or misleading.<sup>9</sup> Decision (“D.”) 10-05-050 acknowledges this point, noting the constitutional implications of restricting utility communications relative to CCA. In sum, it is clear that a utility’s truthful and non-misleading communications to inform retail customers about their choices in retail energy service are protected commercial speech. The draft rules should make that point crystal clear.

**C. The CPUC Should Clarify the Proposal that Utilities Cannot Offer any Incentives of any Kind to Incent Local Governments Not to Participate in CCA Programs” to Specify that the CPUC Will Decide on a Case-by-Case Basis to What Extent Utility Programs and Services Are Available to CCA Customers**

The statement in Section 16 of the draft Code of Conduct is overbroad and fails to take into account the specific eligibility requirements of various programs that it may adopt prospectively. Existing tariffs are clear on eligibility. For example, SDG&E’s Schedule RES-BCT is a service that permits an eligible customer to offset electric commodity costs incurred at one location with the value of excess electricity produced by the customer at a different location. Under CCA, a customer receives its energy commodity supply from it CCA and therefore not eligible for service under Schedule RES-BCT. However, as new programs and services are adopted and implemented, the Commission will make a determination on eligibility. Therefore, rather than make a blanket statement no utility or its marketing division can offer to provide, or

---

<sup>7</sup> “For commercial speech to come within [the First Amendment’s protection], it at least must concern lawful activity and not be misleading.” *In re Tobacco Cases II*, 41 Cal. 4th 1257, 1274 (2009).

<sup>8</sup> *See Gerawan Farming, Inc. v. Kawamura*, 33 Cal. 4th 1, 22 (2004); Cal. Const., art. I § 2, subd. (a).

<sup>9</sup> Cal. Bus. & Prof. Code § 17500.1.

provide, any goods, services, or programs to a local government, or to the electricity customers within that jurisdiction, “on condition that the local government not participate in a CCA,” the Commission should provide that it will determine on a case-by-case basis whether specific goods and services are available to customers participating in a CCA program.

**D. No Audit Should Be Required If No Marketing Against a CCA Program Occurs, or if an Audit Is Required Absent Such Marketing, the Audit Should Be Ratepayer Funded**

Section 20 of the draft Code of Conduct provides for annual audits, commencing March 31, 2013, to ensure compliance and requires that the electrical corporation shall pay the auditor expenses. This provision should be revised so that it is not triggered if no marketing against a CCA program occurs. Auditing a utility that has not marketed against a CCA is a waste of limited resources—both Commission and utility finite resources. The sounder approach would be to wait until the utility actually engages in marketing against a CCA before initiating an audit.

Accordingly, SDG&E respectfully urges the Commission to modify the OIR audit requirement to state that no audit is required if the utility has not marketed against a CCA program during the audit period. If the Commission disagrees and elects to retain the audit requirement for a utility that has not marketed against a CCA, then the Commission should clarify that the cost of the audit will be funded by ratepayers.

**E. The Expedited Procedure for Resolving CCA Complaints Should Be More Practical.**

SDG&E acknowledges that SB 790 requires resolution of complaints within 180 days, which period can be extended under certain circumstances. The problem, however, is that the draft Enforcement Procedures are unnecessarily restrictive and will impede rather than facilitate speedy resolution. The Commission should offer a dispute resolution service on a parallel track. A prehearing conference should also be held within a specified number of days following the

filing of a complaint to establish a procedural schedule, i.e., determine how quickly testimony can practically be prepared and what discovery is necessary, and whether and when hearings should be held.

**F. Responses to Questions Concerning Dispute Resolution**

The Commission posed three questions regarding dispute resolution. The questions are quoted below, with responses immediately following:

- a. Should complainant and defendant have the opportunity to supplement their testimony? If so, should it be by written proposed testimony served a short time before the hearing (e.g., one day), or orally from the witness stand?
- b. Should complainant have the opportunity to file prepared rebuttal testimony? If so, state a specific timeframe when this should occur.
- c. Are there any provisions of the Commission's process for arbitrating interconnection disputes between telecommunication carriers that might reasonably be applied here to expedite the process while also provided a just, fair, efficient and equitable process? (See Resolution ALJ-181).

With respect to questions a and b, whether and to what extent the complainant and defendant should have the opportunity to file supplemental and/or rebuttal testimony and the timing and manner, thereof, should be left to the discretion of the assigned administrative law judge. The facts and circumstances must be considered in making those case-by-case procedural determinations. With respect to the last question, yes, it appears that the Commission's process for arbitrating interconnection disputes between telecommunication carriers might have applicability here.

[Remainder of page intentionally left blank]

**G. The CPUC Should Delete the Proposal Prohibiting Utilities From Using Their Billing Envelope and Other Customer Communications for Advertising for Electricity Unless the Billing Envelope is Made Available to CCAs on the Same Terms and Conditions.**

Section 13 of the Draft Rules of Conduct expressly precludes an electric corporation from advertising for its electricity in utility billing envelopes or any other form of utility customer written communication unless it provides access to CCAs on the same terms and conditions.

This is not the first time this issue has been raised, both here at the Commission and in other Supreme Court cases, and in each instance, the effort was rejected.

In *Pacific Gas & Electric*,<sup>10</sup> the ratepayer organization, Toward Utility Rate Normalization (“TURN”), successfully lobbied for a regulation that utilities in the state be required to include inserts in their billing envelopes asking utility users to join a non-profit, democratically run utility consumer advocacy group. There would have been no cost to the utility. TURN would have paid printing costs and because the insert would use extra space in the billing envelope, there would have been no additional postage costs. The Supreme Court ruled that this arrangement might unconstitutionally compel the utility to respond or tailor its statements in response to the consumer group’s information, stating “for corporations as well as for individuals, the choice to speak includes within it the choice of what not to say.”<sup>11</sup> The Court further found that the Commission’s order impermissibly burdened the utility’s First Amendment rights, because it forced the utility to associate with the views of other speakers, and because it selected the other speakers on the basis of their viewpoints and the order could not be upheld as a narrowly tailored means of furthering a compelling state interest or as a “content-neutral” regulation of the time, place or manner of expression.<sup>12</sup>

---

<sup>10</sup> *Pacific Gas and Electric Company*, 475 U.S. at 5-6.

<sup>11</sup> *Id.* at 16.

<sup>12</sup> *Id.* at 20-21.

SDG&E acknowledges that pursuant to Assembly Bill 117, the Commission ordered the utilities to provide CCAs with access, for a fee, to the utility billing envelope. In accordance with the Commission's directive, SDG&E's Commission-approved tariffs offer such access. This access, which should not be expanded in this proceeding, is specifically limited to the automatic enrollment opt-out notification process. The current proposal, however, is much broader than the earlier ruling. In sum, if a CCA wishes to communicate with its customers, it may do so in manner that it chooses. It may not, however, use the utility's billing envelope to do so.

**H. The Draft Code of Conduct Should Be Amended to Permit Utilities to Lobby Government Officials on Public and Political Issues Relating to Forming, Joining, or Implementing a CCA**

In D.10-05-050, the Commission considered and rejected the question of whether utilities should be permitted or precluded from political lobbying against CCA proposals. The Commission appropriately ruled that such a ban would raise possible constitutional free speech violations. The Decision prohibits utilities from engaging in commercial speech concerning CCA service and the utility's competing service that is untrue or misleading and states further:

However, prohibiting utilities from marketing against CCAs would be more excessive than reasonably necessary. Moreover, a statute should generally be construed so as to avoid raising serious constitutional questions. Because a ban on all utility marketing against CCA service would raise a serious constitutional question, and because Section 366.2(c) nowhere specifically references any intent to limit speech, we construe it so as not to require an outright ban on marketing against CCA service.<sup>13</sup>

Commissioners Bohn and Simon, in their concurrence and dissent, respectively raised issues about ensuring a level playing field for the utility and CCA and that utility constitutional

---

<sup>13</sup> 2010 Cal. PUC LEXIS 178 at \*21 (2010). *See also generally Central Hudson*, 447 U.S. 557.

rights not be unduly circumscribed relative to CCA.<sup>14</sup> Those concerns, and the Commission’s rationale for not imposing an absolute ban on utility lobbying, continue to be valid and no facts have been presented warranting a different result here.

**I. The Draft Code of Conduct Should be Amended to Eliminate the “affiliate” restrictions on “Marketing Against CCA” and to Modify the Time Period For Employees Movement between the Independent Marketing Division and other Divisions of the Electric Corporation.**

**1. The Marketing Affiliate Mandate Is Unnecessary and Should Be Eliminated**

Section 2 of the draft Rules of Conduct provides that “no electrical corporation shall market or lobby against a CCA program, except through an independent marketing division that is funded exclusively by the electrical corporation’s shareholders and that is functionally and physically separate from the electrical corporation’s ratepayer-funded divisions.” Sections 7, 9, 10, 11, 12, 14, 15 and 19 then delineate conditions under which the utility and independent marketing division will operate.

SB 790 requires only that marketing against CCA be done through an “independent marketing division” that is functionally and physically separate from the utility. Yet, without explanation or allegation that the CCA will or has suffered a competitive disadvantage absent the establishment of a separate marketing affiliate, the draft Code of Conduct exceeds SB 790’s requirements and imposes on the utility the requirement to establish a separate marketing

---

<sup>14</sup> Commissioner Simon observed:

Excessive unilateral restrictions on commercial speech may not pass the constitutional muster. Just as prohibiting utilities from marketing against CCAs would be more excessive than reasonably necessary, so too does an overly restrictive regulation raise serious constitutional questions. In fact, Public Utilities Code Section 366.2(c), which addressed the utilities’ duty to cooperate fully with CCA’s, does not specifically reference any intent to limit speech. However, the Proposed Decision is limiting the prohibition to commercial speech concerning CCA service and the utility’s competing service that is untrue or misleading. We should handle these constitutional issues with care and avoid overly restrictive rules that may have a chilling effect on speech.

*Order Instituting Rulemaking to Implement Portions of AB 117 Concerning Community Choice Aggregation*, D.10-05-050, 2010 Cal. PUC LEXIS 178 at \*41-\*42 (Simon, T., dissenting).

affiliate to communicate on CCA-related matters. This requirement to establish a separate marketing affiliate is both unnecessary and unsupported by the rationale for creating marketing affiliates.

More specifically, the Commission's affiliate transaction rules specifically involve the Commission's economic regulation of the business relationships between utility and its affiliates, as "the rules restrict[] the utility from associating itself with its affiliates by identifying an entity as an affiliate."<sup>15</sup> The Commission did not adopt the affiliate transaction marketing rule to suppress utility commercial speech or "prevent the utilities from 'editorializing on any subject, cultural, philosophical, or political.'"<sup>16</sup> Rather, the Commission adopted the affiliate transaction rules to regulate the "economic relationship between the utility and its affiliates."<sup>17</sup> The proposed requirement that the utility create a marketing affiliate to address CCA matters is unwarranted, especially where the alternative, mandated by SB 790, is an independent marketing division.

An independent marketing division that is functionally and physically separate from the ratepayer-funded divisions of the utility will provide sufficient safeguards to ensure that (1) no competitive advantages accrue to the utility to the detriment of the CCA and (2) no costs associated with CCA marketing will be paid for by the ratepayer. No competitively sensitive information will be shared and all costs incurred by the independent marketing division will be recorded to its own accounts, *i.e.*, there will be below-the-line accounting specific to the independent marketing division that will be separate from the utility's accounts. That should be sufficient. If facts arise later in a utility-specific context, prompting the Commission to revisit

---

<sup>15</sup> *Opinion Denying Rehearing of Decision 97-12-088, As To Matters Relating To The Applications For Rehearing Filed By Southern California Gas Company & San Diego Gas And Electric Company (Jointly) And Edison Electric Institute*, D.98-12-089, 1998 Cal. PUC LEXIS 917 at \*9 (*mimeo*).

<sup>16</sup> *Id.*

<sup>17</sup> *Id.*

the issue, it may do so at that time. Until that happens, however, there is no reason for the Commission to impose a generally applicable requirement on all utilities to establish a separate marketing affiliate for CCA matters when SB790 has declined to impose such a requirement.

**J. Movement of Employees between Utility and Separate Marketing Divisions Should Be Modified**

The residency requirements included in the draft Code of Conduct appear consistent with residency requirements in other contexts and SDG&E does not propose to modify them, except to provide that should the independent marketing division dissolve prior to the end of a specific residency requirement for an affected employee, that employee would be allowed to return to the utility.

**III. OTHER ISSUES**

**A. No Hearing Is Needed to Address the Draft Rules of Conduct Although Comments May Raise Issues of Fact Warranting a Hearing**

The OIR proposes the record for the proceeding will be developed through filed comments and reply comments and preliminary determinations is that hearings are not needed. It is not clear whether factual issues will be raised in comments that will warrant a hearing. Accordingly, SDG&E reserves on whether a hearing may be appropriate in this matter.

**B. Other Issues for Consideration**

SDG&E does not propose any additional issues at this time.

**C. Service List**

Georgetta J. Baker  
Attorney  
San Diego Gas & Electric Company  
101 Ash Street, HQ12  
San Diego, California 92101-3017  
Telephone: (619) 699-5064  
Facsimile: (619) 699-5027  
Email: gbaker@semprautilities.com

Jennifer Pierce  
Regulatory Case Administrator  
San Diego Gas & Electric Company  
8330 Century Park Court  
San Diego, CA 92123  
Telephone: (858) 654-1685  
Facsimile: (858) 654-1788  
E-mail: jpierce@semprautilities.com

#### IV. CONCLUSION

SDG&E thanks the Commission for this opportunity to provide opening comments in this proceeding. SDG&E respectfully urges the Commission to clarify the draft Code of Conduct to ensure that: (1) marketing or lobbying “against CCA” will not be construed to: (a) preclude a utility from accurately and fully addressing inquiries from or proactively providing information on the utility’s CPUC-approved programs, service and rates, including CPUC-approved tariffs and rates defining the utility’s and customers obligations and responsibilities under CCA Service or (b) restrict a utility from participating in debate on CCA-related matters being considered by the Legislature or the CPUC with which a utility may disagree and (2) a utility will not be required to establish a separate marketing affiliate to deal with CCA matters unless it is warranted by utility-specific facts and circumstances.

Respectfully submitted,

/s/ GEORGETTA J. BAKER

Georgetta J. Baker  
San Diego Gas & Electric Company  
101 Ash Street, HQ12  
San Diego, California 92101-3017  
Telephone: (619) 699-5064  
Facsimile: (619) 699-5027  
Email: gbaker@semprautilities.com

Attorney for:  
SAN DIEGO GAS & ELECTRIC COMPANY

March 26, 2012