

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

Order Instituting Rulemaking to update the Commission's policies and procedures related to electromagnetic field emanating from regulated utility facilities.

Rulemaking 04-08-020  
(Filed August 19, 2004)

**ADMINISTRATIVE LAW JUDGE'S RULING  
GRANTING MOTION OF LEEKA KHEIFETS FOR PROTECTIVE ORDER  
REGARDING PERSONAL FINANCIAL INFORMATION**

This ruling grants Leeka Kheifets' Motion for a Protective Order Regarding her Personal Financial Information (Motion), filed on December 3, 2004.

Attached to this ruling is a Nondisclosure Agreement providing parties, in this proceeding, a means to access the protected personal financial information, if necessary.

**Discussion**

On December 3, 2004, Leeka Kheifets submitted a Notice of Intent to Claim Compensation (NOI). The Motion was filed separately. On March 21, 2005, the assigned Administrative Law Judge (ALJ) reviewed the NOI and ruled that Leeka Kheifets met the eligibility requirements of Pub. Util. Code § 1804(a), including the requirement that she establish significant financial hardship. Attached to Leeka Kheifets' NOI is personal financial information (Confidential Information) submitted under seal that establishes the significant financial hardship. Leeka Keifets' Motion argues that making her personal financial information available for public inspection would unnecessarily intrude on her

privacy, although she recognizes that Commission staff may wish to review the information, as well as other parties to the proceeding. In order to accommodate any review by parties she consents to the use of an appropriate nondisclosure agreement.

No responses to the Motion were received.

Leeka Keifets requests the protective order under General Order 66-C, Section 2-2, which excludes from public inspection “record or information of a confidential nature furnished to, or obtained by the Commission.” Commission Decision 98-04-059, adopted April 23, 1998 in Rulemaking 97-01-009 regarding the Commission’s Intervenor Compensation Program also provides for the protection, from public disclosure, of personal financial information, on a case-by-case basis, for individual intervenors.<sup>1</sup>

After reviewing the specific information Leeka Keihets seeks to protect, I conclude the Confidential Information is worthy of protection. Leeka Keihets has demonstrated that disclosure of this information should be kept confidential as it is unnecessary to make her personal financial information public, or to intrude upon her privacy. Accordingly, the Motion of Leeka Keifets should be granted. Leeka Keifets’ financial information filed under seal shall remain under seal, and protected from public disclosure. This Confidential Information shall not be made accessible or disclosed to anyone other than Commission staff, the assigned Commissioner, the assigned ALJ, or the ALJ then designated as the Law and Motion Judge. Any parties to this proceeding that need to review the

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<sup>1</sup> See, pp. 37-39, and Appendix B.

Confidential Information shall sign a Nondisclosure Agreement<sup>2</sup> prior to review of the Confidential Information and submit the Nondisclosure Agreement to Leeka Keihets.

Therefore, **IT IS RULED** that:

1. The December 3, 2004, Motion of Leeka Keihets for a protective order is granted as described above.
2. The Confidential Information shall remain under seal.
3. Parties in this proceeding that need to review the Confidential Information shall provide a Nondisclosure Agreement to Leeka Keihets.

Dated April 7, 2005, at San Francisco, California.

/s/ BRUCE DEBERRY

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Bruce DeBerry  
Administrative Law Judge

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<sup>2</sup> Attached to this ruling.

**ATTACHMENT**

Nondisclosure Agreement Regarding  
Personal Financial Information of Leeka Keihets in  
Rulemaking 04-08-020

I am a party or representative of a party in Rulemaking 04-08-020.

I understand that the personal financial information filed by Leeka Keihets in this proceeding is confidential, and I agree that I will use the information only for the purpose of responding to that person's Notice of Intent to Claim Compensation or Request for Compensation.

I will not disclose, copy or disseminate the confidential information in any manner, and I will safeguard the confidential information from inadvertent or incidental disclosure. I understand that confidentiality protections continue after this proceeding is completed.

Dated \_\_\_\_\_ at \_\_\_\_\_ (location) \_\_\_\_\_

(Signature) \_\_\_\_\_

(Name)

(Address)

(Telephone)

**(END OF ATTACHMENT)**

**CERTIFICATE OF SERVICE**

I certify by electronic mail to those who provided electronic mail addresses, and by U.S. mail to those who did not provide e-mail addresses, this day served a true copy of the original attached Administrative Law Judge's Ruling Granting Motion of Leeka Kheifets for Protective Order Regarding Personal Financial Information on all parties of record in this proceeding or their attorneys of record.

Dated April 7, 2005, at San Francisco, California.

/s/ FANNIE SID

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Fannie Sid

**N O T I C E**

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.