

ALJ/GT2/cmf



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A2312011

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Southern California Edison Company (U338E) for Authority to, Among Other Things, Increase its Authorized Revenues for Gas Service for Santa Catalina Island and to Reflect that Increase in Rates.

Application 23-12-011

**ADMINISTRATIVE LAW JUDGE RULING ADOPTING
CONFIDENTIAL MODELING PROCEDURES**

This ruling adopts procedures for the confidential production of computer model runs using Southern California Edison Company (SCE) results of operations model to generate tables needed for decision support in this proceeding. The use of computer models in Commission proceedings is governed by Public Utilities Code Section 1821-1822 and Rules 10.3 and 10.4 of the Commission's Rules of Practice and Procedure. The attached confidential modeling procedures and attendant protective order are adopted by this ruling. They shall govern the results of operation modeling process that will be administered by the Energy Division to generate tables needed for decision support in this proceeding.

IT IS RULED that to assure the confidentiality of the Commission's deliberative process, the Results of Operations Modeling Procedures set forth in Attachment 1 to this ruling, the Protective Order set forth in Attachment 2 to this ruling, and the Certificate of Compliance form set forth in Attachment 3 to this

A.23-12-011 ALJ/GT2/cmf

ruling are hereby adopted. Said procedures are binding upon the parties in this proceeding.

This order is effective today.

Dated September 4, 2024, at San Francisco, California.

/s/ GARRETT TOY
Garrett Toy
Administrative Law Judge

Attachment 1

RESULTS OF OPERATIONS (RO) MODELING PROCEDURES

Upon request of the Energy Division Director or his designee(s), Southern California Edison Company (SCE), and/or the Commission's Public Advocates Office (Cal Advocates) will provide all necessary assistance to the Energy Division in running the RO model used by SCE in Application (A.) 23-12-011 to produce the tables required for the Administrative Law Judges' (ALJs) proposed decision, any Commissioner alternate decision, and the Commission-adopted decision. The following requirements shall govern the modeling process:

1. Model run(s) shall be performed under the supervision, oversight, and control of the Energy Division Director or his designee(s).
2. Model run(s) shall be performed in a secure location on hardware that ensures the confidentiality of the data. Except as provided below all such hardware, software, and media and all related notes, worksheets, workpapers and computer output shall remain in the custody of the Energy Division Director or his designee(s), and any use shall be restricted to Energy Division authorized activities. However, 30 days after a Commission decision which incorporates the model run becomes final and non-appealable, the Energy Division Director (or his designee(s)) may destroy any other materials he does not wish to retain. An exception to these provisions is that media, notes, worksheets, and computer output which are part of workpapers associated with model runs supporting the ALJs' proposed decision, and any Commissioner's alternate decision, or revisions to either of them, may be released in accordance with paragraph 6 below, on or after the date of issuance of the ALJs' proposed decision or a Commissioner's alternate decision.

3. Any computer equipment used by non-Commission personnel to perform model runs shall be “stand-alone,” i.e., it shall not be connected with any other computer, computer system, equipment, or other device that would allow communication of information in the model, model run, or inputs or outputs. Smartphones shall not be used by any employee, agent, or representative of SCE or Cal Advocates while performing or witnessing any work related to running the model.
4. Before obtaining access to any information contained in or pertaining to the ALJs’ proposed decision or any Commissioner alternate decision, or revisions to either of them, (prior to the release of any such information pursuant to paragraph 6, below), each employee, agent, or representative of SCE or Cal Advocates involved in the modeling shall sign a certificate assuring compliance with the protective order attached hereto.
5. The Energy Division Director or his designee(s), shall determine that each employee, agent, or representative of SCE or Cal Advocates who receives access to information about the contents of the ALJs’ proposed decision, any Commissioner alternate decision, and revisions to either of them, has first signed a certificate of compliance with the protective order. Employees, agents, or representatives of SCE and Cal Advocates who have signed a certificate of compliance with the protective order, shall use information obtained about the contents of the proposed decision, any alternate decision, and any revisions to either of them only to assist in running the RO model, and shall not advise the Commission, including Energy Division, on any issues being considered in A.23-12-011.
6. As soon as practicable after the date of issuance of the ALJs’ proposed decision and, if applicable, a Commissioner’s alternate decision, or any revised versions of them that are issued for comment, and no later than seven days after the date of such issuance, Energy Division, and if necessary with the assistance of employees, agents, or representatives from SCE and/or Cal Advocates having signed a certificate of compliance with the protective order, shall serve workpapers associated with this modeling upon each party of record making a prior written request for them. Workpapers associated with the model runs supporting the ALJs’ proposed decision, any revisions to the proposed decision, and any Commissioner alternate decisions and revised alternate decisions shall be

designated as Late-Filed Exhibit ALJ-1 and continuing as needed. Workpapers may be served in electronic form.

7. To the extent that Energy Division believes that the workpapers might contain confidential information, it will consult with SCE and, if necessary, SCE may file a motion for a protective order to address or limit the parties or individuals who may receive the workpapers. The protective order attached hereto is only designed to protect the Commission's confidential information.
8. Any and all drafts and unused analysis that do not directly support or are required for the ALJs' proposed decision, any Commissioner alternate decision(s), any revisions to ALJs' proposed decision and Commissioner alternate decision(s), and the Commission-adopted decision, are to be destroyed or otherwise deleted. All information in this category remains confidential permanently and may not be disclosed.

(END OF ATTACHMENT 1)

ATTACHMENT 2

PROTECTIVE ORDER

1. This Protective Order shall govern the use of all protected materials, as defined herein, by (a) Southern California Edison Company (SCE), (b) the Commission's Public Advocates Office (Cal Advocates), and (c) SCE's and Cal Advocates' employees, representatives, and agents.
2. "Protected Materials" include confidential written or oral communications from the staff of the Commission's Energy Division or Administrative Law Judge (ALJ) Division, or any Commissioner or Commissioner's advisor, which reflect or relate to the contents of the ALJs' proposed decision or any Commissioner alternate decision, or to revisions to either of them, not otherwise released by the Commission. "Protected Materials" also include all computer hardware, software, media, notes, worksheets, workpapers, computer inputs, computer outputs, or any other documents which relate to these written or oral communications from the Energy Division staff.
3. The term "Certificate of Compliance" shall mean the certificate annexed hereto by which the employees, representatives and agents of SCE and Cal Advocates will be granted access to Protected Materials. Said persons shall certify their understanding that access to Protected Materials is provided pursuant to the terms and restrictions of this Protective Order, and that they have read the Protective Order and agree to be bound by it. No employee, representative or agent of SCE or Cal Advocates will be permitted access to any Protected Materials without first having signed and dated a Certificate of Compliance. Prior to such access, SCE and Cal Advocates shall provide the Commission's Energy Division with the original of each Certificate of Compliance that has been executed, and shall serve a copy of each Certificate of Compliance on all parties on the Commission's service list in this proceeding.
4. The term "Reviewing Representative" shall mean each SCE and Cal Advocates employee, representative, or agent who has signed a Certificate of Compliance and been granted access to the Protected Materials. Each Reviewing Representative shall treat as confidential the Protected Materials and shall not disclose in any manner any information contained in or relating to the Protected Materials to any person, except another

Reviewing Representative or an employee of the Commission involved in the decision making process in this proceeding (excluding Cal Advocates employees that have not signed the certificate of compliance with the Protective Order). Each Reviewing Representative shall not use his or her knowledge of any Protected Materials on behalf of SCE or Cal Advocates. Furthermore, employees, agents, or representatives of SCE and Cal Advocates are granted access to Protected Materials only to assist in running the RO model, and shall not advise the Commission, including Energy Division, on any issues considered in Application 23-12-011.

5. A supervisor in SCE management or Cal Advocates management, who has authority over each Reviewing Representative, shall instruct each Reviewing Representative to read and agree to comply with this Protective Order. The supervisor in SCE management or Cal Advocates management shall also take all reasonable and necessary steps to ensure that nobody at SCE or Cal Advocates attempts to learn from any Reviewing Representative the contents of any Protected Materials.
6. Any violation of this Protective Order shall constitute a violation of an order of the Commission.

(END OF ATTACHMENT 2)

ATTACHMENT 3

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Southern California Edison Company (U338E) for Authority to, Among Other Things, Increase its Authorized Revenues for Gas Service for Santa Catalina Island and to Reflect that Increase in Rates.

Application 23-12-011

CERTIFICATE OF COMPLIANCE

I hereby certify my understanding that access to Protected Materials is provided to me pursuant to the terms and restrictions of the Protective Order in this proceeding, that I have been given a copy of and read the Protective Order, and that I agree to be bound by it. I understand that the contents of the Protected Materials and any notes or any other form of information that relates to the Protected Materials shall not be disclosed to anyone other than in accordance with that Protective Order. I will not use knowledge of any Protected Materials on behalf of either Southern California Edison Company (SCE) or the Commission's Public Advocates Office (Cal Advocates). I acknowledge that a violation of this certificate constitutes a violation of an order of the California Public Utilities Commission.

By: _____

Title: _____

Representing (SCE, Cal Advocates): _____

Date: _____