



ALJ/BG5/vhj 7/27/2026

FILED

07/27/26

04:59 PM

C2603007

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Robin Mattern, Simki Kuznick, and
Asmara Marek,

Complainants,

vs.

Pacific Gas and Electric Company
(U39E),

Defendant.

Case 26-03-007

**EMAIL RULING DENYING MOTION TO COMPEL DISCOVERY
CASE 26-03-007**

Dated July 27, 2026, at San Francisco, California.

/s/ BRANDON GERSTLE

Brandon Gerstle
Administrative Law Judge

From: Gerstle, Brandon T. <Brandon.Gerstle@cpuc.ca.gov>
Sent: Monday, July 27, 2026 10:28 AM
To: Jessica.Basilio@pge.com; asmaramarek@gmail.com;
Robin.Mattern@gmail.com; Simki.Kuznick@aol.com; RegRelCPUCCases
<regrelcpuccases@pge.com>; Pertusati, Amanda
<Amanda.Pertusati@cpuc.ca.gov>; Gerstle, Brandon T.
<Brandon.Gerstle@cpuc.ca.gov>; PG&E Tariffs <pgetariffs@pge.com>;
Cliff.Gleicher@pge.com; Francesca.Pinto@pge.com
Cc: ALJ Support ID <alj_supportid@cpuc.ca.gov>; ALJ Docket Office
<ALJ_Docket_Office@cpuc.ca.gov>; ALJ Process <alj_process@cpuc.ca.gov>;
Ford, Laine (Intern) <Laine.Ford@cpuc.ca.gov>
Subject: Email Ruling: Denying Motion to Compel Discovery C.26-03-007

To the Service List of Case 26-03-007:

This ruling denies Robin Mattern, Simki Kuznick, and Asmara Marek's (Complainants) Motion to Compel Unredacted Discovery and Production of Documents (Motion).

1.) Background

On June 27, 2026, Complainants served Pacific Gas and Electric (PG&E) with their first set of data requests, due on July 13, 2026. On June 29, 2026, PG&E provided Complainants with a nondisclosure agreement (NDA).

On July 3, 2026, the Complainants and PG&E met and conferred over the telephone. PG&E informed the Complainants if they executed the NDA, they would be sent unredacted information, but would otherwise receive redacted documents.

On July 7, 2026, the Complainants and PG&E met and conferred over the telephone again. Complainants requested PG&E provide a list of all of the types of redactions PG&E intends to make in the July 13, 2026, production, which PG&E said it could not provide as it was still reviewing the documents. Later on July 7, 2026, the Complainants served PG&E with the Motion seeking unredacted information without the need to execute an NDA. PG&E proceeded with the original data request timeline and provided the Complainants with the redacted data on July 13, 2026. PG&E filed a response to the Motion on July 17, 2026.

2.) Denial of Motion

The Complainants' Motion is premature under Rule 11.3 and is denied without prejudice.

Complainants filed the Motion six days before the deadline for PG&E to provide the data based on the initial data requests. As such, Complainants did not review PG&E's produced documents. Under Rule 11.3, motions to compel discovery are not eligible for resolution unless the parties to the dispute have "met and conferred in a good faith effort to informally resolve the dispute."

The motion is premature for the following reasons. First, the Motion was filed before the issuance of a scoping memo. Without the scoping memo, parties lack certainty regarding which documents are relevant to the scope of the proceeding. Second, the motion was filed before the Complainants reviewed PG&E's produced documents. Without having the documents, the Motion was filed before parties had an opportunity to meet and confer to identify, with specificity, what information in the almost four hundred pages produced by PG&E needs to be treated as confidential and why.

3.) Future Motions to Compel Discovery

Parties must make good faith efforts to resolve issues before filing motions to compel discovery. Discovery is limited to information that narrowly captures the relevant subject matter for the proceedings, which will be outlined in the forthcoming scoping memo.

I am directing the parties to meet and confer to work out an NDA among themselves for the exchange of information and data in this proceeding. NDAs are frequently used by parties to Commission proceedings, as the parties are in the best position to balance the protection of sensitive information while maximizing access to information. Information held by utilities is frequently protected by statute and Commission rules; it is important that sensitive information is properly protected. Failure to do so creates legal liability for the parties and can create harm to society. If a mutually agreeable NDA is not achieved, future motions to compel discovery should be listed with 1.) each piece of information sought, 2.) an explanation of why each listed piece of information should be made public, and 3.) the relevant law(s) supporting the public release of each piece of information.

IT IS RULED that:

- 1.) Complainants' Motion to Compel Discovery and Production of Documents is denied without prejudice.
- 2.) Parties must meet in good faith to solve discovery issues before filing additional motions to compel discovery.

The Commission's Docket Office shall formally file this ruling.

Brandon Gerstle (He/Him)

Administrative Law Judge

California Public Utilities Commission

brandon.gerstle@cpuc.ca.gov

Notice: This communication may contain confidential and/or legally privileged information for the use of the intended recipient(s). Unauthorized use or disclosure is prohibited. If you are not the intended recipient, please contact the sender and destroy all copies of the communication.