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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Pacific Gas and Electric Company for Adoption of Electric Revenue Requirements and Rates Associated with its 2027 Energy Resource Recovery Account (ERRA) and Generation Non-Bypassable Charges Forecast and Greenhouse Gas Forecast Revenue Return and Reconciliation (U39E).	Application 26-05-007

ADMINISTRATIVE LAW JUDGE'S RULING GRANTING MOTION TO COMPEL PRODUCTION OF DOCUMENTS REGARDING DATA CENTERS

This ruling grants the July 27, 2026 Motion of Public Advocates Office at the California Public Utilities Commission (Cal Advocates) to compel the production of documents related to Pacific Gas and Electric Company's (PG&E) data center impact on load forecasts (Motion). Even if confidential, PG&E has an obligation to produce documents to Cal Advocates. Cal Advocates seeks evidence that is relevant to a material issue in this proceeding or likely to lead to the discovery of such evidence. With one exception described below PG&E shall produce all responsive information no later than 10 days from the date of this ruling.

PG&E offered to produce some information to Cal Advocates in its July 31, 2026 response to the Motion, as described below. It shall produce such information no later than 2 business days from the date of this ruling.

1. Background

PG&E filed this application on May 15, 2026, requesting Commission approval of its 2027 Energy Resource Recovery Account (ERRA) forecast revenue requirement. On June 17, 2026, three parties, including Cal Advocates, filed timely responses to the Application. The Scoping Memo for the proceeding issued on August 3, 2026, identified two issues as within the scope of this proceeding:

1. Should the Commission adopt PG&E's request to approve 2027 ERRA Forecast revenue requirements in this Application for 2027 ratesetting purposes, as initially forecast in PG&E's Application and as may be updated throughout the course of this proceeding and through the Annual Electric True-UP (AET) process, including
    a. disposition of PG&E's forecast December 31, 2026, year-end balancing account balances, subject to adjustments for recorded balances through the AET process; and
    b. disposition of recorded Voluntary Allocation market Option Memorandum Account (VAMOMA) balances?

Cal Advocates issued data requests to PG&E on June 3, 2026 seeking, in relevant part, the following information listed in Appendix A to its Motion:

- List out how much, in GWh, of the total forecasted load from data centers (i.e., the figure from Table 2-3, line 7, total column) is from projects that currently (as of May 31, 2026) have either:
    i. Signed agreements for electric service with PG&E for the new or incremental load that PG&E expects to come online by year-end 2027.
    ii. An active application for electric service with PG&E but do not yet have a signed agreement for the new or incremental load that PG&E expects to come online by year-end 2027.

iii. Submitted inquiries for electric service from PG&E but have not filed an application with PG&E for the new or incremental load that PG&E expects to come online by year-end 2027.

On June 17, 2026, PG&E objected to the foregoing data request, in relevant part, on the ground that producing the requested material would reveal confidential customer information.[1]

After a meet and confer process, Cal Advocates filed its July 27, 2026 Motion. Among other arguments, Cal Advocates asserted that PG&E's confidentiality claims did not bar production of the requested information, that Cal Advocates has broad discovery power, and that the information requested is relevant to this proceeding.

PG&E's response to the Motion dated July 30, 2026 asserted that Cal Advocates lacked the authority to receive the requested data because of customer confidentiality and had failed to show relevance. PG&E also asserted that Public Utilities Code Section 314, cited by Cal Advocates, does not give Cal Advocates the same level of access to data as the Commission.[2] PG&E also described an offer it made to Cal Advocates to produce the following information, which it states Cal Advocates declined.

> [O]n July 29, 2026, PG&E reached out to Cal Advocates and offered, in light of Cal Advocates' unique statutory role, to share an early, to provide a draft version of PG&E's Fall Update data center load forecast. To be clear, this updated information is better than the information Cal Advocates seeks to compel, in that it is the updated data that PG&E will actually seek to rely on (and the Commission

[1] Motion, Appendix A, p. 2.

[2] This ruling need not reach PG&E's assertion that Cal Advocates does not have the same authority to seek data as the Commission as a whole under Public Utilities Code Section 314. It is undisputed that Cal Advocates has broad authority pursuant to Section 309.5 to seek confidential information where relevant to a proceeding, as this ruling finds.

> will ultimately rule on) in testing the reasonableness of PG&E's load forecast (one of the issues in this proceeding)…. Cal Advocates has rejected PG&E's offer and maintains that it instead prefers to wait for a ruling.

2. Discussion

2.1. Confidentiality

The fact that data is confidential does not protect it from discovery by Cal Advocates. Cal Advocates has plenary authority to request data pursuant to California Public Utilities Code Section 309.5 and various Commission decisions.[3] The Commission routinely handles confidential information in its proceedings, but the mere fact of confidentiality does not bar discovery or introduction of material in evidence with appropriate protection.

As the Commission stated in Decision (D.) 06-06-066,[4] "We start with a presumption that information should be publicly disclosed and that any party seeking confidentiality bears a strong burden of proof."[5] With regard to Cal Advocates specifically, the Commission stated:

> We disagree with [party], however, that we should notify Commission staff that they must execute non-disclosure agreements . . . when receiving [cited] data. It is inappropriate to require Commission staff – including DRA[6] - to enter into private contractual agreements with the entities we regulate or that otherwise come before us.[7]

The Commission went on to state, "We make clear that DRA staff shall have the same access to data as other Commission staff, which has always been

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[3] D.09-04-035 at 39.

[4] *Mod., reh. den. other grounds* D.07-05-032.

[5] D.06-06-066 at 2.

[6] Cal Advocates' prior name was Division of Ratepayer Advocates (DRA).

[7] *Id*. at 54.

our intent."[8]

Thus, PG&E's assertion that it is not required to produce confidential information in this proceeding is incorrect. The Commission has a process for protecting confidential information in a formal proceeding and PG&E should have followed it without the necessity of this Motion.

2.2. Relevance

Cal Advocates asserts it needs the requested information to meaningfully participate in the proceeding:

> Cal Advocates requires the total forecasted load from data center projects to assess the reasonableness and rate impacts of PG&E's Application. Absent a greater understanding of data center load forecasts, including assumptions embedded in the forecasts, neither Cal Advocates nor the Commission can assess, much less mitigate, the risk this emerging sector may pose to ratepayers. With the requested information, Cal Advocates can determine whether this emerging sector is forecasted to have a reasonable or outsized impact on ratepayers in PG&E's service territory.[9]

PG&E asserts the information Cal Advocates seeks is not relevant:

> Cal Advocates' motion makes several conclusory assertions about its need for PG&E's data center forecast, but it is not clear why this information (rather than the aggregated information Cal Advocates has) is actually relevant. The load forecast that is the subject of the ERRA Forecast proceeding is the forecast as a whole, and not for any specific customer's consumption. There is no specific data center rate schedule, and Cal Advocates has not explained why the aggregated information on industrial consumption is insufficient for its purposes.[10]

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[8] *Id*. at 72.

[9] Motion at 1.

[10] PG&E July 30, 2026 Response to Motion at 9.

The data center information requested is relevant to the subject matter of this proceeding or likely to result in discovery of relevant evidence. When the Commission evaluates an application, it is often required to review underlying assumptions about a requested rate. It is not always sufficient to simply have a high-level summary of a forecast.

The Commission should have the ability to review how much of forecasted data center load is realistic. PG&E states that "The industrial sector forecast growth is driven primarily by increasing demand from data centers."[11] While it is true, as PG&E asserts, that summary data may be useful, specific data center information may be needed to test PG&E's assumptions.

3. Conclusion

For the foregoing reasons, PG&E shall respond to the data request set forth in Section 1 above within 10 days, except that it shall provide the data it offered to Cal Advocates and described in Section 1 within 2 business days.

IT IS RULED that:

1. Cal Advocates' Motion is granted.
2. PG&E shall produce fully responsive information to the data request set forth in Section 1 of this ruling within 10 days, except that it shall provide the data it offered to Cal Advocates and described in Section 1 above within 2 business days.

Dated August 20, 2026, at San Francisco, California.

SARAH R. THOMAS

Sarah R. Thomas
Senior Administrative Law Judge

[11] PG&E Testimony, Chapter 2, Sales and Peak Demand Forecast, at page 2-5, lines 21-22.