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09/21/26

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C2603007

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

Robin Mattern, Simki Kuznick, and Asmara
Marek,

Complainants,

v.

Pacific Gas and Electric Company (U 39 E),

Defendant.

C.26-03-007
(Filed March 09, 2026)

**MOTION OF PACIFIC GAS AND ELECTRIC COMPANY
(U 39 E) FOR LEAVE TO FILE UNDER SEAL
CONFIDENTIAL MATERIAL IN PG&E'S RESPONSE TO
MOTION TO COMPEL**

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Dated: September 21, 2026

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Pursuant to Rules 11.1 and 11.4 of the California Public Utilities Commission's ("Commission") Rules of Practice and Procedure, Pacific Gas and Electric Company ("PG&E") files this motion for leave to file confidential individual personal identifiable information, third-party confidential information, customer information, and physical asset information under seal ("Motion"). The material PG&E seeks to protect is the confidential, unredacted version of PG&E's Exhibits A – C in its Response to Motion to Compel. This Motion identifies the material for which PG&E is seeking confidential treatment and the basis for the claim of confidentiality.

Public Utilities Code Section 583 provides that, "[n]o information furnished to the commission by a public utility. . . except those matters specifically required to be open to public inspection by this part, shall be open to public inspection or made public except on order of the commission, or by the commission or commissioner in the course of a hearing or proceeding."^{1/} In addition, Section 454.5(g) provides that the Commission shall adopt "appropriate procedures

^{1/} All further statutory references are to the California Public Utilities Code, unless otherwise indicated.

to ensure the confidentiality of any market sensitive information” submitted by a utility in connection with procurement-related activities.

In Decision (“D.”) 06-06-066, the Commission adopted rules and procedures governing the submission of confidential energy procurement and market sensitive information to the Commission. Appendix 1 of D.06-06-066 provides the Commission’s matrix governing the confidentiality of energy procurement data provided by Investor-Owned Utilities (“IOUs”). D.06-06-066 instructed practitioners to look to confidentiality statutes such as Section 454.5(g) and the Commission Rules on which to base an assertion of confidentiality.^{2/}

In its subsequent decision on the issues of confidentiality, D.08-04-023, the Commission required the IOUs to make an oral or written motion for confidential treatment of materials or testimony offered into evidence.^{3/} In its motion, the IOU must establish:

- That the material it is submitting constitutes a particular type of data listed in the Matrix;
- The category or categories in the Matrix to which the data correspond;
- That it is complying with the limitations on confidentiality specified in the Matrix for that type of data;
- That the information is not already public; and
- That the data cannot be aggregated, redacted, summarized, masked or otherwise protected in a way that allows partial disclosure.^{4/}

In addition, a party may seek confidential treatment of data not included in the Matrix by filing a motion pursuant to Resolution ALJ-164 or any successor Rule.^{5/}

The material that PG&E seeks to protect are the confidential, unredacted versions of the Exhibits A-C listed in Table 1 below, which contain PG&E individual personal identifiable

^{2/} D.06-06-066, at p. 29.

^{3/} D.08-04-023 at p. 21.

^{4/} D.06-06-066, Ordering Paragraph 2.

^{5/} *Id.*, Ordering Paragraph 3.

information, third-party confidential information, customer information, and physical asset information.

Table 1
Confidential Attachments and Brief Summary of Confidentiality Basis

Check	Basis for Confidential Treatment	Where Confidential Information is Located on the Documents
☒	Customer-specific data, which may include demand, loads, names, addresses, and billing data. (Protected under PUC § 8380; Civ. Code §§ 1798 et seq.; Govt. Code § 6254; Public Util. Code § 8380; Decisions (D.) 14-05-016, 04-08-055, 06-12-029)	Exhibit C contains PG&E customer names, addresses (not Complainants')
☒	Personal information that identifies or describes an individual (including employees), which may include home address or phone number; SSN, driver's license, or passport numbers; education; financial matters; medical or employment history (not including PG&E job titles); and statements attributed to the individual. (Protected under Civ. Code §§ 1798 <i>et seq.</i>; Gov. Code § 7927.400; 42 U.S.C. § 1320d-6; General Order (G.O.) 77-M; see also CPUC D. 04-08-055, 06-12-029)	Exhibits A-C contain PG&E employee/contractor names, phone numbers, emails and ID numbers
☒	Physical facility, cyber-security sensitive, or critical infrastructure data, including without limitation critical energy infrastructure information (CEII) as defined by the regulations of the Federal Energy Regulatory Commission at 18 C.F.R. § 388.113 and/or General Order 66-D ("The subject information: (1) is not customarily in the public domain by providing a declaration in compliance with Section 3.2(c) stating that the subject information is not related to the location of a physical structure that is visible with the naked eye or is available publicly online or in print; and (2) the subject information either: could allow a bad actor to attack, compromise or incapacitate physically or electronically a facility providing critical utility service; or discusses vulnerabilities of a facility providing critical utility service"). (Protected under Gov. Code § 7927.705, 7929.205; 6 U.S.C.	Exhibit A contains confidential physical facility information.

	§ 671; 6 CFR § 29.2)	
☐	Proprietary and trade secret information or other intellectual property and protected market sensitive/competitive data. (Protected under Civ. Code §§ 3426 <i>et seq.</i>; Gov. Code §§ 7927.300, 7927.705, 7929.420, 7927.605, 7930.205; Evid. Code §1060; CPUC D.11-01-036)	
☐	Corporate financial records. (Protected under Gov. Code §§ 7927.705, 7927.605)	
☒	Third-Party information subject to non-disclosure or confidentiality agreements or obligations. (Protected under Gov. Code § 7927.705; see, e.g., CPUC D.11-01-036)	Exhibit C contains third party cost information
☐	Other categories where disclosure would be against the public interest. (Gov. Code § 7922.000) _____ _____ _____	

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For the reasons stated above, PG&E's files this motion to request leave to file under seal under Section 583 of the Public Utilities Code and CPUC General Order No. 66-D. As required by Rule 11.4(a), a proposed ruling granting this Motion is attached.

Respectfully Submitted,

By: /s/ Jessica Basilio
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[PROPOSED] RULING

In accordance with its Rules of Practice and Procedure, the California Public Utilities Commission (“Commission”) has considered the motion of Pacific Gas and Electric Company (“PG&E”), filed September 21, 2026, for leave to file confidential materials under seal (“Motion”), namely certain information in the confidential version of PG&E Exhibits A-C.

1. PG&E’s Motion is granted. The protected materials in the confidential, unredacted version of PG&E’s Exhibits A-C are described in the matrix included in this Motion.
2. The confidential, unredacted version of this information shall remain under seal, and shall not be made accessible or disclosed to anyone other than the Commission staff except on the further order or ruling of the Commission, the Assigned Commissioner, the Assigned Administrative Law Judge (“ALJ”), or the ALJ then designated as Law and Motion Judge.

Dated _____, at San Francisco, California.

Administrative Law Judge