

Docket:	:	<u>I.19-06-016</u>
Exhibit Number	:	<u>CalPA-418</u>
Commissioner	:	<u>Rechtschaffen</u>
Admin. Law Judge	:	<u>Hecht</u>
Witness	:	_____



**PUBLIC ADVOCATES OFFICE**  
**California Public Utilities Commission**

**Sempra's Records Management and Retention  
Policy, last revised April 15, 2014**

Exhibit CalPA-418

San Francisco, California  
May 13, 2022



## LEGAL POLICY

<b>TOPIC:</b>	<b>Records Management and Retention</b>	<b>EFFECTIVE: 03/17/2005</b> <b>REVISED: 04/15/2014</b>
<b>POLICY APPLICATION:</b>	<a href="#">Employees of Sempra Energy Companies</a>	
<b>POLICY OFFICER:</b>	<b>Executive Vice President &amp; General Counsel</b>	
<b>POLICY QUESTIONS</b>	<a href="#">Corporate Compliance Representatives</a>	
<b>ETHICAL CONCERNS</b>	<a href="#">Ethics and Compliance Helpline</a>	

### **POLICY:**

The Sempra Energy companies retain only those records and non-records that are necessary for complying with legal, regulatory or financial requirements and for conducting business. All business units will comply with and implement this policy. Each employee is responsible for understanding this policy and maintaining and disposing of records and non-records, regardless of media, within their possession or control in compliance with this policy.

### **Scope**

This policy applies to the records and non-records of all Sempra Energy companies, regardless of the medium in which they exist or the location in which they are stored.

### **Definitions**

*Record:* A record is recorded information made or received by a Sempra Energy company that provides evidence of its operations and has value (legal, financial, operational, administrative or historical) requiring its retention for a specific period of time. Records include, but are not limited to, books, papers, maps, photographs, e-mails, documentary material and machine-readable materials. Generally, an image of an original record can be considered the official record; specific exceptions should be identified on individual records retention schedules. See the [Records Retention Standards](#) on *SempraNet* for a list of the types of records generally maintained.

*Non-record:* A non-record is content that is not included within the scope of official records such as duplicate copies, convenience files, reference materials, drafts, blank forms, etc. Though convenience and duplicate copies of records are not official records, they must never be kept longer than the retention of the actual record.

*Approved Content Repository:* Electronic content could reside in numerous types of storage media. The following are the approved content repositories: share drives, email systems, SharePoint (as approved by the business unit records manager and records officer), Hummingbird (Corporate Legal), and public folders. SharePoint approved for use in all USGP and Sempra International businesses, any other business unit wishing to use SharePoint must have prior written approval by their records manager, records officer and IT.

*Unapproved Content Repository:* Electronic content could reside in numerous types of storage media. The following are not approved since they do not support records management principles: hard drives, microfiche, magnetic tape, flash drives, compact disks (CD), etc. Although these content repositories appear to be convenient sources to utilize they make the management of the data for the enterprise much more difficult. Exception may be granted only prior written approval from the Business Units records manager, records officer and IT.

*Business Units (BU):* Legal entities within the Sempra Energy family of companies; e.g., Sempra International, Sempra U.S. Gas & Power-including Mobile Gas, Southern California Gas Company (SoCalGas), San Diego Gas & Electric (SDG&E), and Corporate Center.

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### **Retention Expectations**

1. All records shall be maintained for the period required by applicable law or regulation including local, state, national, international law, industry regulation or other authorities, contract obligations, and business operation obligations. These requirements shall be covered by the Sempra Records Retention Standards. Records that are subject to more than one requirement shall be maintained for the longer period.
2. All records needed for ongoing business purposes shall be retained and available for use for the longer of: a) the period required by applicable law or regulation; and b) as needed for operations as reflected on Sempra's Records Retention Standards.
3. Vital records necessary or essential to continue the operation of the organization in case of disaster or emergency shall be appropriately identified, categorized, and safeguarded.
4. **Hold Orders:** When directed by the Law Department, records (including records in offsite storage) and non-records should be retained and not disposed of pursuant to the otherwise applicable retention schedule or the Sempra Energy companies' automated e-mail deletion program as these documents may be needed for litigation or government investigations. Such direction is referred to as a "[Hold Order](#)." Most Hold Orders, and related information about them, are listed on *SempraNet* in the Law Department's [Hold Orders](#) intranet site. For more on Hold Orders, see the attached [addendum](#).
5. All records not necessary for legal or business reasons as reflected on the Sempra Records Retention Standards and non-records shall be disposed unless subject to a Hold Order.
  - A. Drafts of documents, such as draft contracts and draft regulatory filings should not be retained unless subject to any special business unit policy or requirement that might require the draft to be considered part of the complete record. These should be reviewed by the department director to ensure that there is a business purpose for maintaining the draft(s).
  - B. Any non-record (e.g., convenience copy) related to a record should be destroyed in accordance with the record retention schedule of the record to which it relates or sooner.
6. The confidentiality, privacy, and security of records, and the information they contain, shall be appropriately assured.
7. Certain records shall be designated as "indefinite." Indefinite records are not necessarily retained indefinitely. Indefinite records are reviewed every 10 years to ensure that they are still properly classified. Designation of records as permanent records will be based on their long-term evidentiary, informational, or historical value. Certain classes of permanent records shall be maintained in the vaults at Corporate Center.
8. Assigned hard drives and personal network drives should not be used to store records. All electronic records shall be stored on designated BU content repositories such as share drives, SharePoint or Hummingbird. Please contact the Records Manager for your Business Unit if you have further questions on the proper BU content repository to use to store your records. SharePoint is NOT an approved repository for Corporate Center, SDG&E and SCG; it is an approved repository ONLY for Sempra U.S. Gas & Power and Sempra International.
9. Text messages and instant messages are designed to be transitory in nature. Such messages should not serve as records if other transaction documentation is or becomes available. Such messages should only be saved where the message serves as the only record of a transaction, or if business needs dictate temporary retention of certain message for a short period of time. If a text message or instant message is or becomes a record it should be saved to an appropriate repository pursuant to Sempra's *Records Management and Retention Policy*.

### **Managing and Maintaining the Records Management Schedule**

Each BU records officer should ensure at least once a year that the records retention schedule is accurate and needs no adjustments. Records officers certify annually that the BU is in compliance with this schedule. Certification guidance can be found on *SempraNet* in the [Records Management](#) intranet site.

Each employee is responsible and accountable for the records in their possession and those records that they control. Among other things, this responsibility includes:

- Ensuring records that need to be retained for legal, regulatory or business reasons in accordance with the retention schedule are not lost pursuant to the Sempra Energy companies' automated e-mail deletion program
- Ensuring that all non-records and records beyond applicable retention periods are appropriately disposed of on a timely basis
- Avoiding unnecessary duplication of records and creation and accumulation of non-records.



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### **Protection of Records and Non-Records**

Both records and non-records shall be appropriately safeguarded pursuant to Sempra Energy's [Information Security Policy](#) until disposed of in compliance with this policy. The [Information Security Acceptable Use Policy](#) should also be consulted because it outlines Sempra's expectations regarding the protection and appropriate use of information and information systems.

### **Disposal of Records**

Records not subject to a Hold Order should be disposed of in accordance with the retention schedule and by appropriate method, such as shredding confidential records or recycling publicly available information. Records subject to a hold order are not to be disposed of until authorized by the Law Department. The Records Disposal Log must be completed for all electronic and on-site hard-copy records subject to disposal. This log is to be forwarded to the business unit Records Manager at the end of the applicable retention period. RSS generates and maintains the disposal logs for all off-site (Iron Mountain, Records Maxx, etc.).

Please consult your Records Manager if you are concerned or have questions related to the disposal of certain records.

### **Off-site Storage**

Absent a Hold Order, records stored in an offsite facility will be disposed of at the expiration of the retention period after positive affirmation has been obtained from the records officer, records manager or their designee. To the extent feasible and permitted by legal and regulatory considerations, records may be transferred to optical disk, microfilm, microfiche or other formats providing more efficient storage.

### **Exceptions**

Requests for exceptions to this policy must be submitted to the BU Records Officer.

To learn more about records you can read the Records Management Frequently Asked Questions on *SempraNet*, in [Records Management](#). This site also includes flowcharts to help answer: What is a Record, How are Records Managed and Retained, and What Information is Included on a Records Retention Schedule.

### **POLICY QUESTIONS OR CONCERNS**

Discuss questions or concerns with your immediate supervisor, or corporate compliance representatives. For a list of the business unit corporate compliance representatives, [Click Here](#).