

PACIFIC GAS AND ELECTRIC COMPANY
General Rate Case 2011 Phase I
Application 09-12-020
Data Response

PG&E Data Request No.:	DRA_266-01		
PG&E File Name:	GRC2011-Ph-I_DR_DRA_266-Q01		
Request Date:	May 20, 2010	Requester DR No.:	DRA-266-MRK
Date Sent:	June 4, 2010	Requesting Party:	DRA
PG&E Witness:	Bruce Fraser	Requester:	Marek Kanter

EXHIBIT REFERENCE: EXHIBIT PG&E-2, CHAPTER 12, WORKPAPERS

SUBJECT: SAP ACCOUNT 5091100

QUESTION 1

PG&E's response to DRA-260-MRK includes the following statement: "The two spreadsheets excluded all meals submitted through Concur Central with a bill exceeding \$75 per person, as PG&E has elected not to seek rate recovery of such expenses in the 2011 GRC. Accordingly, details regarding these excluded costs are not within the scope of the GRC. Nevertheless, in the interest of cooperation, PG&E is providing the following additional information about meals with a bill more than \$1,000 submitted through Concur Central that PG&E has chosen to remove from its GRC request."

Please explain why the additional information about meals with a bill exceeding more than \$1000 and a cost per person exceeding \$75 submitted through Concur Central does not include (1) the number of attendees and (2) the per person cost.

- a. Does PG&E believe that such information is confidential?
- b. Does PG&E believe that such information is privileged?
- c. Does PG&E claim that any expense that it files in its application and subsequently concedes is no longer subject to discovery by DRA?

ANSWER 1

- a. No, such information is not confidential.
- b. No, such information is not privileged.
- c. Yes, PG&E believes that the specific information requested by DRA – namely, the per-person cost and business reason for meals expenses that PG&E has elected not to seek in this GRC – is not subject to discovery by DRA or any other

party. The Civil Code of Procedure Section 2017.010 states that the scope of discovery includes “any matter, not privileged, that is relevant to the subject matter involved in the pending action....” Evidence Code Section 210 defines “relevant evidence” as “evidence, including evidence relevant to the credibility of a witness or hearsay declarant, having any tendency in reason to prove or disprove any disputed fact that is of consequence to the determination of the action.” (Emphasis added.)¹

As described in response to Question 2 of Data Request DRA_265, with respect to the meals submitted through Concur Central with a total bill over \$1,000 that PG&E has elected to exclude from its GRC request, the only relevant information is the total cost of the meals. Such total cost information will enable DRA to confirm that PG&E has deducted the appropriate amount from its GRC request. PG&E has already provided this information in prior data responses. Additional details about the per-person price or business reasons for these excluded meals are not relevant to the subject matter of this GRC.

As also described in response to Question 2 of Data Request DRA_265, with respect to meals submitted through Concur Central with a total bill between \$75 and \$1,000, PG&E believes the sampling methodology previously agreed to with TURN is adequate. Notwithstanding the foregoing, PG&E is willing to meet with Mr. Kanter at PG&E’s offices and provide access to on-line expense records for meals expenses between \$75 and \$1,000, with the exception of those specific meals that PG&E has elected to exclude from its GRC request (as identified in GRC2011-Ph-I_DR_DRA_260-Q01_Supp01_Atch01.xls).

¹ Please note that the scope of discovery is distinct from the Commission’s authority to inspect the books and records of any public utility pursuant to Public Utilities Code Sections 313 et seq.