

**State of California
Office of Administrative Law**

In re:
Office of Energy Infrastructure Safety

Regulatory Action:

Title 02, California Code of Regulations

Adopt sections: 59910

Amend sections:

Repeal sections:

NOTICE OF FILING AND PRINTING ONLY

Government Code Section 11343.8

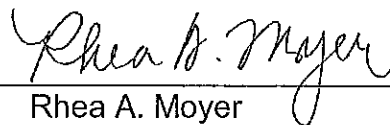
OAL Matter Number: 2023-1222-05

OAL Matter Type: File and Print Only (FP)

This is a Conflict-of-Interest code that has been approved by the Fair Political Commission and is being submitted for filing with the Secretary of State and printing only.

OAL filed this regulation(s) or order(s) of repeal with the Secretary of State, and will publish the regulation(s) or order(s) of repeal in the California Code of Regulations.

Date: January 24, 2024



Rhea A. Moyer
Associate Governmental
Program Analyst

For: Kenneth J. Pogue
Director

Original: Caroline Thomas Jacobs,
Director

Copy: Megan Nevin

NOTICE PUBLICATION/REGULATORY ACTION SUBMISSION

STD. 400 (REV. 10/2019)

FILE PRINT

For use by Secretary of State only

OAL FILE NUMBERS	NOTICE FILE NUMBER	REGULATORY ACTION NUMBER	EMERGENCY NUMBER
	Z-	2023-1222-05	pp

For use by Office of Administrative Law (OAL) only

ENDORSED - FILED in the office of the Secretary of State of the State of California

JAN 24 2024 1:57 PM

OFFICE OF ADMIN. LAW 2023 DEC 22 PM4:09

NOTICE	REGULATIONS
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AGENCY WITH RULEMAKING AUTHORITY
Office of Energy Infrastructure Safety

AGENCY FILE NUMBER (If any)

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE	TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	ACTION ON PROPOSED NOTICE	NOTICE REGISTER NUMBER 2023, 42-2	PUBLICATION DATE 10/20/23

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Conflict-of-Interest Code	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S) Z-2023-1009-02
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)	
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT 59910
TITLE(S)	AMEND
2	REPEAL

3. TYPE OF FILING			
<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346) <input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4) <input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute. <input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h)) <input checked="" type="checkbox"/> File & Print <input type="checkbox"/> Other (Specify) _____	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100) <input type="checkbox"/> Print Only

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)

Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))
 Effective on filing with Secretary of State
 \$100 Changes Without Regulatory Effect
 Effective other (Specify) 30 days after SOS filing per 2 CCR 18750

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

Department of Finance (Form STD. 399) (SAM §6660)
 Fair Political Practices Commission
 State Fire Marshal
 Other (Specify) _____

7. CONTACT PERSON Megan Nevin	TELEPHONE NUMBER (209) 429-7390	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) megan.nevin@energysafety.ca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE Stephanie Ogren	DATE 12/21/2023
TYPED NAME AND TITLE OF SIGNATORY Stephanie Ogren, General Counsel	

For use by Office of Administrative Law (OAL) only

AUTHORIZED FOR FILING AND PRINTING

JAN 24 2024

Office of Administrative Law

**CONFLICT-OF-INTEREST CODE
FOR THE OFFICE OF ENERGY INFRASTRUCTURE SAFETY**

The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 California Code of Regulations Section 18730) that contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendices, designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the **Office of Energy Infrastructure Safety (Energy Safety)**.

The Director must file their statement of economic interests electronically with the **Fair Political Practices Commission**. All other individuals holding designated positions must file their statements with **Energy Safety**. All statements must be made available for public inspection and reproduction under Government Code Section 81008.

Authority cited: Government Code Sections 81008, 87300, 87306.

Reference: Government Code Section 87302.

**Appendix A
Positions**

Position	Assigned Category or Disclosure Requirement
Executive Office	
Director	1
Deputy Director	1
General Counsel	1
Executive Officer, Excavation Board	1
Chief of Administrative Services	1
Chief of Communications and External Affairs	1
Chief Data Officer	1
Senior Policy Advisor	1
Electrical Infrastructure Directorate	
Program Manager	2-5, 10
Program and Project Supervisor	2-5, 10
Staff Services Manager (All Levels), except Wildfire Safety Advisory Board	2-5
Public Utilities Regulatory Analyst (All Levels), Electric Safety Policy Division	4-6
Utilities Engineer (All Levels), Electric Safety Policy Division	4-6
Public Utilities Regulatory Analyst (All Levels), Compliance Assurance Division and Electrical Underground Division	3-5, 10
Utilities Engineer (All Levels), Compliance Assurance Division and Electrical Underground Division	3-5, 10
Environmental Program Manager (All Levels), Environmental Science Division	2-5, 10
Environmental Scientist (All Levels), Environmental Science Division	3-5, 10
Research Data Manager, Data Analytics Division	2-9
Research Data Supervisor (All Levels), Data Analytics Division	2-9
Administrative Services Division	
Information Technology Manager (All Levels), Information Technology Unit	2
Information Technology Specialist (All Levels), Information Technology Unit	2
Information Technology Associate, Information Technology Unit	2
Information Technology Technician, Information Technology Unit	2
Staff Services Manager (All Levels)	2
Associate Governmental Program Analyst, Business Services Section and Procurement Unit	2
Staff Services Analyst, Business Services Section	2
Legal Division	
Assistant Chief Counsel	1
Attorney (All Levels)	1
Underground Safety Directorate	
Assistant Executive Officer for Education and Enforcement	1
Staff Services Manager (All Levels)	1

Associate Governmental Program Analyst, Underground Investigations Division	3-10
Boards	
Board Member, Wildfire Safety Advisory Board	1
Board Member (Chair, Vice Chair, Member), Underground Safety Board	1
Consultants and New Positions	
Consultants and New Positions	*

*Consultants/new positions shall be included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation:

The Director or their designee may determine in writing that a particular consultant or new position, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to comply with the disclosure requirements described in this section. Such determination shall include a description of the consultant's or new position's duties and, based upon that description, a statement of the extent of disclosure requirements. The Director or their designee's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict-of-interest code. (Gov. Code Sec. 81008.)

Appendix B Disclosure Categories

Category 1

Designated positions assigned to this category must report all investments and business positions in business entities, sources of income (including receipt of gifts, loans and travel payments) and real property located in the state of California.

Category 2

Designated positions assigned to this category must report investments and business positions in business entities and sources of income (including receipt of gifts, loans and travel payments) if the business entity or source provides leased facilities, products, equipment, vehicles, machinery or services (including training or consulting services) of the type utilized by the Agency.

Category 3

Designated positions assigned to this category must report all investments and business positions in business entities and sources of income (including receipt of gifts, loans and travel payments) from sources that design, develop, construct, operate, maintain, sell, or acquire facilities that transmit or distribute electricity or natural gas, or that generate electricity, or are gas, electricity, or energy consultants, research firms, or engineering firms.

Category 4

Designated positions assigned to this category must report all investments and business positions in business entities and sources of income (including receipt of gifts, loans and travel payments) from sources that are energy consultants, design, build, manufacture, sell, distribute, or maintain equipment of the type that is utilized by energy service providers, or research or engineering firms that provide services to energy service providers.

Category 5

Designated positions assigned to this category must report all investments and business positions in business entities and sources of income (including receipt of gifts, loans and travel payments) from sources that provide energy conservation services or energy management services, and sources that design, build, manufacture, sell, distribute, or maintain energy conservation or energy management devices.

Category 6

Designated positions assigned to this category must report all investments and business positions in business entities and sources of income (including receipt of gifts, loans and travel payments) from sources that design, develop, construct, operate, maintain, sell, or acquire facilities for telecommunications services.

Category 7

Designated positions assigned to this category must report all investments and business positions in business entities and sources of income (including receipt of gifts, loans and travel payments) from sources that are telecommunications consultants, entities that design, build, manufacture, sell, distribute, or maintain equipment or related products of the type that are utilized by telecommunications providers and consumers, or research or engineering firms that provide services to telecommunications providers.

Category 8

Designated positions assigned to this category must report all investments and business positions in business entities and sources of income (including receipt of gifts, loans and travel payments) from sources that design, develop, construct, operate, maintain, sell, or acquire facilities for **water utility service**, as well as sources that design, develop, manufacture, operate, maintain, or sell water conservation devices or services.

Category 9

Designated positions assigned to this category must report all investments and business positions in business entities and sources of income (including receipt of gifts, loans and travel payments) from sources that are hydrological or geological consultants, or that design, build, manufacture, sell, distribute, or maintain equipment or related products of the type that are utilized by water utilities and consumers, or research or engineering firms that provide services to **water utilities**.

Category 10

Designated positions assigned to this category must report all interests in **real property** located within the state of California.

This is the last page of the conflict of interest code for the Office of Energy Infrastructure Safety .



CERTIFICATION OF FPPC APPROVAL

Pursuant to Government Code Section 87303, the conflict of interest code for the Office of Energy Infrastructure Safety was approved on 12/19/23

Sukhdip Brar Digitally signed by Sukhdip Brar
Date: 2023.12.19 10:03:32 -08'00'

Sukhi K. Brar

Assistant Chief Counsel

Fair Political Practices Commission

Pursuant to Government Code Section 11346.2:

Secretary of State Filing Date:

Effective: