Independent Evaluator’s

**Declaration Regarding Conflict of Interest**

I, [NAME], declare:

1. I am [POSITION] at [FIRM NAME]. As such, I make this Declaration on behalf of myself, [NAME], in my capacity as [POSITION] of [FIRM NAME], the contracting entity with San Diego Gas & Electric Company (“SDG&E”) in this matter.
2. Pursuant to California Public Utilities Commission decision 07-12-052 (the “Decision”), SDG&E will utilize an “Independent Evaluator” (as such term is used in the Decision) in solicitations or bilateral negotiations.
3. [FIRM NAME] has submitted a proposal (the “Proposal”) to SDG&E to act as Independent Evaluator in future solicitations. [FIRM NAME] agrees that as a condition of entering into a Standard Service Agreement with SDG&E under which [FIRM NAME] would act as Independent Evaluator in future solicitations, it, through its duly authorized representative, will be required to sign this Declaration. [FIRM NAME] also agrees that each of its agents, employees and subcontractors who will or might perform substantive work for SDG&E will also sign a duplicate original Declaration in his or her individual capacity.
4. I, my family, my employees, and my business interests do not have a financial interest in any of the potential bidders (or any Sempra Energy affiliate, regardless of whether or not such affiliate is a potential bidder) in future solicitations or in the outcome of future solicitation processes, other than as disclosed in Appendix 3: Independent Evaluator’s Questionnaire attached hereto.
5. Further, I covenant that I will, upon SDG&E’s request, demonstrate that I, my family, my employees, and my business interests do not have, to the best of my knowledge, a financial interest in any of the potential bidders (or any Sempra Energy affiliate, regardless of whether or not such affiliate is a potential bidder) in any future solicitations, bilateral negotiations or contract amendments.
6. If at any time I become aware of any financial interest (as described in paragraph 5) in any of the potential bidders (or any Sempra Energy affiliate, regardless of whether or not such affiliate is a potential bidder) in a future solicitation or in the outcome of a solicitation process or in any of the potential bidders (or any Sempra Energy affiliate, regardless of whether or not such affiliate is a potential bidder) or counterparty or in the outcome of the process of such future activities, I shall promptly notify SDG&E and the PRG of such financial interest and SDG&E may (but is not required to) exercise any or all of the rights and remedies under any Standard Service Agreement entered between SDG&E and [FIRM] as discussed in paragraph 4 above, including without limitation section 20 of the Terms and Conditions that would be attached to such Standard Service Agreement.
7. I represent and warrant that I have read and become familiar with the Decision, particularly Section 3.2 at pp. 131-142. Consistent with the Decision, I represent, warrant and covenant that I have complied and will comply with the appropriate guidelines established by the Fair Political Practices Commission (“FPPC”) concerning conflict of interest, including the guidelines as set forth under the heading “New Conflicts of Interest Regulations (June 10, 2015)” on the FPPC’s website at http://www.fppc.ca.gov/index.php?id=247#4).
8. I understand that in the event that [FIRM NAME] and SDG&E enter into a Standard Service Agreement as discussed in Paragraph 4, this declaration will be in addition to, and will not supersede or replace, any part of the Standard Service Agreement, including without limitation, the Terms and Conditions that would be attached to the Standard Service Agreement.
9. I understand that for the duration of the Standard Service Agreement I shall be required to disclose the potential of a conflict should one arise.
10. I understand that for the duration of the Standard Service Agreement I may be required to resign this Declaration when requested by SDG&E.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this Declaration was executed in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ on \_\_\_\_\_\_\_\_\_\_\_\_, 201\_\_.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name:

Title: