

**CERTIFIED FOR PUBLICATION**

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION FIVE

SOUTHERN CALIFORNIA GAS  
COMPANY,

Plaintiff and Appellant,

v.

SOUTH COAST AIR QUALITY  
MANAGEMENT DISTRICT et al.,

Defendants and Respondents.

B226105

(Los Angeles County  
Super. Ct. No. BS122004)

ORDER MODIFYING OPINION  
AND DENYING REHEARING  
PETITION

[NO CHANGE IN JUDGMENT]

The opinion, filed October 27, 2011, is modified as follows:

1. On page 8, delete the fifth sentence located in the second full paragraph which states, “Less than 15 percent of the natural gas used in the district originates from sources within the United States but outside California.”

In its place, the following sentence is to be inserted, “Less than 15 percent of the natural gas used in the district is produced in California.”

2. On page 9, in the third sentence of the second full paragraph, delete, “Blyth” and insert in its place, “Blythe.”

3. On page 9, delete the next to the last full sentence which states, “The Blythe pipeline receiving point can direct up to 1.2 billion cubic feet per day of gas derived from liquefied natural gas into Southern California.”

Insert in its place, insert: “The Blythe pipeline receiving point, which includes domestic natural gas from El Paso, can direct up to 1.2 billion cubic feet per day of natural gas into Southern California. The administrative record is unclear as to how much natural gas derived from liquefied natural gas will be shipped through the Blythe receiving point. The administrative record states a “much greater” amount of the natural gas flowing from the Blythe receiving point will be from domestic sources. (The domestic natural gas will have a lower Wobbe Index reading than that derived from liquefied natural gas regasified at the Energia Costa Azul facility.) Yet, the administrative record also states the Energia Costa Azul facility, which will ship natural gas derived from liquefied natural gas, has a one billion cubic feet per day capacity.”

4. On page 25, delete the following sentence (the last full sentence on page 25), “Thus, gas derived from liquefied natural gas with all of its potential deleterious environmental impacts is converted by plaintiff’s parent company in Mexico and then introduced into the district.”

In its place, insert: “Thus, gas derived from liquefied natural gas, with its possible deleterious environmental impacts, is regasified at the Energia Costa Azul Facility. As noted, the Energia Costa Azul facility is *owned* by Sempra LNG, a subsidiary of Sempra Energy. One of Sempra Energy’s subsidiaries, Sempra LNG, *owns* a facility from which another, plaintiff, receives potentially environmentally detrimental natural gas derived from liquefied natural gas. This natural gas derived from liquefied natural gas is consequently introduced into the district.”

The rehearing petition is denied.

TURNER, P.J.

MOSK, J.

I would grant the petition so that we can reconsider the case under the correct standard of review and correct the misstatements of facts identified in the petition.

ARMSTRONG, J.