



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street • Suite 3050 • Sacramento, CA 95811

July 10, 2026

Savannah McLaughlin
1250 Cleveland Ave, Unit D117
San Diego, CA 92103

**Re: Your Request for Informal Assistance
Our File No. I-26-050**

Dear Ms. McLaughlin:

This letter responds to your request for advice regarding the post-governmental employment provisions of the Political Reform Act (the “Act”).¹ Given that your questions are general in nature with limited facts, we treat your request as one for informal assistance.²

Please note that we are only providing advice under the conflict of interest provisions of the Act and not under other general conflict of interest prohibitions such as common law conflict of interest, Section 1090, or the Public Contract Code.

Also note that we are not a finder of fact when rendering advice (*In re Oglesby* (1975) 1 FPPC Ops. 71), and any advice we provide assumes your facts are complete and accurate. If this is not the case or if the facts underlying these decisions should change, you should contact us for additional advice.

QUESTION

As a former Public Utilities Regulatory Analyst at the California Public Utilities Commission (“CPUC”), are you prohibited under the one-year or permanent bans from advising clients on matters related to certain CPUC proceedings on which you previously worked?

CONCLUSION

Under the one-year ban, you are prohibited from appearing before your former agency on behalf of clients for the purpose of influencing any actions as described in detail below. However, you may advise clients on CPUC requirements, plans, or policy, or draft proposals or

¹ The Political Reform Act is contained in Government Code Sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in Sections 18104 through 18998 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

² Informal assistance does not provide the requestor with the immunity provided by an opinion or formal written advice. (Section 83114; Regulation 18329(c)(3).)

comments so long as you are not identified in any of these actions and you are not otherwise prohibited by the permanent ban.

The “permanent ban” prohibits you from participating, for compensation, in any proceeding involving the state that affects the rights or claims of specific parties if you participated personally and substantially in the proceeding in your capacity as an analyst with the CPUC.

Regarding the specific matters raised in your request, the determination of whether the revolving door rules apply to any particular and subsequent proceeding involving your prospective employer or its clients is a fact based determination that can only be made on a case by case basis and is dependent on the exact nature of the proceeding, your previous participation in the proceeding, and your prospective employer’s or its clients involvement in that proceeding. You have not provided sufficient facts to determine the application of the revolving door rules to any specific and subsequent proceeding involving your prospective employer or its clients. Accordingly, we can only offer informal assistance regarding the previous proceedings identified. Should you accept employment with the prospective employer and have any questions regarding your involvement in any a specific proceeding on behalf of the employer or its clients, you may wish to seek additional advice prior to assisting the employer describing the proceeding before the agency, any previous participation you had in the proceeding, and your employer’s or its clients past and current involvement in the proceeding.

FACTS AS PRESENTED BY REQUESTER

The CPUC regulates privately owned electric and natural gas utilities operating in the state. You separated from state service on April 10, 2026, following three years of service at the CPUC. At the time that you left state service, you were a Public Utilities Regulatory Analyst III in the Emerging Trends Section within the Energy Efficiency Branch of the CPUC’s Energy Division. Your position was designated in the CPUC conflict-of-interest code, and you filed annual Statements of Economic Interest during your three years at the CPUC.

In this role you performed technical economic and policy analyses and provided summaries of various parties’ positions, made recommendations on findings to management, and prepared briefing packages as well as presentations for Administrative Law Judges (ALJs), Commissioners and other decision makers, and interested parties regarding assigned issues, rulings, and proposed decisions. You also reviewed and provided supporting analyses for proposed decisions made by various CPUC officials, as described in the examples below.

Specifically, you participated in the following CPUC matters:

CPUC No. R.25-04-010:

A rulemaking proceeding related to the adoption of energy efficiency portfolios for 2026-2037 applicable to the three members of the class of large electric investor-owned utilities (“IOUs”). The large IOUs are: Pacific Gas and Electric, Southern California Edison and San Diego Gas and Electric. This proceeding addressed policy issues and methodology development

that were equally applicable to all of the large IOUs. This rulemaking proceeding is still actively being scoped.

You participated in preliminary internal policy discussions and high-level brainstorming regarding potential topic areas for inclusion during the early scoping phase of the rulemaking, prior to the development of substantive positions or decisions.

CPUC No. A.26-03-(various):

CPUC matters bearing the prefix A.26-03 are applications filed by energy efficiency portfolio administrators for approval by the CPUC of their proposed energy efficiency programs and accompanying business plans. These programs and budgets must comply with the CPUC's overall policies and targets. Each application is filed by an individual portfolio administrator concerning its proposed programs and budget within its area of operation. The application is reviewed by an ALJ, who then decides whether to approve the application.

The application review process began during your last month with the CPUC. You reviewed a single party's application (which had not yet been assigned a CPUC number) and prepared a summary of that filing for another team within the Energy Division as well as for the Energy Efficiency branch director. That summary was for internal use and was subject to revision and refinement after your work on it was complete. As part of the Energy Division's review process, such summaries were intended to provide an objective description of the contents of a filing (the originals of which can be lengthy and include advocacy language) and were not intended to include recommendations, opinions, or advocacy regarding the merits of the application. The summary was prepared to inform ALJs and other decision-makers regarding the contents of the filing and did not advocate for any particular outcome, nor did it include any recommendations or advice. You were not involved in reviewing other parties' applications submitted in the proceeding and did not participate in the drafting of rulings or decisions related to this application proceeding. You were also not part of any decision-making or strategy related to the outcome of the application, which is still ongoing.

CPUC No. D.25-11-023:

A Decision concerning the approval of market transformation initiatives ("MTIs") for affordable room heat pump air conditioners and induction cooking ranges. MTIs are designed to work with manufacturers and market supply chains to accelerate market adoption of energy-efficient products that will help realize the state's goals on efficiency and decarbonization. MTIs seek to increase market penetration of selected efficiency and low-carbon solutions and often result in the establishment of a code or standard, or changes to industry standard practices, which help lock in efficiency and reductions in greenhouse gas emissions. MTIs are CPUC-funded programs applicable to all the IOUs.

In its Decision, the CPUC approved the MTI concerning room heat pumps and conditionally approved the MTI concerning induction cooking ranges. To your knowledge, the Decision itself did not establish an ongoing application or bid approval process before the CPUC for regulated entities. Rather, implementation activities would likely occur through program

administration and contracting processes associated with the California Market Transformation Administrator (“CalMTA”), which is a CPUC-authorized program administrator that develops and manages these MTIs.³

Follow-on implementation activities related to this Decision may involve third-party entities responding to requests for proposals (“RFPs”) issued through CalMTA for implementation support related to the approved MTIs. It is your understanding that the Decision established the general framework, objectives, and implementation requirements for the approved MTIs, and that any subsequent implementation activities or RFPs administered through CalMTA would likely need to align with those approved program parameters.

Your role in this Decision was to review party comments, testimonies, and briefs. You then produced analytical summaries that advised the overseeing ALJ, Energy Division Management, and the Commissioner’s Office in the drafting of this Decision. To your knowledge, the application that led to this Decision (CPUC No. A.24-12-009) is now closed. This application process was where all the above-mentioned work that you performed on this matter took place. You do not anticipate working on any RFPs submitted to CalMTA as part of your future private sector role.

Resolution E-5387:

A CPUC Resolution approving, with modifications and clarifications, the multi-distributed energy resource (“multi-DER”) integrated demand side management frameworks and programs submitted by program administrators for CPUC review. These proposals included processes for customers to implement multi-DER projects and receive rebates or incentives. Though the proposals were submitted separately by each program administrator, this Resolution consolidated and approved the proposals as a whole. The Resolution was adopted by the CPUC on September 18, 2025.

You co-authored the Resolution. In that role, you reviewed the proposals submitted by program administrators, prepared analyses of those proposals, drafted portions of the Resolution, and presented recommendations regarding approval or modification of the proposals to Energy Division management and Commissioners.

Current Post-Governmental Employment

You intend to work for ICF, a private consulting firm that assists utilities with energy project development and investment. In your new role, you do not foresee advocating before the CPUC, but ICF clients may advocate positions that you help them develop. You may need to review CPUC dockets – past and present – to develop a complete strategy with clients. In

³ While PG&E serves as the statewide fiscal and contracting agent for CalMTA, CalMTA itself operates separately from the IOUs in administering these MTIs.

discussions with clients or development of comments for them, you may refer to the proceedings on which you worked, in order to help inform, recommend, and explain strategies to the clients.

ANALYSIS

You inquired as to how the one-year and permanent bans may affect your potential future work on the above-enumerated CPUC matters in your new role at ICF. Absent specific facts regarding the type of work you may do on these matters in the future, we can only provide you with general information and alert you to potential issues on which you may wish to seek further advice once the nature of your future assignments becomes clearer.

Public officials who leave state service are subject to two types of post-governmental employment provisions under the Act: the one-year ban and the permanent ban. These provisions are commonly referred to as the “revolving door” prohibitions.

One-Year Ban

The “one-year ban” prohibits a former state employee from making, for compensation, any formal or informal appearance, or making any oral or written communication, before their agency for the purpose of influencing any administrative or legislative actions or any discretionary act involving the issuance, amendment, awarding, or revocation of a permit, license, grant, or contract, or the sale or purchase of goods or property. (Section 87406; Regulation 18746.1.)

The one-year ban applies to any employee of a state administrative agency who holds a position that is designated or should be designated in the agency’s conflict-of-interest code. (Section 87406(d)(1); Regulation 18746.1(a)(4).) The ban applies for twelve months from the date the employee permanently leaves state office or employment. While in effect, the one-year ban applies only when a former employee or official is being compensated for their appearances or communications before his or her former agency on behalf of any person as an agent, attorney, or representative of that person. (Regulation 18746.1(b)(3), (4), and (6)(C)(i).)

The one-year ban applies to any “appearance or communication” made “for the purpose of influencing... legislative or administrative action, or any discretionary action involving the issuance, amendment, awarding, or revocation of a permit, license, grant or contract, or the sale or purchase of goods or property.” (Regulation 18746.1(b)(5)(C).) An appearance or communication is for the “purpose of influencing” if it is made for the “principal purpose of supporting, promoting, influencing, modifying, opposing, delaying, or advancing the action or proceeding.” (Regulation 18746.2(a).) An appearance or communication includes, but is not limited to, conversing by telephone or in person, corresponding in writing or by electronic transmission, attending a meeting, and delivering or sending any communication. (*Id.*)

We point out, however, that not all communications are prohibited by the one-year ban. For example, to the extent that the former official is not prohibited by the permanent ban and is not identified in the activity, a former agency official may draft proposals on a client’s behalf to be submitted to the agency (*Cook* Advice Letter, No. A-95-321; *Harrison* Advice Letter, No. A-

92-289); or may use their expertise to advise clients on the procedural requirements, plans, or policies of their former agency (*Perry Advice Letter*, No. A-94-004).⁴

As a former designated CPUC employee, the one-year ban applies to you until April 10, 2027. (Section 87406(d)(1); Regulation 18746.1(a)(4).) Under the one-year ban you may not engage in communications or appearances with the CPUC on behalf of a client to influence any administrative or legislative actions or any discretionary act involving the issuance, amendment, awarding, or revocation of a permit, license, grant, or contract, or the sale or purchase of goods or property. (Section 87406(d)(1); Regulation 18746.1(b).) Unless your participation is prohibited by the permanent ban, you may advise clients or your employer on CPUC requirements, plans, or policy. You may also draft proposals or comments on behalf of a client or your employer. But in each instance, you may only do so to the extent that you are not identified in any of these actions during the one year time period.

Permanent Ban

The “permanent ban” prohibits a former state employee from “switching sides” and participating, for compensation, in a certain proceeding involving the State of California and other specific parties, or assisting in the proceeding if the proceeding is one in which the former state employee participated while employed by the state. (Sections 87401 and 87402; Regulation 18741.1.) The permanent ban applies when an official has permanently left or takes a leave of absence from any office or employment. (Regulation 18741.1(a)(1).)

The permanent ban is a lifetime ban and applies to any formal or informal appearance or any oral or written communication – or aiding, advising, counseling, consulting, or assisting in representing any other person, other than the State of California,⁵ in an appearance or communication – made with the intent to influence any judicial, quasi-judicial, or other proceeding in which you participated while you served as a state administrative official.

“‘Judicial, quasi-judicial or other proceeding’ means any proceeding, application, request for a ruling or other determination, contract, claim, controversy, investigation, charge, accusation, arrest or other particular matter involving a specific party or parties in any court or state administrative agency” (Section 87400(c).) Thus, the permanent ban covers proceedings that affect the rights or claims of specific parties. (*Lowry Advice Letter*, No. I-08-053.) It does not apply to those that involve the making of rules or policies of general applicability.

⁴ Regulation 18746.2(b)(1) provides some additional exceptions, as follows:

“An appearance or communication is not limited by this section when an individual: (1) Participates as a panelist or formal speaker at a conference or similar public event for educational purposes or to disseminate research and the subject matter does not pertain to a specific action or proceeding; (2) Attends a general informational meeting, seminar, or similar event; (3) Requests information concerning any matter of public record; or (4) Communicates with the press.”

⁵ The state encompasses all California state agencies, including all divisions of the CPUC. (Section 87401; *White Advice Letter*, No. A-17-086.) The permanent ban is potentially applicable if you represent any other entity than the State of California.

(*Beale* Advice Letter, No. A-00-146.) As a result, CPUC petitions, orders or decisions specific to a particular party or parties that affect the rights and claims of that party or parties may be a “judicial or other proceeding” for purposes of the permanent ban. (*Adeyeye* Advice Letter, No. A-20-027.)

We have previously advised in the context of a CPUC rulemaking proceeding that the permanent ban does not apply if the proceeding was limited to quasi-legislative methodological issues and policy issues of general application, and the proceeding applied equally to the class of large investor-owned utilities. (*Murtishaw* Advice Letter, No. A-18-082.) Similarly, we have advised that the formulation of a rate design policy for the CPUC was not a “judicial or other proceeding” because the policy had an industrywide application and did not focus on any specific utility. (*Fong* Advice Letter, No. A-88-024.)

If a matter is determined to be a proceeding subject to the permanent ban, the next step in the analysis is to determine whether the former official “participated” in that proceeding. An official is considered to have “participated” in a proceeding if they took part in the proceeding “personally, and substantially through decision, approval, disapproval, formal written recommendation, rendering advice on a substantial basis, investigation, or use of confidential information” (Section 87400(d).) On the other hand, we have previously advised that where a CPUC analyst’s involvement in a particular proceeding was limited to “primarily summarizing party comments and contributing thoughts and data for a Proposed Decision,” this did not constitute “participation” for purposes of the permanent ban. (*Reardon* Advice Letter, No. A-16-118.)

We must also consider that the permanent ban does not apply to a “new” proceeding, even in cases where the new proceeding is related to or grows out of a prior proceeding in which the official had participated. (Sections 87401 and 87402; *Inamine* Advice Letter, No. I-11-185.) A “new” proceeding not subject to the permanent ban typically involves different parties, a different subject matter, or different factual or legal issues from those considered in previous proceedings. (*Puccio* Advice Letter, No. I-01-079.) The application, drafting, and awarding of a contract, license, or approval is considered a proceeding separate from the monitoring and performance or implementation of the contract, license, or approval. (*See Hafer* Advice Letter, I-18-202.) However, where a former official has already participated in one stage, such as the implementation of a contract, the official may not work for compensation for an outside employer on the same implementation stage of the proceeding. (*Yam* Advice Letter, No. I-17-292; *Culp* Advice Letter, No. I-14-051.) Likewise, where a former official has already taken part in the formation of a contract, license, or approval, the official may not work for compensation for an outside employer prior to the awarding of the contract, as that constitutes the “same proceeding.” (*Gubman* Advice Letter, No. I-20-041.)

You have asked whether the permanent ban would permit you to work on specific CPUC matters named in your request. Because we do not know the nature or details of any future-related matters on which you may be called upon to work at ICF, we can only provide general guidance of an informal nature at this time.

CPUC No. R.25.04-010:

The facts provided identify this proceeding as a “rulemaking” proceeding. As explained above, the permanent ban only applies to proceedings involving specific parties. It does not generally apply to rulemaking proceedings not involving specific parties. However, the determination of whether any subsequent proceeding involving CPUC No. R.25.04-010 is a rulemaking proceeding not involving specific parties can be made only after the proceeding is identified. Should you need additional help determining if a proceeding is a rulemaking proceeding not involving specific parties, you may wish to seek additional advice. Additionally, we caution that the one-year ban may still apply to any appearance or communications you might have with the CPUC regarding this and related matters.

CPUC No. A.26-03-(various):

The facts provided describe these matters as applications filed by energy efficiency portfolio administrators for approval of their proposed energy efficiency programs and accompanying business plans. You further state that your involvement in these matters was limited to a single party’s application, and that involvement was limited to an objective summary of the application. Generally, the permanent ban applies to proceedings involving specific parties, such as the application on which you worked. Additionally, the permanent ban also only generally applies to the extent you participated “personally and substantially” in the proceeding and does not apply to new proceedings.

Nonetheless, whether the permanent ban applies to the application you previously summarized is not relevant to whether the permanent ban applies to any proceeding involving your prospective employer or its clients (assuming the application you summarized did not involve them). In this case, you have provided no indication that you previously participated in a proceeding related to an application submitted by the prospective employer or its clients. If you have had any involvement in an application submitted by the employer or its clients, you may wish to seek additional advice prior to assisting them in the proceeding.

CPUC No. D.25-11-023 and CPUC Resolution E-5387:

The facts provided respectively describe these matters as a Decision concerning the approval of MTIs for affordable room heat pump air conditioners and induction cooking ranges, and a Resolution approving, with modifications and clarifications, the multi-DER integrated demand-side management frameworks and programs submitted by program administrators for CPUC review. The facts further state that you produced analytical summaries that advised the overseeing ALJ, Energy Division Management, and the Commissioner’s Office in the drafting of this Decision. You also co-authored the Resolution.

While the nature of the Decision and Resolution is complex, both appear to involve your previous participation in establishing applicable program requirements and directions in contemplation of subsequent contracts to implement the programs. In the context of CPUC matters, we have previously advised that where a specific contract arises to implement broader program requirements and directions set by the CPUC for that purpose, that contract constitutes the “same proceeding” as the earlier CPUC authorization. (*Gubman Advice Letter, supra.*)

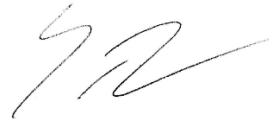
Therefore, a former CPUC official may not participate in the formation and awarding of that contract (even a third-party contract to which the CPUC is not a party) if that former official previously participated in the CPUC authorization of the applicable program requirements and directions. (Id.)

Accordingly, depending on the exact nature of the Decision and Resolution and the foreseeability that either would result in a subsequent contract with ICF or its clients, your previous participation in the proceeding may permanently prohibit you from assisting the ICF or its clients in seeking a contract under either program. Nonetheless, we do not have sufficient information before us to determine whether the Decision and Resolution, and any resulting contract, should be regarded as the same proceeding. Also, you have provided no indication that ICF or its clients will be seeking a contract under either program. Thus, any determination regarding the permanent ban to ICF or its clients seeking a contract under either program would be premature. To the extent ICF or its clients wishes to seek a contract under either program in the future, you should seek additional advice at that time, fully describing the nature of the program, the contract ICF or its client seeks to enter, and both yours and ICF or its client's prior involvement in the Decision and Resolution.⁶

If you have other questions on this matter, please contact me at sirussell@fppc.ca.gov.

Sincerely,

Dave Bainbridge
General Counsel



By: Simon Russell
Counsel, Legal Division

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⁶ While this informal assistance does not fully consider the application of Government Code Section 1090, which prohibits a governmental official from participating in the making of any contract in which the official has a financial interest, we caution that Section 1090 may further prohibit ICF or its clients from even entering a contract under the Decision or Resolution to the extent your previous participation in the proceedings constitutes participating in the subsequent contract. Should you accept employment with the ICF and ICF or its client wishes to seek a contract under either program, you should also seek further assistance as to the potential application of Section 1090.