



BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

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Application of Pacific Gas and Electric Company for Authority to Increase Electric Rates and Charges to Recover Costs Relating to California Solar Photovoltaic Manufacturing Development Facility (U39E)

Application 10-11-002

NOTICE OF INTENT TO CLAIM INTERVENOR COMPENSATION AND, IF REQUESTED (and checked), ALJ RULING ON SHOWING OF SIGNIFICANT FINANCIAL HARDSHIP

Customer (party intending to claim intervenor compensation): The Greenlining Institute		
Assigned Commissioner: Michael R. Peevey		Assigned ALJ: Karl Bemederfer
I hereby certify that the information I have set forth in Parts I, II, III and IV of this Notice of Intent (NOI) is true to my best knowledge, information and belief. I further certify that, in conformance with the Rules of Practice and Procedure, this NOI and has been served this day upon all required persons (as set forth in the Certificate of Service attached as Attachment 1).		
Signature:		/s/ Stephanie C. Chen
Date:	1/19/11	Printed Name: Stephanie C. Chen

PART I: PROCEDURAL ISSUES

(To be completed by the party ("customer") intending to claim intervenor compensation)

A. Status as "customer" (see Pub. Util. Code § 1802(b)): The party claims "customer" status because it (check one):	Applies (check)
1. Category 1: Represents consumers, customers, or subscribers of any electrical, gas, telephone, telegraph, or water corporation that is subject to the jurisdiction of the Commission (§ 1802(b)(1)(A))	
2. Category 2: Is a representative who has been authorized by a "customer" (§ 1802(b)(1)(B)).	
3. Category 3: Represents a group or organization authorized pursuant to its articles of incorporation or bylaws to represent the interests of residential customers, to represent "small commercial customers" (§ 1802(h)) who receive bundled electric service from an electrical corporation (§ 1802(b)(1)(C)), or to represent another eligible group.	X
4. The party's explanation of its customer status, economic interest (if any), with any documentation (such as articles of incorporation or bylaws) that supports the party's "customer" status. Any attached documents should be identified in Part IV.	

Greenlining’s members and constituents are purchasers of telecommunications and energy services from utilities in California, qualifying us to file this NOI as “customers” pursuant to PU Code § 1802(b). Greenlining will represent low-income and minority residential and small business utility customers in this proceeding. In compliance with D. 98-04-059, Conclusion of Law 5 and Finding of Fact 12, Greenlining estimates that it represents a constituency that is divided 75% and 25% between residential customers and small business customers, respectively. These percentages represent Greenlining’s best estimates only.

Article II, Section 17 of Greenlining’s by-laws authorizes it to represent the “interests of low income communities, minorities, and residential ratepayers” before regulatory agencies and courts. Copies of the by-laws of Greenlining are attached to an NOI filed on March 5, 2010 in R.10-02-005.

B. Timely Filing of NOI (§ 1804(a)(1)):	Check
1. Is the party’s NOI filed within 30 days after a Prehearing Conference? Date of Prehearing Conference: <u>December 20, 2010 and January 13, 2011.</u>	Yes <u>X</u> No <u> </u>
2. Is the party’s NOI filed at another time (for example, because no Prehearing Conference was held, the proceeding will take less than 30 days, the schedule did not reasonably allow parties to identify issues within the timeframe normally permitted, or new issues have emerged)?	Yes <u> </u> No <u>X</u>
2a. The party’s description of the reasons for filing its NOI at this other time: Greenlining is filing its NOI within 30 days of the 2nd Prehearing Conference. A 2nd Prehearing Conference was held in order to permit the parties more time to identify issues and agree upon a schedule.	
2b. The party’s information on the proceeding number, date, and decision number for any Commission decision, Commissioner ruling, or ALJ ruling, or other document authorizing the filing of its NOI at that other time:	

PART II: SCOPE OF ANTICIPATED PARTICIPATION

(To be completed by the party (“customer”) intending to claim intervenor compensation)

A. Planned Participation (§ 1804(a)(2)(A)(i)):
<ul style="list-style-type: none"> The party’s description of the nature and extent of the party’s planned

participation in this proceeding (as far as it is possible to describe on the date this NOI is filed).

As an intervenor, Greenlining intends to fully participate in all aspects of the proceeding including, but not limited to: (1) attending all proceeding conferences and workshops that may be scheduled; (2) preparing and serving testimony, if required; (3) engaging in proceeding related research and community outreach; (4) participating in public hearings and evidentiary hearings, if any; (5) serving discovery, if necessary; (6) filing opening and reply comments, motions as considered necessary, and/or briefs; (7) meeting with the utilities to discuss proceeding related matters; (8) collaborating with other consumer advocacy groups; and (9) addressing any other matter that arises within the course of the proceeding.

- The party’s statement of the issues on which it plans to participate.

As an intervenor, Greenlining intends to (1) assess the appropriateness of PG&E ratepayers being the source of investment funds for SVTC; (2) assess the reasonableness of the ratemaking treatment proposed by PG&E; (3) evaluate the capital contribution and ownership structure of SVTC’s project; (4) assess the extent to which PG&E’s ratepayers are getting fair terms in exchange for their investment; (5) determine the circumstances under which there would be a liquidation event; (6) evaluate the extent to which PG&E shareholders would appropriately contribute to the investment; (7) determine the extent to which it would be appropriate for the ratepayers of other utilities to contribute to the investment; (8) assess the likelihood that the investment would yield a substantial number of green jobs in California; and (9) comment upon any other issues that may arise in the course of discovery and review of the application.

B. The party’s itemized estimate of the compensation that the party expects to request, based on the anticipated duration of the proceeding (§ 1804(a)(2)(A)(ii)):

Item	Hours	Rate \$	Total \$	#
ATTORNEY FEES				
Stephanie Chen	20	\$195	\$3,900	
Ryan Young	50	\$150	\$7,500	
		<i>Subtotal:</i>	\$11,400	
EXPERT FEES				
		<i>Subtotal:</i>		

OTHER FEES				
	Subtotal:			
COSTS				
Administrative Costs: postage, photocopies, printing, deliveries, supplies, telephone, facsimiles.			\$200	
Travel				
	Subtotal:		\$200	
TOTAL ESTIMATE \$:			\$11,600	
<p>Comments/Elaboration (use reference # from above):</p> <p>Ms. Chen was last awarded compensation at \$185, for work done when she had 3 years of experience before the Commission (see R.09-08-009). She has since then been promoted to Senior Legal Counsel, and is in her fourth year of experience before the Commission. As such, her work warrants a step increase to \$195.</p> <p>Mr. Young is in his first year of practice before the Commission, as a Legal Fellow. In recent previous awards, Legal Fellows have been compensated at a rate of \$150, as requested here.</p>				
<p>When entering items, type over bracketed text; add additional rows to table as necessary. Estimate may (but does not need to) include estimated claim preparation time. Claim preparation is typically compensated at ½ of preparer's normal hourly rate.</p>				

PART III: SHOWING OF SIGNIFICANT FINANCIAL HARDSHIP

(To be completed by party (“customer”) intending to claim intervenor compensation; see Instructions for options for providing this information)

A. The party claims “significant financial hardship” for its claim for intervenor compensation in this proceeding on the following basis:	Applies (check)
1. “[T]he customer cannot afford, without undue hardship, to pay the costs of effective participation, including advocate’s fees, expert witness fees, and other reasonable costs of participation” (§ 1802(g)); or	
2. “[I]n the case of a group or organization, the economic interest of the individual members of the group or organization is small in comparison to the costs of effective participation in the proceeding” (§ 1802(g)).	
3. A § 1802(g) finding of significant financial hardship in another proceeding, made within one year prior to the commencement of this proceeding, created a rebuttable presumption of eligibility for compensation in this proceeding (§ 1804(b)(1)).	X
<p>ALJ ruling (or CPUC decision) issued in proceeding number: R.09-08-009</p> <p>Date of ALJ ruling (or CPUC decision): January 10, 2011</p> <p>In accordance with PU Code § 1804(a)(2)(B), Greenlining notes that the requisite finding of financial hardship was made within the last year in the January 10, 2011 Administrative Law Judge’s Ruling Regarding Notice of Intent to Claim Compensation.</p>	

<p>B. The party’s explanation of the factual basis for its claim of “significant financial hardship” (§ 1802(g)) (necessary documentation, if warranted, is attached to the NOI):</p>

PART IV: THE PARTY’S ATTACHMENTS DOCUMENTING SPECIFIC ASSERTIONS MADE IN THIS NOTICE

(The party (“customer”) intending to claim intervenor compensation identifies and attaches documents (add rows as necessary.) Documents are not attached to final ALJ ruling.)

	Description
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Attachment No.	
1	Certificate of Service

ADMINISTRATIVE LAW JUDGE RULING¹
(ALJ completes)

	Check all that apply
1. The Notice of Intent (NOI) is rejected for the following reasons:	
a. The NOI has not demonstrated status as a “customer” for the following reason(s):	
b. The NOI has not demonstrated that the NOI was timely filed (Part I(B)) for the following reason(s):	
c. The NOI has not adequately described the scope of anticipated participation (Part II, above) for the following reason(s):	
2. The NOI has demonstrated significant financial hardship for the reasons set forth in Part III of the NOI (above).	
3. The NOI has not demonstrated significant financial hardship for the following reason(s):	
4. The ALJ provides the following additional guidance (see § 1804(b)(2)):	

¹ An ALJ Ruling will not be issued unless: (a) the NOI is deficient; (b) the ALJ desires to address specific issues raised by the NOI (to point out similar positions, areas of potential duplication in showings, unrealistic expectations for compensation, or other matters that may affect the customer’s claim for compensation); or (c) the NOI has included a claim of “significant financial hardship” that requires a finding under § 1802(g).

IT IS RULED that:

	Check all that apply
1. The Notice of Intent is rejected.	
2. Additional guidance is provided to the customer as set forth above.	
3. The customer has satisfied the eligibility requirements of Pub. Util. Code § 1804(a).	
4. The customer has shown significant financial hardship.	
5. The customer is preliminarily determined to be eligible for intervenor compensation in this proceeding. However, a finding of significant financial hardship in no way ensures compensation.	

Dated _____, at San Francisco, California.

ADMINISTRATIVE LAW JUDGE

ATTACHMENT 1

Certificate of Service by Customer

I hereby certify that I have this day served a copy of the foregoing **NOTICE OF INTENT TO CLAIM INTERVENOR COMPENSATION** by (check as appropriate):

- hand delivery;
- first-class mail; and/or
- electronic mail

to the following persons appearing on the official Service List:

douglass@energyattorney.com
austin.yang@sfgov.org
srt@cpuc.ca.gov
matthew@turn.org
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Executed this 7th day of February 2011, at Berkeley, California.

/s/ Ryan Briscoe Young

**Ryan Briscoe Young
The Greenlining Institute
1918 University Avenue, 2nd Floor
Berkeley, CA 94704**

