



**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

**FILED**  
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Application of San Diego Gas & Electric Company (U902M) for Authority, Among Other Things, to Increase Rates and Charges for Electric and Gas Service Effective on January 1, 2012	Application 10-12-005 (Filed December 15, 2010)
Application of Southern California Gas Company (U904G) for authority to update its gas revenue requirement and base rates effective on January 1, 2012	Application 10-12-006 (Filed December 15, 2010)

**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): Disability Rights Advocates			
Assigned Commissioner: Michael R. Peevey		Assigned ALJ: John S. Wong	
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/			
Date:	3/1/11	Printed Name:	Melissa W. Kasnitz

**PART I: PROCEDURAL ISSUES**

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

<b>A. Status as “customer” (see Pub. Util. Code § 1802(b)): The party claims “customer” status because it (check one):</b>	<b>Applies (check)</b>
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.

DisabRA’s bylaws explicitly conform to the statute that serves as the basis for customer eligibility. See Pub. Util. Code § 1802(b)(1)(C). Article I of DisabRA’s bylaws states, in part, that DisabRA’s mission includes “representation of the interests of disabled residential customers, and small commercial customers who receive bundled electric service from an electrical corporation and other disabled customers of utilities.” Our bylaws have previously been submitted to the Commission on November 17, 2009 as an attachment to an Intervenor Compensation Request in A.08-12-021, but additional copies can be provided upon request.

<b>B. Timely Filing of NOI (§ 1804(a)(1)):</b>	<b>Check</b>
1. Is the party’s NOI filed within 30 days after a Prehearing Conference? Date of Prehearing Conference: January 31, 2011	Yes <u>X</u> No ___
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 ___ No <u>X</u>
2a. The party’s description of the reasons for filing its NOI at this other time:	
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)

<b>A. Planned Participation (§ 1804(a)(2)(A)(i)):</b>
<ul style="list-style-type: none"> <li>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).</li> </ul> <p>DisabRA has raised several issues, described in greater detail below, of concern to its constituency and within the scope of the Utilities’ general rate cases. DisabRA is seeking to settle these issues directly with the San Diego Gas &amp; Electric Company and Southern California Gas Company (collectively, the “Utilities”). If all or some of them can be resolved, we anticipate memorializing the agreement in a Memorandum of Understanding (“MOU”) and seeking Commission approval at the time a final decision is</p>

reached. If some or all of the issues cannot be resolved, DisabRA will be prepared to litigate the issues at hearing through testimony and cross examination, and to participate in briefing as appropriate to seek a final resolution. In addition, DisabRA will need to appropriately monitor the schedule and developments of concern to the broader case, which will require a modest amount of resources.

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

DisabRA has raised two primary issues, each of which contain several sub-issues, relevant to the accessibility of services provided by the Utilities to their customers. The first issue is how the parties will continue to address accessibility for items previously addressed in the MOU reached in the Utilities’ last general rate case, namely access to the physical locations where customers can pay their bills (including both Branch Offices and payment locations operated by third parties), accessibility of the Utilities’ websites and some limited additional issues concerning customer communications, and the impact of the Utilities’ construction practices and facilities as they affect the accessibility of pedestrian rights of way. The second issue is an effort to more broadly address the Utilities’ general responsibility to ensure that their various efforts to communicate with their customers and the public are accessible to people who cannot utilize standard forms of communication because of a disability. This includes addressing certain communication needs specific to the Deaf community, encouraging the proactive use of accessible formats for information provided in writing to customers, and the accessibility of bills as part of the Utilities’ planned bill redesign.

Finally, as previously agreed by DisabRA and the Utilities, DisabRA will seek compensation in this rate case for time reasonably spent monitoring the implementation of the terms of the prior MOU.

**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 \$	#
<b>ATTORNEY FEES</b>				
Melissa W. Kasnitz	100	\$420		1
Kara Werner	100	\$160		2
		<b>Subtotal:</b>		
<b>EXPERT FEES</b>				
None anticipated if parties settle				
[Expert 2]				
		<b>Subtotal:</b>		

<b>OTHER FEES</b>				
Paralegal	20	\$120		3
[Person 2]				
	<b>Subtotal:</b>			
<b>COSTS</b>				
Internal office costs			\$500	
[Item 2]				
[Item 3]				
	<b>Subtotal:</b>		\$500	
<b>TOTAL ESTIMATE \$:</b>				
<p>Comments/Elaboration (use reference # from above):</p> <p>The reasonableness of the hourly rates requested for DisabRA’s representatives will be addressed in our Request for Compensation (#s 1 and 2). DisabRA has not included in this estimate claim preparation time (#1). In addition, this estimate presumes that at least some of the issues raised in this proceeding will settle. If we are obligated to litigate every issue, we will likely incur substantial additional costs, including costs of experts who will be hired to assist us in preparing and presenting testimony. Thus, the actual amount of any future request for compensation will depend upon the resources DisabRA is required to devote to the case going forward.</p> <p>Additionally, DisabRA’s records indicate that we have incurred reasonable fees and costs of approximately \$35,000 in monitoring the Utilities’ implementation of the terms of the prior MOU. Detailed records of this time, at the rates in place when the time was spent, will be provided in our eventual request for compensation.</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)

<b>A. The party claims “significant financial hardship” for its claim for intervenor compensation in this proceeding on the following basis:</b>	<b>Applies (check)</b>
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)).	X
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	X

compensation in this proceeding (§ 1804(b)(1)).	
ALJ ruling (or CPUC decision) issued in proceeding number:  R.10-02-005 (OIR on the Commission’s Own Motion to address the issue of customers’ electric and natural gas service disconnection)  Date of ALJ ruling (or CPUC decision):  May 18, 2010	

<b>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):</b>

**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.)**

Attachment No.	Description
1	Certificate of Service

**ADMINISTRATIVE LAW JUDGE RULING<sup>1</sup>**  
(ALJ completes)

	Check all that apply
<b>1. The Notice of Intent (NOI) is rejected for the following reasons:</b>	
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):	
<b>2. The NOI has demonstrated significant financial hardship for the reasons set forth in Part III of the NOI (above).</b>	
<b>3. The NOI has not demonstrated significant financial hardship for the following reason(s):</b>	
<b>4. The ALJ provides the following additional guidance (see § 1804(b)(2)):</b>	

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<sup>1</sup> 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.

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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:

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Executed this 2 day of March, 2011, at Berkeley, California.

/s/

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