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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of Southern California Edison Company (U338E) for a Certificate of Public Convenience and Necessity Concerning the Tehachapi Renewable Transmission Project. (Segments 4 through 11).	Application 07-06-031 (Filed June 29, 2007)

ADMINISTRATIVE LAW JUDGE'S RULING ON SHOWING OF SIGNIFICANT FINANCIAL HARDSHIP

Customer (party intending to claim intervenor compensation): California State Parks Foundation (CSPF)	
Assigned Commissioner: Michael R. Peevey	Assigned ALJ: Jean Vieth

PART I: PROCEDURAL ISSUES

A. Status as "customer" (*see* Pub. Util. Code § 1802(b)): The party claims "customer" status because the party:	**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. 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 status. Any attached documents should be identified in Part IV.	

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: December 5, 2011.	Yes X 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 X
2a. The party's description of the reason for filing its NOI at that 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

A. Planned Participation (§ 1804(a)(2)(A)(i)):

- 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 the party's NOI is filed).

"CSPF plans to participate fully in this proceeding. CSPF has already engaged counsel, who is attending pre-hearing conferences, necessitating travel from Los Angeles. CSPF has also already filed a Response to the City of Chino Hills' Petition for Modification, and intends to file testimony relating to Chino Hills State Park. CSPF will also fully participate in any future hearings, briefing and/or any other actions necessary to defend Chino Hills State Park." (NOI at unnumbered page 7.)

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

"CSPF's ongoing engagement is fully explained in its Reply Brief. At that time, CSPF was concerned with the damage to Chino Hills State Park should new lines be moved into the park from an existing easement. CSPF was also very concerned with the serious policy implications for such an action and their impact on the entire State Park system in the future. These issues continue to be the primary reason for our involvement in this proceeding." (NOI at unnumbered page 7.)

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				
Bradley S. Torgan	215	$200	$43,000	1
		Subtotal:	$43,000	
COSTS				
Travel, one night lodging			$1,000	
		Subtotal:	$1,000	
		TOTAL ESTIMATE $:	$44,000	1

Comments/Elaboration (use reference # from above):

1. Estimate does not include time or costs incurred prior to the filing, on October 28, 2011, of the City of Chino Hills' Petition to Modify Decision 09-12-044; CSPF states that it absorbed those costs and does not intend to claim intervenor compensation for them.

PART III: SHOWING OF SIGNIFICANT FINANCIAL HARDSHIP

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"; 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."	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 compensation in this proceeding (§ 1804(b)(1)). • ALJ ruling (or Commission decision) issued in proceeding number: • Date of ALJ ruling (or Commission decision):	

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):
"In advocating for Chino Hills State Park in this proceeding, CSPF's cost of participation far outweighs the cost of the benefit to the individual members it represents. Each CSPF member in the three counties surrounding Chino Hills State Park (Orange, San Bernardino and Riverside), as well as all of CSPF's members statewide, have an interest in being able to visit and enjoy the state park closest to their respective homes and partake of the "opportunities for tranquility, solitude, and relief from the hectic urban life that surrounds" Chino Hills State Park. [fn omitted] While it is difficult to assign an exact monetary value to that interest, the cost of the benefit to individuals could best be analogized to the cost of a parking pass at Chino Hills State Park, which is $5.00. [fn omitted] Another relevant analogy would be the cost of membership in CSPF. Park supporters join CSPF to be their voice in matters relating to state parks and to represent their interests. CSPF has multiple tiers of membership, starting at $25; the average gift for all 125,000 members is $49. [fn omitted] CSPF's legal cost is estimated to be approximately $45,000 … Therefore, under either analogy, CSPF's cost of participation far outweighs the cost of the benefit to any individual members." (NOI at unnumbered page 6.)

PART IV: THE PARTY'S ATTACHMENTS DOCUMENTING SPECIFIC ASSERTIONS MADE IN ITS NOTICE

(Documents are not attached to final ALJ ruling)

Attachment No.	Description
Exhibit A	Articles of Incorporation and Bylaws
Exhibit B	Declaration of Greg Zelder, Director of Membership for CSPF
Exhibit C	CSPF's Monthly Operating Income Statement, November 30, 2011
Exhibit D	Estimated Legal Fees and costs
Unnumbered	Certificate of Service

ADMINISTRATIVE LAW JUDGE'S RULING

	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.	X
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)): a. A reasonable hourly rate has not been established as yet for CPSF's attorney for the purposes of the CPUC intervenor compensation program. b. The schedule for this proceeding has not been set and will be revisited at the PHC scheduled for March 19, 2012. Accordingly, it remains to be established whether, for example, prepared testimony from intervenors will be requested, evidentiary hearings will be held, and/or briefs will be invited.	X

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.	X
3. The customer has satisfied the eligibility requirements of Pub. Util. Code § 1804(a).	X
4. The customer has shown significant financial hardship.	X
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.	X

Dated March 1, 2012, at San Francisco, California.

/s/ JEAN VIETH
Jean Vieth
Administrative Law Judge