Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Consider Refinements to and Further Development of the Commission's Resource Adequacy Requirements Program.	Rulemaking 05-12-013 (Filed December 15, 2005)

OPINION GRANTING INTERVENOR COMPENSATION TO AGLET CONSUMER ALLIANCE AND THE UTILITY REFORM NETWORK FOR THEIR SUBSTANTIAL CONTRIBUTIONS TO DECISION (D.) 07-06-029

This decision awards Aglet Consumer Alliance (Aglet) $13,533.53 and The Utility Reform Network (TURN) $90,773.00 in compensation for their substantial contributions to Decision (D.) 07-06-029, issued in Phase 2, Track 1 of this proceeding. This proceeding remains open for resolution of issues that are pending in Tracks 2 and 3 of Phase 2.

1. Background

D.07-06-029 was one in a series of steps towards full implementation of the Commission's resource adequacy (RA) program. Among other things, it adopted local procurement obligations for 2008, applicable to load-serving entities (LSEs), based on a study of local capacity requirements (LCRs) performed by the California Independent System Operator (CAISO). Other determinations made in D.07-06-029 included adoption of the Path 26 Counting Constraint to address the need for generation within certain transmission-constrained zones, provision for a workshop to address various concerns regarding the LCR study, reiteration of Commission support for a probabilistic approach to the LCR study,

affirmation that interruptible and emergency demand response resources will continue to qualify in fulfillment of LSE procurement obligations pending the outcome of Rulemaking (R.) 07-01-041, coordination of the Local RA program with the CAISO's backstop procurement mechanism, adoption of Energy Division proposals for rounding the megawatt value of procurement obligations and for counting the value of new wind resources, and approval of a schedule for developing a standard contract and associated generator obligations.

D. 07-03-011 (as modified by D.07-06-045) awarded Aglet and TURN compensation for their respective substantial contributions in Phase 1 of this proceeding. They now seek compensation for their work in Phase 2, Track 1 of the proceeding.

2. Requirements for Awards of Compensation

The intervenor compensation program, which is set forth in Pub. Util. Code §§ 1801-1812,[1] requires California jurisdictional utilities to pay the reasonable costs of an intervenor's participation if that party makes a substantial contribution to the Commission's proceedings. The statute provides that the utility may adjust its rates to collect the amount awarded from its ratepayers.

All of the following procedures and criteria must be satisfied for an intervenor to obtain a compensation award:

1. The intervenor must satisfy certain procedural requirements including the filing of a sufficient notice of intent (NOI) to claim compensation within 30 days of the prehearing conference (PHC), pursuant to Rule 17.1 of the Rules of Practice and

[1] All subsequent statutory references are to the Public Utilities Code unless otherwise indicated.

Procedure (Rules), or at another appropriate time that we specify. (§ 1804(a).)

2. The intervenor must be a customer or a participant representing consumers, customers, or subscribers of a utility subject to our jurisdiction. (§ 1802(b).)
3. The intervenor must file and serve a request for a compensation award within 60 days of our final order or decision in a hearing or proceeding. (§ 1804(c).)
4. The intervenor must demonstrate "significant financial hardship." (§§ 1802(g) and 1804(b)(1).)
5. The intervenor's presentation must have made a "substantial contribution" to the proceeding, through the adoption, in whole or in part, of the intervenor's contention or recommendations by a Commission order or decision or as otherwise found by the Commission. (§§ 1802(i) and 1803(a).)
6. The claimed fees and costs must be reasonable (§ 1801), necessary for and related to the substantial contribution (D.98-04-059), comparable to the market rates paid to others with comparable training and experience (§ 1806), and productive (D.98-04-059).

Our assessments of the procedural issues in Items 1-4 above are combined in the following section. Separate discussions of Item 5 (substantial contributions), Item 6 (reasonableness of fees and costs), and related issues then follow.

3. Preliminary Procedural Issues

Under § 1804(a)(1) and Rule 17.1(a)(1), a customer who intends to seek an award of intervenor compensation must timely file an NOI to claim compensation. In a proceeding in which a PHC is held, the intervenor must file and serve its NOI within 30 days after the PHC is held. (Rule 17.1(a)(1).)

Aglet and TURN timely filed NOIs within 30 days of the February 3, 2006 PHC. On April 10, 2006 the Administrative Law Judge (ALJ) ruled that Aglet

and TURN both met the eligibility requirements of § 1804, including the financial hardship test, and were eligible to claim compensation.

Section 1802(b)(1) defines a "customer" as: (A) a participant representing consumers or subscribers of a utility, (B) a representative who has been authorized by a customer, or (C) a representative of a group or organization authorized pursuant to its articles of incorporation or bylaws to represent the interests of residential or small business customers. (§ 1802(b)(1)(A) through (C).) The ALJ's April 10, 2006 ruling found that both Aglet and TURN are customers pursuant to § 1802(b)(1)(C).

Aglet and TURN timely filed their respective requests for compensation on August 24, 2007, within 60 days of the issuance of D.07-06-029. No party opposed the requests. In view of the above, we affirm the ALJ's April 10, 2006 ruling, and we find that Aglet and TURN have satisfied all the procedural requirements necessary to make requests for compensation in this proceeding.

4. Substantial Contribution

In evaluating whether a customer made a substantial contribution to a proceeding, we first look at whether the Commission adopted, in whole or in part, one or more of the factual or legal contentions or specific policy or procedural recommendations put forward by the customer. (§ 1802(i).) Second, we look at whether the customer's contentions or recommendations paralleled those of another party, and, if so, whether the customer's participation unnecessarily duplicated or materially supplemented, complemented, or contributed to the presentation of the other party or to the development of a fuller record that assisted the Commission in making its decision. (§§ 1801.3(f) and 1802.5.)

As described in § 1802(i), the assessment of whether the customer made a substantial contribution requires the exercise of judgment. The Commission has elaborated, as follows:

> In assessing whether the customer meets this standard, the Commission typically reviews the record, composed in part of pleadings of the customer and, in litigated matters, the hearing transcripts, and compares it to the findings, conclusions, and orders in the decision to which the customer asserts it contributed. It is then a matter of judgment as to whether the customer's presentation substantially assisted the Commission. (D.98-04-059, 79 CPUC 2d 628 at 653.)

Should the Commission not adopt any of the customer's recommendations, compensation may still be awarded if, in the judgment of the Commission, the customer's participation substantially contributed to the decision or order. For example, if a customer provided a unique perspective that enriched the record and aided the Commission in its deliberations, the Commission could find that the customer made a substantial contribution. With this guidance in mind, we turn to the claimed contributions of Aglet and TURN.

4.1. Aglet

Aglet claims that it made substantial contributions regarding several issues. These claims are set out below along with our assessments regarding each of them. We conclude that Aglet contributed substantially to D.07-06-029 in connection with several, but not all, of the issues that it raised or addressed in the proceeding.

1. Reliability Option. Aglet recommended that the Commission adopt Reliability Option 1 in the 2008 LCR study. Aglet acknowledges that the Commission did not accept this recommendation but contends that it contributed to resolution of this issue because it was the only consumer organization to recommend Option 1.

As noted above, a substantial contribution occurs where the intervenor's factual or legal contention or policy or procedural recommendation is adopted by the Commission in whole or in part. That did not occur here, and we do not find that Aglet's participation in any other way assisted the Commission on this issue. Moreover, whether or not a party was the only party (or the only consumer party) to raise a particular issue is not the relevant criterion for determining if a substantial contribution has been made. There is no basis for finding that Aglet contributed substantially with respect to this recommendation.

2. Load Forecast Basis. Aglet recommended that the Commission approve local procurement obligations based on 1-in-5 peak load forecasts. The Commission decided instead to continue use of 1-in-10 load forecasts. Aglet contends that it made a substantial contribution to resolution of this issue by providing a unique analysis of the cost effectiveness of a 1-in-10 load forecast using a value-of-service study. We concur. Even though the Commission did not use Aglet's cost-effectiveness analysis, it did state that "[i]t may be appropriate to incorporate value of service analyses either in future LCR studies or in future Commission proceedings that consider the use of LCR studies…." (D.07-06-029, Footnote 6, p. 22.) The Commission's conditional approval of value-of-service analysis in the future resulted from contentions put forward by Aglet.

3. Aggregation of Local Areas. Aglet proposed that local areas should continue to be aggregated in order to protect bundled service ratepayers from the exercise of market power by suppliers. Aglet notes that the Commission agreed with this position by continuing local area aggregation for 2008.

   The Commission's decision to approve aggregation of local areas for 2008 resulted from consensus reached in workshops in favor of an Energy Division proposal. Even though Aglet does not claim to have contributed to those workshop discussions, we recognize that Aglet's initial proposal, filed prior to the workshop, recommended continued aggregation of local areas. Aglet contributed substantially regarding this issue.

4. Blanket Waivers. Aglet's pre-workshop proposal included the contention that it would not be reasonable to require LSEs to procure capacity that does not exist and the recommendation that blanket waivers should be continued for 2008. The Commission agreed with this position, approving blanket waivers from procurement obligations in areas where the CAISO has identified resource deficiencies. Because the Commission adopted a recommendation made by Aglet, among others, Aglet contributed substantially to this issue.
5. Annual RA Proceedings. In its pre-workshop proposal, Aglet opposed the establishment of a ministerial process for determining LCRs and associated procurement obligations. Aglet noted that numerous issues remain unresolved, including load forecasts, counting of demand response, the CAISO study method, and effectiveness factors. The Commission effectively agreed with Aglet's position when it provided for annual RA proceedings going forward. Aglet contributed substantially on this issue.
6. Waiver System. Aglet recommended that the Commission continue without change the existing waiver system, noting that the goals of the system are being met. Because the Commission continued the waiver system in effect, it effectively agreed with Aglet's recommendations on this issue. Aglet therefore contributed substantially.
7. Demand Response Resources. Aglet was among the many parties that supported continuation of the Commission's policy to allow dispatchable demand response resources to count for 2008 LCR purposes. We concur with Aglet that it made a substantial contribution to the resolution of the demand response issue.
8. Assembly Bill (AB) 1969. AB 1969 requires electrical corporations to file tariffs providing for the purchase of renewable power from public water and wastewater agencies, and it requires that the physical generating capacity associated with this power shall count for RA purposes. The Phase 2 Scoping Memo invited parties to comment on whether and how this legislation impacts RA counting rules. Aglet responded with a recommendation

that the Commission revisit the issue of water-related electricity demand in a future phase of R.05-12-013, after the Commission reviews the requirements of AB 1969 in other proceedings.

The Commission's conclusion that no further action is required to implement AB 1969's RA counting provision was based on the Energy Division's determination that existing RA conventions are sufficient to accurately count qualifying capacity for these resources. D.07-06-029 did not adopt Aglet's recommendation to address water-related demand in a future RA proceeding, and it did not accept Aglet's contention that "the subject of AB 1969 is … not resource adequacy." (Aglet's proposal on Track 1 issues, p. 17.) Aglet's latter contention is clearly wrong on its face, since § 399.20 (g), added by AB 1969, requires that the Commission shall allow the physical generation capacity of the subject generation facilities to count for purposes of § 380 (the resource adequacy statute). Thus, Aglet did not make a substantial contribution to the resolution of this issue.

9. Probabilistic LCR Analysis. Aglet recommended that the Commission encourage the CAISO to produce a loss of load probability development plan by December 31, 2007 and order that the CAISO file the plan in this proceeding. In D.07-06-029 the Commission requested that the CAISO submit periodic status/progress reports to the Energy Division. We concur with Aglet that it made a substantial contribution to the resolution of this issue.

10. Caps on LCR Increases. The Alliance for Retail Energy Markets (AReM) recommended that year-to-year increases in LCRs be capped at 10%. Drawing upon this approach, Aglet recommended a year-to-year cap of 5%. The Commission did not adopt either of these recommendations. Aglet states that it was the only consumer group that supported a cap on LCRs, and that it contributed to the resolution of this issue. We disagree. The Commission did not adopt, even in part, a contention or recommendation put forward by Aglet with respect to this issue, and Aglet did not otherwise provide a unique perspective that enriched the record. Aglet simply took a capping recommendation by AReM and reduced it from 10% to 5%.

4.2. TURN

TURN maintains that its substantial contributions in this proceeding are readily apparent on the face of D.07-06-029. TURN highlights the following issues on which it claims to have contributed.

1. Path 26 Counting Constraint. The CAISO originally proposed a "zonal" RA requirement as an additional component of the RA program. In workshops on this proposal, TURN presented an alternative explanation for the CAISO's perceived zonal needs, based on the transfer limitations of Path 26. Southern California Edison Company (SCE) agreed to prepare a more formal proposal based on the concept of a Path 26 Counting Constraint. TURN then worked with a coalition of parties, including the CAISO and three investor-owned utilities (IOUs), to submit the Path 26 Counting Constraint proposal. TURN notes that it took an active role in shaping various aspects of the proposal, which D.07-06-029 adopted with only a minor modification.

   We concur that through its work in developing and advocating this solution to the "zonal" RA problem, TURN made an important and valuable contribution. By working proactively with the CAISO and three IOUs to present a common proposal, TURN assisted the Commission in managing a potentially complex and divisive debate by coming up with a solution that garnered broad support from the other parties. TURN clearly made a substantial contribution with respect to this issue.

2. LCR Study Process. Through its consultant, TURN participated actively in the CAISO's LCR study process. When significant controversy arose late in the proceeding regarding the study methodology and results, TURN proposed a number of process improvements that the Commission cited with favor in D.07-06-029 and included in its adopted RA program schedule for 2007-08. TURN also followed up through its participation in the August 2007 LCR transparency workshop to ensure that the LCR study process for 2009 could proceed more smoothly and hopefully with less controversy. TURN contributed substantially in these areas.

3. Aggregation of local areas. TURN recommended continued aggregation of the non-Bay Area local areas for PG&E, but opposed aggregation in the SCE service territory. D.07-06-029 cited TURN's comments in adopting that proposal on aggregation. TURN contributed regarding this issue.
4. Load Migration. TURN successfully opposed the Sempra Global proposal for a monthly load migration adjustment to Local RA obligations and thus contributed substantially regarding this issue.
5. Modification of Trigger Price for Waivers. TURN opposed proposals to raise or eliminate the "trigger price" for LSEs to seek a waiver of the RA obligation. The Commission accepted the recommendation to reject that proposal. Again, TURN made a substantial contribution on this issue.

As discussed above, TURN contributed substantially to D.07-06-029 in connection with issues with respect to which it participated.

5. Duplication

Section 1801.3(f) requires intervenors to avoid participation that unnecessarily duplicates that of similar interests otherwise adequately represented by another party, or participation unnecessary for a fair determination of the proceeding. Section 1802.5, however, allows an intervenor to be eligible for full compensation if its participation materially supplements, complements, or contributes to that of another party if that participation makes a substantial contribution to the Commission order.

As a matter of policy, Aglet does not participate in proceedings where its showing is likely to duplicate those of other consumer representatives such as TURN and the Division of Ratepayer Advocates (DRA). Aglet states that it made conscious efforts to avoid duplication of the work of TURN and DRA, conferring with those parties by telephone. TURN likewise notes that it did not duplicate the work of other consumer representatives including DRA with respect to the

Path 26 Counting Constraint proposal, and that any duplication that may have occurred was incidental and served to supplement or complement the presentations of other parties. We do not find that any duplication that may have occurred warrants any adjustments in the compensation to be awarded to Aglet and TURN.

6. Requested Compensation

In general, the components of intervenor compensation requests must constitute reasonable fees and costs of the customer's preparation for and participation in a proceeding that resulted in a substantial contribution. We summarize the compensation requests in this section. The issues we consider to determine reasonableness are discussed in the following sections.

Aglet requests $16,173.53 in compensation for time incurred and for expenses, as set forth in the following table.

COMPENSATION REQUESTED BY AGLET

8.9 hours, Weil professional time, at $280	$2,492.00
3.6 hours, Weil compensation-related time, at $140	504.00
Copies	64.60
Postage, overnight delivery	51.43
5.3 hours, Reid 2006 professional time, at $155	821.50
67.2 hours, Reid 2007 professional time, at $170	11,424.00
9.6 hours, Reid 2007 compensation-related time, at $85	816.00
Total request	$16,173.53

TURN requests $ 91,220 for its participation, calculated as follows:

COMPENSATION REQUESTED BY TURN

Attorney Fees:		
Michel P. Florio	34.00 hours X $485 (2006)	$ 16,490
	86.25 hours X $525 (2007)	$ 45,281
	6.25 hours X $262.5 (2007 Comp)	$ 1,641
	Subtotal	$ 63,412
Consultant Fees:		
Kevin Woodruff	118.00 hours X $225 (2006-07)	$ 26,550
Other Recoverable Costs:		
Consultant Travel Expenses		$ 760
Attorney Travel Expenses		$ 311
Photocopying Costs		$ 187
	Subtotal	$ 1,258
	TOTAL	$ 91,220

7. Hours and Costs for Substantial Contribution

To evaluate reasonableness of the requested compensation we first assess whether the hours claimed for the customer's efforts that resulted in substantial contributions to Commission decisions are reasonable. We do so by determining to what degree the hours and costs are related to the work performed and necessary for the substantial contribution.

In addition to the summary data set forth above, Aglet presented a more detailed daily listing of specific tasks performed by Aglet's Director, James Weil, and by a financial and regulatory consultant engaged by Aglet, Jan Reid. The

hours are allocated according to the issues in the proceeding, as those issues were identified in the Phase 2 Scoping Memo. Weil and Reid spent a combined 64.4 hours on these issues and an additional 17.0 hours on general professional work that could not be allocated to specific issues. They spent a combined 13.2 hours on the compensation request.

Aglet requests compensation for the time Reid spent on issues for which Aglet does not claim to have made a substantial contribution—zonal RA (5.3 hours), backstop mechanism (4.8 hours), and minor topics (0.4 hours). The request also includes a charge of 0.9 hours for Reid's AB 1969 efforts, where Aglet claims to have made a substantial contribution but we have found otherwise. We do not find it reasonable to award Aglet compensation for these efforts. We therefore remove the hours charged by Reid for these activities (11.4 hours) as well as the same proportion of the hours allocated for Weil (1.4 hours).[2] In other circumstances we would be inclined to further reduce the compensation awarded to Aglet because it did not make substantial contributions on either the reliability option issue or the proposed annual cap on LCR increases. However, as noted elsewhere, we consider the overall benefits and costs of Aglet's participation. We find that 68.6 hours for both Reid and Weil (81.4 hours claimed less 12.8 hours disallowed) is not unreasonable in light of the substantial contributions that Aglet did make to the proceeding.

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[2] Aglet allocated Weil's professional time in the same proportion as Reid's time because Weil's efforts generally supported Reid's work on individual issues. Since we are disallowing 11.4 hours of Reid's time, or 15.7% of the 72.5 hours claimed by Aglet for Reid, we reduce Weil's claimed time (8.9 hours) by 15.7% or 1.4 hours.

Aglet charged a total of 13.2 hours for preparing its compensation request (9.6 for Reid and 3.6 for Weil). This strikes us as somewhat excessive for preparation of a relatively simple compensation request. We note, for example, that TURN required a total of 6.25 hours for compensation time, and that 1.75 hours of that amount pertained to an earlier compensation request in this proceeding. In other words, it cost TURN 4.5 hours to prepare its compensation request, or about one-third the hours that Aglet required to prepare its request. While we do not intend to strictly hold all intervenors to the efficiency standard set by TURN, and we do not do so here, we do find it is reasonable to remove two hours from the compensation time charged by Reid and one hour from the compensation time charged by Weil.

TURN also documented its claimed hours by presenting daily breakdowns of the hours of its attorney, Michel Florio, and its consultant, Kevin Woodruff. These were accompanied by a brief description of each activity. We have reviewed this documentation and conclude that the hourly breakdown reasonably supports the claim for total hours. We note that TURN charged modest amounts of time for carryover work from Phase 1 and for work on petitions for modification of earlier RA decisions. We find TURN's request for such hours reasonable in a multi-phase proceeding such as this. Indeed, such reporting may promote greater efficiency in the administration of the intervenor compensation program if it results in fewer compensation requests being filed. We conclude that the hours reported by TURN are reasonable for purposes of calculating its compensation award.

8. Intervenor Hourly Rates

We next consider whether the claimed fees and costs are comparable to the market rates paid to experts and advocates having comparable training and experience and offering similar services.

Aglet seeks an hourly rate of $280 for professional work performed by Weil in 2007. Aglet seeks one-half that hourly rate for work that Weil performed on the compensation request. Aglet seeks hourly rates of $155 in 2006 and $170 in 2007 for professional work performed by Reid and one-half the latter rate for compensation-related work by Reid. We have approved these rates for Weil and Reid (D.07-05-037) and we do so again here.

TURN seeks an hourly rate of $485 for Florio for work performed in 2006. We previously approved this rate in D.06-11-031. For 2007, TURN seeks an hourly rate of $520[3] for Florio based on the already approved 3% escalation (D.07-05-043) over the 2006 rate as well as the additional 5% step increase. TURN seeks an hourly rate of $225 for Woodruff for 2006 and 2007. This rate was approved in D.07-05-043 and in D.07-06-045. Since the requested rates have been previously approved by the Commission, we adopt them here.

9. Productivity

D.98-04-059 directed customers to demonstrate productivity by assigning a reasonable dollar value to the benefits of their participation to ratepayers. The costs of a customer's participation should bear a reasonable relationship to the

[3] D.07-01-009 addressed the formulas for year-to-year increases in hourly rates. In an e-mail to the Administrative Law Judge, TURN requested that its proposed hourly rate be reduced from $525 to $520 to recognize the upper bound of the range established by D.07-01-009 for attorneys with Florio's experience.

benefits realized through their participation. This showing assists us in determining the overall reasonableness of the request.

Both Aglet and TURN addressed the requirement to demonstrate that the overall benefits of the customer's participation exceed the customer's costs. Aglet notes that with respect to just one of the issues on which it contributed—treatment of demand response resources—counting even one megawatt will result in an estimated savings of at least $73,000, or more than four times the award requested by Aglet. TURN submits that with respect to the Path 26 Counting Constraint alone, the ratepayer savings that result from avoided RA capacity purchase means that TURN's efforts were productive for ratepayers. We find that both Aglet and TURN have demonstrated they have met the productivity standard set out in D.98-04-059.

10. Direct Expenses

The itemized direct expenses submitted by Aglet and TURN for copying, postage and travel are summarized above. The amounts requested are commensurate with the work performed. We find these costs reasonable.

11. Awards

Based on the foregoing, we award Aglet & and TURN compensation as set forth below.

COMPENSATION AWARDED TO AGLET

Work on Proceeding				
Attorney/Staff/Consultant	**Year**	**Hours**	**Hourly Rate**	**Total**
James Weil	2007	7.5	$280	$2,100.00
Jan Reid	2006	5.3	$155	$821.50
Jan Reid	2007	55.8	$170	$9,486.00
Subtotal:				**$12,407.50**
Preparation of NOI and Compensation Request				
Attorney/Staff	**Year**	**Hours**	**Hourly Rate**	**Total**
James Weil	2007	2.6	$140	$364.00
Jan Reid	2007	7.6	$85	$646.00
Subtotal:				**$1,010.00**
Expenses				
Copies				64.60
Postage, overnight delivery				51.43
Total Expenses				**$116.03**
CALCULATION OF FINAL AWARD				
Total Hourly Compensation				**$13,417.50**
Total Expenses				**$116.03**
TOTAL Award				**$13,533.53**

COMPENSATION AWARDED TO TURN

Work on Proceeding				
Attorney/Staff/Consultant	**Year**	**Hours**	**Hourly Rate**	**Total**
Michel P. Florio	2006	34.00	$485	$16,490.00
	2007	86.25	$520	$44,850.00
Kevin Woodruff	2006-7	118.00	$225	$26,550.00
Subtotal:				**$87,890.00**
Preparation of NOI and Compensation Request				
Attorney/Staff	**Year**	**Hours**	**Hourly Rate**	**Total**
Michel P. Florio	2007	6.25	$260	$1,625.00
Subtotal:				**$1,625.00**
Expenses				
Consultant travel expenses				$760.00
Attorney travel expenses				$311.00
Photocopying				$187.00
Total Expenses				**$1,258.00**
CALCULATION OF FINAL AWARD				
Total Hourly Compensation				**$89,515.00**
Total Expenses				**$1,258.00**
TOTAL Award				**$90,773.00**

This proceeding involved issues common to three major electric utilities: Pacific Gas and Electric Company, San Diego Gas & Electric Company, and SCE. Therefore, for both of the awards made by this order, we direct them to allocate payment responsibility among themselves based upon their California-jurisdictional electric revenues for the calendar year 2007, since this was the year

when most of the litigation related to Aglet's and TURN's contributions herein occurred.

Consistent with previous Commission decisions, we order that interest be paid on the award amount (at the rate earned on prime, three-month commercial paper, as reported in Federal Reserve Statistical Release H.15) commencing on November 7, 2007, the 75th day after Aglet and TURN filed their respective compensation requests, and continuing until full payment of the award is made.

We remind all intervenors that Commission staff may audit their records related to the award and that intervenors must make and retain adequate accounting and other documentation to support all claims for intervenor compensation. Aglet's and TURN's records should identify specific issues for which it requested compensation, the actual time spent by each employee or consultant, the applicable hourly rate, fees paid to consultants, and any other costs for which compensation was claimed.

12. Waiver of Comment Period

This is an intervenor compensation matter. Accordingly, as provided by Rule 14.6(c)(6) of our Rules of Practice and Procedure, we waive the otherwise applicable 30-day comment period for this decision.

13. Assignment of Proceeding

Michael R. Peevey is the assigned Commissioner and Mark S. Wetzell is the assigned ALJ in this proceeding.

Findings of Fact

1. Aglet has satisfied all the procedural requirements necessary to claim compensation in this proceeding.
2. TURN has satisfied all the procedural requirements necessary to claim compensation in this proceeding.

3. Except as noted herein, Aglet made substantial contributions to D.07-06-029.

4. TURN made substantial contributions to D.07-06-029.

5. Aglet requested hourly rates for its representatives that are reasonable when compared to the market rates for persons with similar training and experience.

6. TURN requested hourly rates for its representatives that are reasonable when compared to the market rates for persons with similar training and experience.

7. Except as noted herein, Aglet requested related expenses that are reasonable and commensurate with the work performed.

8. TURN requested related expenses that are reasonable and commensurate with the work performed.

9. The total of the reasonable compensation for Aglet is $13,533.53.

10. The total of the reasonable compensation for TURN is $90,773.00.

11. The appendix to this opinion summarizes today's awards.

Conclusions of Law

1. Aglet and TURN have fulfilled the requirements of Pub. Util. Code §§ 1801-1812, which govern awards of intervenor compensation, and are entitled to intervenor compensation for making substantial contributions to D.07-06-029.

2. Aglet should be awarded $13,533.53 for its contribution to D.07-06-029.

3. TURN should be awarded $90,773.00 for its contribution to D.07-06-029.

4. This order should be effective today so that Aglet and TURN may be compensated without further delay.

O R D E R

IT IS ORDERED that:

1. Aglet Consumer Alliance (Aglet) is awarded $13,533.53 as compensation for its substantial contributions to Decision (D.) 07-06-029.

2. The Utility Reform Network (TURN) is awarded $90,773.00 as compensation for its substantial contributions to Decision (D.) 07-06-029.

3. Within 30 days of the effective date of this decision, the compensation amounts awarded herein shall be paid to Aglet and to TURN by Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company pursuant to Pub. Util. Code § 1807, based on their respective California jurisdictional electric revenues for the calendar year 2007.

4. Payments of the awards shall include interest at the rate earned on prime, three-month commercial paper as reported in Federal Reserve Statistical Release H.15, beginning November 7, 2007, the 75th day after the filing date of Aglet's and TURN's requests for compensation, and continuing until full payment is made.

5. The comment period for today's decision is waived.

6. This proceeding remains open for consideration of matters at issue in Track 2 and in Track 3 of Phase 2.

This order is effective today.

Dated _____, at San Francisco, California.

APPENDIX A

Compensation Decision Summary Information

Compensation Decision:	D08_____	**Modifies Decision? No**
Contribution Decision(s):	D0706029	
Proceeding(s):	R0512013	
Author:	ALJ Wetzell	
Payer(s):	Pacific Gas and Electric Company, San Diego Gas & Electric Company, and Southern California Edison Company	

Intervenor Information

Intervenor	Claim Date	Amount Requested	Amount Awarded	Multiplier?	Reason Change/Disallowance
Aglet Consumer Alliance	08/24/07	$16,173.53	$13,533.53	No	Hours claimed for work for which no substantial contribution was made; excess time for comp.-related work.
The Utility Reform Network	08/24/07	$91,220.00	$90,773.00	No	Incorrect hourly rate for senior attorney.

Advocate Information

First Name	Last Name	Type	Intervenor	Hourly Fee Requested	Year Hourly Fee Requested	Hourly Fee Adopted
James	Weil	Expert	Aglet Consumer Alliance	$280	2007	$280
Jan	Reid	Expert	Aglet Consumer Alliance	$155	2006	$155
Jan	Reid	Expert	Aglet Consumer Alliance	$170	2007	$170
Michel	Florio	Attorney	The Util. Reform Network	$485	2006	$485
Michel	Florio	Attorney	The Util. Reform Network	$525	2007	$520
Kevin	Woodruff	Expert	The Util. Reform Network	$225	2006	$225
Kevin	Woodruff	Expert	The Util. Reform Network	$225	2007	$225

(END OF APPENDIX A)