

DMG/sbf 9/18/2012



**FILED**

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

Order Instituting Rulemaking to Integrate  
and Refine Procurement Policies and  
Consider Long-Term Procurement Plans.

Rulemaking 12-03-014  
(Filed March 22, 2012)

**ADMINISTRATIVE LAW JUDGE'S RULING GRANTING MOTION TO  
LATE-FILE NOTICE OF INTENT TO CLAIM INTERVENOR COMPENSATION**

On June 29, 2012, The Community Environmental Council (the Council) filed a Motion Seeking Permission to Late-File Notice of Intent to Claim Intervenor Compensation (Motion) in this proceeding. This Ruling grants the Motion, with one condition.

Section 1804(a) of the Public Utilities Code requires the filing of a Notice of Intent (NOI) within 30 days after a prehearing conference is held and provides for certain exceptions to this rule. In this proceeding, the Commission's Order Instituting Rulemaking (OIR) directed that NOIs must be filed no later than 30 days after the mailing of the OIR.

The Commission issued Rulemaking 12-03-014 on March 22, 2012. The Council failed to file an NOI on the due date of April 21, 2012. The Council states that it late-filed this Motion because its consultant, Tam Hunt, "was traveling much of May and was only able to provide the required attention to this proceeding in late June." The Council now requests that the Commission find that it is appropriate to accept the Council's late-filed NOI.

The Council has participated in a number of previous Commission proceedings (including predecessors to this proceeding) and has filed several NOIs in various proceedings; presumably, the Council understands the process well. However, there is reason to believe participation in this proceeding is likely to be productive, as the Council has productively participated in other Commission proceedings. In addition, no party commented on the Council's Motion and no party would be disadvantaged by granting the Council's Motion.

Because the Council did not follow the appropriate process for filing the NOI, some consequence is in order. The Council is limited to eligibility for intervenor compensation to the time period after the instant Motion was filed.

**IT IS RULED that:**

1. The June 29, 2012 late-filed Notice of Intent to Claim Intervenor Compensation of The Community Environmental Council in this proceeding is granted.
2. The Community Environmental Council shall not be eligible for intervenor compensation in this proceeding for any activities prior to June 29, 2012.

Dated September 18, 2012, at San Francisco, California.

/s/ DAVID M. GAMSON

David M. Gamson  
Administrative Law Judge