



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

2-06-15

Application of San Diego Gas & Electric Company (U 902 M) for Authority, Among Other Things, to Increase Rates and Charges for Electric and Gas Service Effective on January 1, 2016	Application 14-11-003 04:59 PM (Filed November 14, 2014)
Application of Southern California Gas Company (U904-G) for Authority to Update its Gas Revenue Requirement and Base Rates Effective on January 1, 2016.	Application 14-11-004 (Filed November 14, 2014)

**NOTICE OF INTENT TO CLAIM INTERVENOR COMPENSATION AND, IF REQUESTED (and [  ]<sup>1</sup> checked), ADMINISTRATIVE LAW JUDGE’S RULING ON THE UTILITY CONSUMERS’ ACTION NETWORK’S SHOWING OF SIGNIFICANT FINANCIAL HARDSHIP**

**NOTE: After electronically filing a PDF copy of this Notice of Intent (NOI), please email the document in an MS WORD format to the Intervenor Compensation Program Coordinator at [Icompcoordinator@cpuc.ca.gov](mailto:Icompcoordinator@cpuc.ca.gov).**

<b>Customer (party intending to claim intervenor compensation): Utility Consumers’ Action Network (UCAN)</b>	
<b>Assigned Commissioner: Carla Peterman</b>	<b>Administrative Law Judge: John Wong and Rafael Lirag</b>
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.	
Signature:	<i>/s/ Donald Kelly</i>
Date: 2/6/2015	Printed Name: Donald Kelly

**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)):</b> The party claims “customer” status because the party is (check one):	<b>Applies (check)</b>
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<sup>1</sup> DO NOT CHECK THIS BOX if a finding of significant financial hardship is not needed (in cases where there is a valid rebuttable presumption of eligibility (Part III(A)(3)) or significant financial hardship showing has been deferred to the intervenor compensation claim).

<p>1. A <b>Category 1</b> customer is an actual customer whose self-interest in the proceeding arises primarily from his/her role as a customer of the utility and, at the same time, the customer must represent the broader interests of at least some other customers.</p> <p>In addition to describing your own interest in the proceeding you must show how your participation goes beyond just your own self-interest and will benefit other customers.</p>	<input type="checkbox"/>
<p>2. A <b>Category 2</b> customer is a representative who has been authorized by actual customers to represent them. Category 2 involves a more formal arrangement where a customer or a group of customers selects a more skilled person to represent the customer's views in a proceeding. A customer or group of customers may also form or authorize a group to represent them, and the group, in turn, may authorize a representative such as an attorney to represent the group.</p> <p>A representative authorized by a customer must identify the residential customer(s) being represented and provide authorization from at least one customer. <i>See D.98-04-059 at 30.</i></p>	<input type="checkbox"/>
<p>3. A <b>Category 3</b> customer is a formally organized group authorized, by its articles of incorporation or bylaws to represent the interests of residential customers or small commercial customers receiving bundled electric service from an electrical corporation.<sup>2</sup> Certain environmental groups that represent residential customers with concerns for the environment may also qualify as Category 3 customers, even if the above requirement is not specifically met in the articles or bylaws. <i>See D.98-04-059, footnote at 3.</i></p>	XX
<p>The party's explanation of its customer status must include the percentage of the intervenors members who are residential ratepayers or the percentage of the intervenors members who are customers receiving bundled electric service from an electrical corporation, and must include supporting documentation: (i.e., articles of incorporation or bylaws).</p>	
<p>Identify all attached documents in Part IV.</p> <p>UCAN is a charitable nonprofit 501(c) (3) corporation. UCAN is a consumer advocacy organization dedicated to protecting and representing the interests of residential and small business customers of regulated utility services such as electricity, gas, water and telecommunications. UCAN also helps educate the public and intervenes and tries to resolve consumer disputes individuals have with utility service providers.</p> <p>In D.98-04-059, the Commission directed intervenors to state in their NOIs which of</p>	

<sup>2</sup> Intervenors representing either a group of residential customers or small commercial customers who receive bundled electric service from an electrical corporation, must indicate in Part I, Section A, Item #4 of this form, the percentage of their members who are residential customers or the percentage of their members who receive bundled electric service from an electrical corporation. The NOI may be rejected if this information is omitted.

three customer “categories” they fall within. UCAN is a “group or organization authorized pursuant to its articles of incorporation or bylaws to represent the interests of residential ratepayers.” The decision also requires groups such as UCAN to include in their NOI’s a copy of the authorization in their articles of incorporation to represent residential customers, or to provide a reference to a previous filing, see D.98-04-059, p. 30. UCAN provided the relevant portion of our articles of incorporation in an ALJ’s Ruling in A. 05-02-019 dated June 28, 2005. The articles of incorporation have not changed since the time of those earlier submissions.

Finally, D.98-04-059 directs groups such as UCAN to indicate the percentage of their members that are residential ratepayers. In the last year UCAN has mailed almost 6,000 individuals membership information, and has received contributions from more than 600. The vast majority of these individuals are residential ratepayers of San Diego Gas and Electric. UCAN does not poll our members in a manner that would allow a precise breakdown of our membership between residential and small commercial members, so a precise percentage is not available.

Do you have any direct economic interest in outcomes of the proceeding?<sup>3</sup>

Yes:  No:

If “Yes”, explain:

<b>B. Conflict of Interest (§ 1802.3)</b>	<b>Check</b>
1. Is the customer a representative of a group representing the interests of small commercial customers who receive bundled electric service from an electrical corporation?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2. If the answer to the above question is “Yes”, does the customer have a conflict arising from prior representation before the Commission?	<input type="checkbox"/> Yes <input type="checkbox"/> No

<b>C. Timely Filing of Notice of Intent (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: 1/8/2015	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> 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)?	<input type="checkbox"/> Yes <input type="checkbox"/> No
2a. The party’s description of the reasons for filing its NOI at this other time:	

<sup>3</sup> See Rule 17.1(e).

2b. The party's information on the proceeding number, date, and decision number for any Commission decision, Commissioner ruling, Administrative Law Judge's ruling, or other document authorizing the filing of 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)):**

**The party's statement of the issues on which it plans to participate:**

UCAN expects to address specific components of the Sempra utilities filings. While some issues may be common to both SDG&E and So. Cal. Gas, UCAN's focus will be on SDG&E. Specifically UCAN will be examining and addressing SDG&E's customer and sales forecasts, post test year ratemaking, customer services, regulatory accounts, electric generation, depreciation, as well as administrative and general expenses.

**The party's explanation of how it plans to avoid duplication of effort with other parties:**

UCAN intends to work closely with other intervenors to coordinate efforts and avoid duplication where possible. UCAN has already begun efforts seeking to coordinate with other parties including ORA, TURN and Mussey Grade Road Alliance. UCAN is also aware that there are other active parties and we intend to work closely with those parties to minimize any potential overlap in issues, and to present material that is either unique or that compliments and supports their showing.

**The party's description of the nature and extent of the party's planned participation in this proceeding (to the extent that it is possible to describe on the date this NOI is filed).**

UCAN has already participated actively in this proceeding, including initiating discovery, filing a protest, and participating in the prehearing conference. UCAN intends to continue our active participation by conducting further discovery, preparing intervenor testimony, preparing rebuttal testimony (if needed), participating in evidentiary hearings and/or settlement discussions, preparing opening and reply briefs, reviewing the Sempra Utilities' update testimony and participating in update testimony-related proceedings, and responding to the proposed decision.

**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 \$	#
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<b>ATTORNEY, EXPERT, AND ADVOCATE FEES</b>				
Attorney: Donald Kelly	350	\$310	\$108,500	
MRW and Associates			\$100,000	
Other expert TBD			\$50,000	
Advocate: Jane Krikorian	200	\$100	\$20,000	
				<b>Subtotal:</b>
<b>\$ 278,500</b>				
<b>OTHER FEES</b>				
[Person 1]				
[Person 2]				
<b>Subtotal: \$</b>				
<b>COSTS</b>				
Travel			\$3,500	
Postage, research, misc			\$500	
<b>Subtotal: \$ 4,000</b>				
<b>TOTAL ESTIMATE: \$282,500</b>				
<b>Estimated Budget by Issues:</b>				
<p>At this early juncture in the proceeding, UCAN can only provide a very rough estimate of the allocation of our estimated costs by issue area.</p> <ul style="list-style-type: none"> <li>-- Customers and Sales Forecasts – 20%</li> <li>-- Post-Test Year Ratemaking – 20%</li> <li>-- Customer Service – 15%</li> <li>-- Regulatory Accounts – 15%</li> <li>-- Electric Generation – 10%</li> <li>-- Depreciation – 10%</li> <li>-- Other Issues – 10%</li> </ul>				
<p><i>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 time is typically compensated at ½ professional hourly rate.</i></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 Intervenor Compensation Claim in this proceeding on the following basis:</b>	<b>Applies (check)</b>
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<p>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</p>	<input type="checkbox"/>
<p>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)).</p>	<input checked="" type="checkbox"/>
<p>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 in this proceeding ( § 1804(b)(1)).</p> <p>Commission’s finding of significant financial hardship made in proceeding number: A.13-05-012</p> <p>Date of Administrative Law Judge’s Ruling (or CPUC Decision) in which the finding of significant financial hardship was made: October 30, 2013</p>	<input type="checkbox"/>

**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:**

UCAN is making its annual showing of significant financial hardship at this time. The definition of the term “significant financial hardship” is found in Section 1802(g) of the Public Utilities Code: “Significant financial hardship” means either that the customer cannot without undue hardship afford to pay the costs of effective participation, including advocate's fees, expert witness fees, and other reasonable costs of participation, or that, in 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.

UCAN is a nonprofit 501(c)(3) consumer advocacy organization with a history dedicated to representing the interests of San Diego area utility consumers. UCAN has a long history of intervening in CPUC proceedings involving SDG&E, and has regularly been found to satisfy the § 1802(g) “significant financial hardship” requirement.

In the last year UCAN has mailed almost 6,000 individuals membership information, and has received contributions from more than 600. The vast majority of these individuals are residential ratepayers of San Diego Gas and Electric. Given the significant issues in this proceeding to the utility customers that UCAN represents, the cost of UCAN’s participation projected at \$282,500.00 is negligible in comparison to the potential costs to our members and the ratepayers generally, especially in light of the potential savings from UCAN’s participation.



**PART IV: ATTACHMENTS DOCUMENTING SPECIFIC  
ASSERTIONS MADE IN THIS NOTICE**  
(The party (“customer”) intending to claim intervenor compensation  
identifies and attaches documents; add rows as necessary)

Attachment No.	Description
1	Certificate of Service

**ADMINISTRATIVE LAW JUDGE RULING<sup>4</sup>**  
(Administrative Law Judge completes)

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

**IT IS RULED that:**

<sup>4</sup> A Ruling needs not be issued unless: (a) the NOI is deficient; (b) the Administrative Law Judge 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 Intervenor Compensation Claim); or (c) the NOI has included a claim of “significant financial hardship” that requires a finding under § 1802(g).

Revised September 2014

1. The Notice of Intent is rejected.	<input type="checkbox"/>
2. The customer has satisfied the eligibility requirements of Pub. Util. Code § 1804(a).	<input type="checkbox"/>
3. The customer has shown significant financial hardship.	<input type="checkbox"/>
4. 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.	<input type="checkbox"/>
5. Additional guidance is provided to the customer as set forth above.	<input type="checkbox"/>

Dated \_\_\_\_\_, at San Francisco, California.

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Administrative Law Judge