



**FILED**

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

04:59 PM

In the Matter of the Application of Southern California Edison Company (U338E) for Approval of the Results of Its 2013 Local Capacity Requirements Request for Offers for the Moorpark Sub-Area.	A.14-11-016 (Filed November 26, 2014)
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**NOTICE OF INTENT TO CLAIM INTERVENOR COMPENSATION  
 AND, IF REQUESTED (and [ ]<sup>1</sup> checked), ADMINISTRATIVE LAW JUDGE'S  
 RULING ON HELPING HAND TOOLS'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): Helping Hand Tools</b>	
<b>Assigned Commissioner: Michel Florio</b>	<b>Administrative Law Judge: Regina DeAngelis</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:	/s/ Robert Simpson
Date: 10/7/16	Printed Name: Robert Simpson

**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 the party is (check one):</b>	<b>Applies (check)</b>
1. A Category 1 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.  In addition to describing your own interest in the proceeding you must show how	<input type="checkbox"/>

<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>your participation goes beyond just your own self-interest and will benefit other customers.</p>	
<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</i> D.98-04-059 at 30.</p>	<p style="text-align: center;"><input type="checkbox"/></p>
<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</i> D.98-04-059, footnote at 3.</p>	<p style="text-align: center;"><input checked="" type="checkbox"/></p>
<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>Helping Hand Tools ("2HT") meets the third definition—a formally organized group authorized, by its articles of incorporation or bylaws to represent the interests of residential customers. 2HT is a non-profit organization with Articles of Incorporation that specify its purpose as "combating community deterioration." As part of that that mission, 2HT focuses on preventing pollution, environmental injustice, and excessive energy costs, each of which contributes to community deterioration.</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.

Identify all attached documents in Part IV.

Pursuant to Rule 17.1(d), a true and correct copy of 2HT's articles of incorporation are attached.

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

Yes:  No:

If "Yes", explain:

B. Conflict of Interest (§ 1802.3)	Check
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

C. Timely Filing of Notice of Intent (NOI) (§ 1804(a)(1)):	Check
1. Is the party's NOI filed within 30 days after a Prehearing Conference? Date of Prehearing Conference: <a href="#">Click here to enter a date.</a>	<input type="checkbox"/> Yes <input checked="" 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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2a. The party's description of the reasons for filing its NOI at this other time:  2HT's executive director did not approve intervening in this proceeding until October 3, 2016. Furthermore, 2HT was not granted party status until yesterday, October 6, 2016.	
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:

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

2HT plans to participate on the following issues identified in the Second Assigned Commissioner's Ruling and Scoping Memo:

1. Is the 54 MW Ellwood Refurbishment contract reasonable?
2. Is the contract with NRG California South LP, for a 0.5 MW storage project, reasonable?

Additionally, 2HT plans to participate in addressing the following matters Second Assigned Commissioner's Ruling and Scoping Memo:

1. Is the Ellwood facility currently under contract between SCE and NRG, and, if so, for how long?
2. Is there a specific unmet local reliability need in the Goleta area absent the Ellwood facility, given the approvals in this decision? If so, what is the amount of this need, and in what timeframe does it occur?
3. What is the best way to fill any local reliability need in the Goleta area?
4. Should there be a new RFO or other process to identify resources to meet any unmet local reliability need in the Goleta area?
5. Should the Ellwood refurbishment contract and associated storage contract be approved at this time to meet any unmet local capacity need, or should the Ellwood refurbishment/storage contract be required to participate in any new RFO (or other process) to meet any unmet local capacity needs?

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

2HT intends to coordinate its participation in the proceeding with other parties in order to avoid duplication of effort.

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).

2HT contends that the 54 MW Ellwood Refurbishment contract (#447021) is not needed for reliability based on the latest LCR studies performed by CAISO, including but not limited to the 2016 and 2020 LCR study results pertaining to the Los Angeles Basin and Big Creek/Ventura local areas.

If it is determined that this additional capacity is needed for reliability, then 2HT contends that energy storage provides a better alternative for the project, and is more consistent with California's Renewable Portfolio Standard, greenhouse gas policies, and the preferred loading order. (*See* Energy Action Plan 2008 Update at 1.)

2HT also intends to evaluate whether the terms of contract (#447021) are just and reasonable compared to other alternatives.

<b>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)):</b>				
<b>Item</b>	<b>Hours</b>	<b>Rate \$</b>	<b>Total \$</b>	<b>#</b>
<b>ATTORNEY, EXPERT, AND ADVOCATE FEES</b>				
Andrew Kingsdale (Attorney)	50	\$300	\$15,000	
Bob Sarvey (Advocate/Expert)	100	\$175	\$17,500	
Rob Simpson (Advocate/Expert)	20	\$175	\$3,500	
<b>Subtotal: \$36,000</b>				
<b>OTHER FEES</b>				
<b>Subtotal: \$</b>				
<b>COSTS</b>				
Copying / Mailing Expenses			\$100	
Travel			\$800	
<b>Subtotal: \$900</b>				
<b>TOTAL ESTIMATE: \$</b>				
<b>Estimated Budget by Issues:</b>				
<ol style="list-style-type: none"> <li>1. 50%: Is the 54 MW Ellwood Refurbishment contract reasonable?</li> <li>2. 50%: Is the contract with NRG California South LP, for a 0.5 MW storage project, reasonable?</li> </ol>				
<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>				

**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>
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	<input type="checkbox"/>
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)).	<input checked="" type="checkbox"/>
3. A § 1802(g) finding of significant financial hardship in another proceeding,	<input type="checkbox"/>

<p>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:</p> <p>Date of Administrative Law Judge’s Ruling (or CPUC Decision) in which the finding of significant financial hardship was made:</p>	
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<p><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></p> <p>2HT meets the Public Utilities Code § 1802(g)’s standard, which provides 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.” See ALJ’s decision in A.13-06-015.</p> <p>2HT respectfully requests that compensation be granted to represent the environmental and community interests of its members because it would not be cost effective for individual members to incur such expenses to intervene. As a non-profit organization, 2HT does not accept fees from its clients and receives no government funding. Absent eligibility for intervenor compensation, 2HT would not have adequate resources to advocate for conservation before the PUC.</p>
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**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
2	A true and correct copy of 2HT’s articles of incorporation.

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

	<b>Check all that apply</b>
<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:**

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.

\_\_\_\_\_

<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).

## **Administrative Law Judge**

**Articles of Incorporation**  
Helping Hand Tools

The undersigned, desiring to form a Non-Profit Corporation under the Non-Profit Public Benefit Corporation Law of the State of California, hereby certify:

**Article I**

The name of the corporation is Helping Hand Tools.

**Article II**

- A. This corporation is a nonprofit Public Benefit Corporation and is not organized for the private gain of any person. It is organized under the Nonprofit Public Benefit Corporation Law for charitable purposes.
- B. The specific purpose of this corporation is combating community deterioration.
- C. This corporation is organized and operated exclusively for charitable purposes within the meaning of Internal Revenue Code section 501(c)(3), or the corresponding section of any future federal tax code.

**Article III**

The name and address in the State of California of this corporation's initial agent for service of process is:

Name

Address

**Article IV**

- A. The property of this corporation is irrevocably dedicated to charitable purposes and no part of the net earnings of the corporation shall inure to the benefit of, or be distributable to its members, trustees, directors, officers, or any other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in this Article II.
- B. No substantial part of the activities of the corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office.

C. Notwithstanding any other provision of these articles, the corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or (b) by a corporation, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

D. Upon the dissolution or winding up of the corporation, its assets remaining after payment, or provision for payment, of all debts and liabilities of this corporation shall be distributed to a nonprofit fund, foundation or corporation which is organized and operated exclusively for charitable purposes and which has established its tax exempt status under Internal Revenue Code section 501(c)(3), or the corresponding section of any future federal tax code.

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[NAME], Incorporator

Date