

Decision **PROPOSED DECISION OF ALJ DARLING** (Mailed 5/27/2014)**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Application of Southern California Edison Company (U338E) for Authority to, Among Other Things, Increase Its Authorized Revenues For Electric Service In 2012, And to Reflect That Increase In Rates.	Application 10-11-015 (Filed November 23, 2010)
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**DECISION GRANTING COMPENSATION TO CALIFORNIA BLACK  
CHAMBER OF COMMERCE FOR SUBSTANTIAL CONTRIBUTION TO  
DECISION 12-11-051**

<b>Claimant: California Black Chamber of Commerce (CBCC)</b>	<b>For contribution to Decision (D.) 12-11-051</b>
<b>Claimed (\$): \$39,368.00</b>	<b>Awarded (\$): \$20,263.17 (reduced by 48.53%)</b>
<b>Assigned Commissioner: Michael R. Peevey</b>	<b>Assigned ALJ: Melanie M. Darling</b>

**PART I: PROCEDURAL ISSUES**

- A. Brief Description of Decision:** Decision (D.) 12-11-051 resolves Southern California Edison Company's (SCE) test year 2012 general rate case. The decision adopted a 2012 revenue requirement representing the reasonable costs of providing safe and reliable electrical service to SCE's customers in that year. The Commission reduced SCE's request for 2012 operations and maintenance (O&M) expenses by \$258 million, and reduced the request for 2010 -2012 capital spending by \$756 million. The decision also adopts post-test year increases for 2013 and 2014.

**B. Claimant must satisfy intervenor compensation requirements set forth in Public Utilities Code Sections 1801-1812:**

	Claimant	CPUC Verified
<b>Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):</b>		
1. Date of Prehearing Conference:	January 31, 2011	Verified
2. Other Specified Date for NOI:	March 1, 2011	March 2, 2011
3. Date NOI Filed:	March 2, 2011	Verified
4. Was the NOI timely filed?		Yes
<b>Showing of customer or customer-related status (§ 1802(b)):</b>		
5. Based on ALJ ruling issued in proceeding number:	A.10-11-015	Verified
6. Date of ALJ ruling:	July 3, 2011	Verified
7. Based on another CPUC determination (specify):		
8. Has the Claimant demonstrated customer or customer-related status?		Yes
<b>Showing of "significant financial hardship" (§ 1802(g)):</b>		
9. Based on ALJ ruling issued in proceeding number:		See Comment in Part I.C.
10. Date of ALJ ruling:		See Comment in Part I.C.
11. Based on another CPUC determination (specify): Pursuant to Section 1804(a)(2)(B), a showing of "significant financial hardship" is being provided in this Claim per following:  The cost of CBCC's participation this CPUC proceeding, which is \$39,368, substantially outweighs the benefit to the individual member businesses CBCC represents. CBCC members are individual professionals and small and micro businesses whose individual interests in this proceeding range from a few dollars to no more than a few hundred dollars in potential annual rate savings per individual business. Accordingly, these economic interests are small relative to the costs of participation. It is unlikely that CBCC's members will see financial benefits that exceed CBCC's costs of intervention.		
12. Has the Claimant demonstrated significant financial hardship?		Yes

<b>Timely request for compensation (§ 1804(c)):</b>		
13. Identify Final Decision:	D.12-11-051	Verified
14. Date of Issuance of Final Order or Decision:	November 29, 2012	December 10, 2012
15. File date of compensation request:	February 8, 2013	Verified
16. Was the request for compensation timely?		Yes

**C. Additional Comments on Part I:**

<b>#</b>	<b>Claimant</b>	<b>CPUC</b>	<b>Comment</b>
		<p>Pursuant to Pub. Util. Code §1804(a), a timely Notice of Intent to Claim Intervenor Compensation (NOI) must be filed within thirty days of the prehearing conference. Here, the prehearing conference was held on January 31, 2011, thus the deadline to file a timely NOI was March 2, 2011. The excuse of late filing an NOI because of obligations in other cases, despite full participation and contribution to a decision, is unacceptable. That being said, CBCC filed its NOI on March 2, 2011 and was, in fact, timely.</p>	<p>CBCC intervened in A.10-11-015 on March 2, 2011; one day short of the filing deadline. Our delay was because of obligations in other cases. As shown below, CBCC has participated fully and made substantial contributions. All of CBCC's efforts should be compensated in full.</p> <p>CBCC served testimony, submitted data requests to SCE, filed briefs, participated in hearings, attended and participated in hearings on settlement agreement for small commercial customers, reviewed comments on proposed decision, requested and attended ex parte meetings with Commissioners and their staff to address discussed general issues of contract readiness and opportunities for small businesses.</p>
9-10		x	<p><b>ALJ’s Ruling on Finding of Significant Financial Hardship</b></p> <p>California Black Chamber of Commerce set forth a demonstration of significant financial hardship in this intervenor compensation claim after deferring the required finding in its Notice of Intent to Request Intervenor Compensation, pursuant to Pub. Util. Code §1804(1)(2)(B). This deferral was accepted in the</p>

#	Claimant	CPUC	Comment
			<p>ALJ’s July 3, 2011 NOI Ruling.</p> <p>Public Utilities Code Section 1802(g) defines significant financial hardship as that a customer cannot afford, without undue hardship to pay the costs of effective participation in the proceeding. California Black Chamber of Commerce is a Category 3 customer as defined in D. 98-04-059 and as such must satisfy the “comparison test” for significant financial hardship. The comparison test is satisfied by demonstrating that the economic interest of its members and constituencies, in the instant proceeding, is small relative to the cost of effective participation in the proceeding.</p> <p>California Black Chamber of Commerce submitted its IRS Form 990 from 2012, marked confidential pursuant to Pub. Util. Code § 583, to establish that the economic interest of the organization’s members and constituencies in the instant proceeding was small relative to the cost of effective participation. After careful review of the provided documentation, in light of the cost of California Black Chamber of Commerce’s participation in this proceeding, we find that California Black Chamber of Commerce meets the intervenor compensation eligibility requirement of significant financial hardship, pursuant to Pub. Util. Code §1802(g).</p>

**PART II: SUBSTANTIAL CONTRIBUTION**

**A. Claimant’s contribution to the final decision (see § 1802(i), § 1803(a) & D.98-04-059).**

Intervenor’s Claimed Contribution	Specific References to Claimant’s Presentations and to Decision	CPUC’s Comment
<p>1. Direct Testimony of Aubry Stone (CBCC Exh. No. 1, June 1, 2011) regarding impact of electric rate hikes on small business customers SCE’s assertion that increases in capital</p>	<p>CBCC Exh. 1, <i>Prepared Direct Testimony of Aubry Stone on Behalf of The California Black Chamber of Commerce</i>, served June 1, 2011; D.12-11-051, p. 21.</p>	<p>CBCC does not adequately link its direct testimony to a specific issue in</p>

Intervenor's Claimed Contribution	Specific References to Claimant's Presentations and to Decision	CPUC's Comment
expenditures would stimulate economy in SCE service territory.		D.12-11-051. See further comments in Part II.C.
2. Attended evidentiary hearings to put CBCC Exh. 1 on the record and to make sure concerns of small business were addressed.	RT 1026:8-23 (Kaushik/CBCC); RT 2560:14-20 (Alderete/SCE); RT 2596:3-23 (Alderete/SCE); RT 2566:14-27 (Alderete/SCE); 2606:18-2607:7 (Alderete/SCE).	CBCC does not adequately link its attendance at the evidentiary hearings to a specific issue in D.12-11-051. See further comments in Part II.C.
3. CBCC filed and served briefs rebutting SCE's contention that increased capital expenditures should be approved as economic stimulus and addressing likely impact of the proposed increase in revenue requirement on small and micro businesses.	<i>Opening Brief of The California Black Chamber of Commerce</i> , filed September 26, 2011; <i>Reply Brief of The California Black Chamber of Commerce to Opening Briefs of Southern California Edison and The Division of Ratepayer Advocates</i> , filed October 17, 2011 ("Reply Brief").	CBCC does not adequately link its Opening Brief or Reply Brief to a specific issue in D.12-11-051. See further comments in Part II.C.
4. CBCC requested and attended meetings with Commissioners and their staff to represent the interests of small businesses and address issues of concern to Commissioners.	<i>California Black Chamber of Commerce Notice of Ex Parte Communication</i> , filed June 6, 2012.	CBCC does not adequately link its Ex Part communication to a specific issue in D.12-11-051. See further comments in Part II.C.

**B. Duplication of Effort (§§ 1801.3(f) & 1802.5):**

	<b>Claimant</b>	<b>CPUC Verified</b>
a. Was the Office of Ratepayer Advocates (ORA) a party to the proceeding? <sup>1</sup>	Yes	Yes
b. Were there other parties to the proceeding with positions similar to yours?	Yes	Yes
c. If so, provide name of other parties: Agricultural Energy Consumers Association.		Yes
d. Describe how you coordinated with ORA and other parties to avoid duplication or how your participation supplemented, complemented, or contributed to that of another party:  CBCC coordinated with Agricultural Energy Consumers Association (AECA), who raised issues similar to those raised by CBCC, prior to filing testimony and briefs. CBCC held two phone conferences with counsel to AECA. At the outset CBCC reviewed parties' protests and avoided addressing general rate making issues raised by DRA and other parties. (CBCC Notice of Intent to Claim Intervenor Compensation, filed March 2, 2011, pp. 2-3; Reply Brief, pp. 1-2)		CBCC's timesheets support the assertion that it coordinated with the Agricultural Energy Consumers Association to avoid duplication of efforts.

**C. Additional Comments on Part II:**

<b>#</b>	<b>Claimant</b>	<b>CPUC</b>	<b>Comment</b>
1-4		X	The California Black Chamber of Commerce pushed for the Commission to understand the impact of rate increases on small business owners. The CBCC argued that SCE's study in support of capital expenditures regarding regional economic benefits was flawed because it only considered spending. However, the decision affirmed that the criteria for review of proposed capital additions in a GRC period is whether they are reasonable and necessary for the generation and distribution of electricity, not whether there is an economic benefit to surrounding communities from new construction. Additionally, the CBCC requested that the Commission review the application to ensure that requested increases were justified, reasonable, and absolutely necessary. Finally, CBCC argued that SCE should petition the Commission for a rulemaking to consider maximizing authority to encourage economic development through increased support for small business and a commitment with contracting with California based small businesses.

<sup>1</sup> The Division of Ratepayer Advocates (DRA) was renamed the Office of Ratepayer Advocates effective September 26, 2013, pursuant to Senate Bill No. 96 (Budget Act of 2013), which was approved by the Governor on September 26, 2013.

**PART III: REASONABLENESS OF REQUESTED COMPENSATION**

**A. General Claim of Reasonableness (§§ 1801 & 1806):**

<p><b>a. Concise explanation as to how the cost of Claimant’s participation bears a reasonable relationship with benefits realized through participation</b></p> <p>CBCC argued a number of issues including: (1) SCE’s unreasonable assertion that increased capital expenditures should be approved as economic stimulus (D.12-11-051, p. 21); (2) disparate negative impact of rate increases on small businesses; (3) the need to establish targets for contracting with small businesses; and (4) a possible expansion of the economic development rate program to include smaller, less energy intensive businesses than the current program.</p>	<p style="text-align: center;"><b>CPUC Verified</b></p> <p>The cost of CBCC’s participation, over \$30,000, does not bear a reasonable relationship with results realized through its participation. Much of the time claimed by CBCC is unreasonable given the narrow scope of issues it focused on, primarily on the impact of rate increases on small business owners, in a large proceeding with a wide array of issues. A substantial contribution was made in this narrow scope and has been compensated accordingly. Additionally, the cost of CBCC’s participation does not bear a reasonable relationship with benefits realized through its participation because of duplication of work found in their timesheets, the request for compensation of administrative and clerical tasks, excessive copy and research expenses, and requested hourly rates that are higher than those adopted in Commission Resolutions.</p>
<p><b>b. Reasonableness of Hours Claimed.</b></p> <p>CBCC spent a significant portion of its time (1) demonstrating that any increase in revenue requirement would unduly burden small commercial customers; and, (2) researching and developing its related argument that SCE’s capital expenditures should not be approved as economic stimulus. The time spent on this issue included reviewing SCE’s two separate reports in support of its economic stimulus argument and researching Commission precedent. CBCC spent a total of approximately 41.5 hours on this issue, which is reasonable, especially in light of the fact that CBCC prevailed on this issue. Prevailing on this issue provides significant value to all ratepayers as any precedent supporting utility expenditures as economic stimulus would represent a significant departure from Commission practice and would expose</p>	<p>Even with viewing CBCC’s hours in the context of a proceeding that spanned two years, CBCC’s contribution had a very narrow focus. Reductions have been made for duplication of effort between CBCC’s representatives. <i>See Part III.C.</i></p>

<p>ratepayers to significant future increases in utility capital expenditures.</p> <p>A significant fraction of the time sent by CBCC in Phase 1 was spent on general work necessary for participation in the proceeding, such as reviewing the initial application to identify potential issues, reviewing other parties pleadings and filings, and attending evidentiary hearings. Given the size and complexity of SCE’s application and the number of other parties, the amount of time spent was reasonable.</p> <p>CBCC spent the balance of its time researching and developing proposals to establish contracting goals for small and micro businesses and to expand the economic development rate program.</p>											
<p><b>c. Allocation of Hours by Issue</b>  <b>Please see CBCC's timesheets for more detail on how CBCC's time was allocated to the following issue categories:</b></p> <p>Issues Areas (with letter code) (includes other fees such as paralegal and IT specialists) - % of time</p> <table border="1" data-bbox="211 871 1084 1218"> <tr> <td>A. Addressed impact of proposed increase in revenue requirements on small businesses.</td> <td>19%</td> </tr> <tr> <td>B. Addressed SCE's argument that capital expenditures should be viewed as economic stimulus.</td> <td>21%</td> </tr> <tr> <td>C. Proposed expansion of Economic Development Rate program to include small businesses.</td> <td>17%</td> </tr> <tr> <td>D. Proposal that SCE implement contracting goals for small and micro businesses for capital projects and associated expenditures.</td> <td>14%</td> </tr> <tr> <td>E. Miscellaneous case development.</td> <td>29%</td> </tr> </table>	A. Addressed impact of proposed increase in revenue requirements on small businesses.	19%	B. Addressed SCE's argument that capital expenditures should be viewed as economic stimulus.	21%	C. Proposed expansion of Economic Development Rate program to include small businesses.	17%	D. Proposal that SCE implement contracting goals for small and micro businesses for capital projects and associated expenditures.	14%	E. Miscellaneous case development.	29%	<p>Verified</p>
A. Addressed impact of proposed increase in revenue requirements on small businesses.	19%										
B. Addressed SCE's argument that capital expenditures should be viewed as economic stimulus.	21%										
C. Proposed expansion of Economic Development Rate program to include small businesses.	17%										
D. Proposal that SCE implement contracting goals for small and micro businesses for capital projects and associated expenditures.	14%										
E. Miscellaneous case development.	29%										

**B. Specific Claim:**

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate	Basis for Rate*	Total \$	Hours	Rate	Total \$
Phyllis A. Marshall	2011	9.20	\$535	Senior Partner	\$4,922.00	9.2	\$450	\$4,140.00
Randall W. Keen	2011	8.90	\$535	Managing Partner	\$4,761.50	0	\$355	\$0
Tara Kaushik	2011	17.40	\$325	Senior Litigation Associate	\$5,655.00	12.7	\$300	\$3,810.00
Tara Kaushik	2012	0.30	\$330	Senior Litigation Associate	\$99.00	.3	\$310	\$93.00
Jack Stoddard	2011	37.70	\$300	Litigation Associate	\$11,310.00	35.6	\$280	\$9,968
Jack Stoddard	2012	0.20	\$305	Litigation	\$61.00	.2	\$290	\$58.00

CLAIMED						CPUC AWARD		
				Associate				
<b>Subtotal:</b>					<b>\$26,808.50</b>	<b>Subtotal:</b>		<b>\$18,069.00</b>
OTHER FEES								
Item	Year	Hours	Rate	Basis for Rate*	Total \$	Hours	Rate	Total \$
Demetrio A. Marquez	2011	22.00	\$215	Paralegal	\$4,730.00	7.2	\$110	\$792.00
Demetrio A. Marquez	2012	2.80	\$215	Paralegal	\$602.00	0	\$115	\$0.00
Robert Martinez	2011	4.20	\$215	Information Technology Specialist	\$903.00	0	\$0	\$0.00
Luke Diliberto	2011	0.60	\$175	Information Technology Specialist	\$105.00	0	\$0	\$0.00
<b>Subtotal:</b>					<b>\$6,340.00</b>	<b>Subtotal:</b>		<b>\$396.00</b>
INTERVENOR COMPENSATION CLAIM PREPARATION								
Item	Year	Hours	Rate @ 50%	Basis for Rate*	Total \$	Hours	Rate	Total \$
Marshall, Phyllis A	2011	0.60	\$160.50	Senior Partner	\$160.50	.6	\$225	\$135
Stoddard, Jack	2011	10.70	\$150.00	Litigation Associate	\$1,605.00	6	\$140	\$840.00
Stoddard, Jack	2012	0.50	\$153.00	Litigation Associate	\$76.25	.5	\$145	\$72.50
Marquez, Demetrio A	2011	0.10	\$108.00	Paralegal	\$10.75	.1	\$55	\$5.50
Marquez, Demetrio A	2012	5.80	\$108.00	Paralegal	\$623.50	5.80	\$57.50	\$333.50
<b>Subtotal:</b>					<b>\$2,476.00</b>	<b>Subtotal:</b>		<b>\$1386.50</b>
COSTS								
#	Item	Detail			Amount	Amount		
1.	Postage	San Francisco Postage Log June 2011			\$2.56			\$2.56
2.	Computer Research	VENDOR: LEXIS - NEXIS; INVOICE#: 1105002196/3; DATE: 5/31/2011 -			\$102.90			\$0
3.	Postage	San Francisco Postage Log June 2011			\$0.44			\$0.44
4.	Reproduction	451 Copies UserId: XPTempPA3 Desc: COPY			\$90.20			\$7.40
5.	Reproduction	236 Copies UserId: Tina Barreto Desc: COPY			\$47.20			\$0
6.	Reproduction	465 Copies UserId: Tina Barreto Desc: COPY			\$93.00			\$0

CLAIMED				CPUC AWARD	
7.	Reproduction	1239 Copies UserId: Vicente Agustin, Jr. Desc: COPY	\$247.80		\$0
8.	Reproduction	572 Copies UserId: Richard Pierce Desc: COPY	\$114.40		\$0
9.	Reproduction	201 Copies UserId: Richard Pierce Desc: COPY	\$40.20		\$0
10.	Reproduction	1232 Copies UserId: Tina Barreto Desc: COPY	\$246.40		\$0
11.	Telephone	LD Call to: 9165702500 SCRM SC,CA User ID: Jack Stoddard	\$0.13		\$0.13
12.	Reproduction	18 Copies UserId: Demetrio Marquez Desc: No Description	\$3.60		\$0
13.	Postage	San Francisco Postage Log September 2011	\$1.48		\$1.48
14.	Reproduction	49 Copies UserId: Tina Barreto Desc: COPY	\$9.80		\$0
15.	Postage	San Francisco Postage Log October 2011	\$1.28		\$1.28
16.	Computer Research	VENDOR: LEXIS - NEXIS; INVOICE#: 1109002171/3; DATE: 9/30/2011 - Lexis	\$2,662.53		\$0
17.	Postage	San Francisco Postage Log October 2011	\$1.28		\$1.28
18.	Reproduction	201 Copies UserId: Vicente Agustin, Jr. Desc: COPY	\$40.20		\$0
19.	Postage	San Francisco Postage Log June 2012	\$1.10		\$1.10
20.	Reproduction	48 Copies UserId: Demetrio Marquez Desc: No Description	\$9.60		\$0
21.	Reproduction	134 Copies UserId: Demetrio Marquez Desc: No Description	\$26.80		\$0
22.	Reproduction	3 Copies UserId: Demetrio Marquez Desc: No Description	\$0.60		\$0
<b>Subtotal:</b>			<b>\$3,743.50</b>	<b>Subtotal:</b>	<b>\$15.67</b>
<b>TOTAL REQUEST \$:</b>			<b>\$39,368.00</b>	<b>TOTAL AWARD \$:</b>	<b>\$20,263.17</b>
<p>* 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. Claimant's records should identify specific issues for which it requested compensation, the actual time spent by each employee or consultant, the applicable hourly rates, fees paid to consultants, and any other costs for which compensation was claimed. The records pertaining to an award of compensation shall be retained for at least three years from the date of the final decision making the award.</p> <p>** Reasonable claim preparation time typically compensated at ½ of preparer's normal hourly rate (the same applies to the travel time).</p>					

CLAIMED			CPUC AWARD
Attorney	Date Admitted to CA BAR <sup>2</sup>	Member Number	Actions Affecting Eligibility (Yes/No?)
Phyllis Marshall	December 27, 1991	156830	No.
Randall Keen	December 3, 1998	198477	No.
Tara Kaushik	February 13, 2004	230098	No.
Jack Stoddard	June 26, 2006	243615	No.

### C. CPUC Disallowances, Adjustments, and Comments:

#	Reason
Hourly Rate of Phyllis Marshall  2011	<p>California Black Chamber of Commerce requests an hourly rate of \$535 for Phyllis Marshall's 2011 work in this proceeding. At the time of this proceeding, Marshall had been a licensed California attorney for 20 years. Marshall has extensive experience lobbying the California legislature and advocating for clients before executive branch agencies and other government offices and commissions and includes energy, natural resources, and regulatory law as areas of her practice.</p> <p>An hourly rate for Marshall has not been requested from the Commission in the past. We base Marshall's rate on the 2011 rate described in Resolution ALJ-287 for attorney intervenors in the 13+ years of experience range. We adopt an hourly rate of \$450 for Marshall's 2011 work.</p>
Hourly Rate for Randall Keen  2011	<p>California Black Chamber of Commerce requests an hourly rate of \$535 for Randall Keen's 2011 work in this proceeding. At the time of this proceeding, Keen had been a licensed California attorney for 13 years. Keen's practice focuses on government actions, government contracts, administrative and regulatory law issues. Keen has represented clients on energy issues before the Commission on the implementation of greenhouse gas reduction mandates.</p> <p>An hourly rate for Keen has not been requested from the Commission in the past. We base Keen's hourly rate on the 2011 rate described in Resolution ALJ-287 for attorney intervenors in the 13+ years of experience range. We adopt an hourly rate of \$355 for Keen's 2011 work.</p>
Hourly Rate for Tara Kaushik	California Black Chamber of Commerce requests an hourly rate of \$325 for Tara Kaushik's 2011 and \$325 for Kaushik's 2012 work in this proceeding.

<sup>2</sup> This information may be obtained at: <http://www.calbar.ca.gov/>.

#	Reason
2011-2012	<p>At the time of the proceeding, Kaushik had been a licensed California attorney for 7 years. Kaushik's practice focuses on regulatory matters, including natural gas resource issues before the Commission, as well as other aspects of state and federal energy regulation. Kaushik has primarily represented natural gas pipeline, oil refinery, renewable power, clean technology, and water utility companies as well as a tribal organization in matters before the Commission.</p> <p>An hourly rate for Kaushik has not been requested from the Commission in the past. We base Kaushik's 2011 rate on those described in Resolution ALJ-287 for attorney intervenors in the 5-7 years of experience range. We adopt an hourly rate of \$300 for Kaushik's 2011 work in this proceeding. We base Kaushik's 2012 rate on those described in Resolution ALJ-287 for attorney intervenors in the 8-12 years of experience range and apply the cost of living adjustment of 2.2% for 2012 adopted in Resolution ALJ-281. We adopt an hourly rate of \$310 for Kaushik's 2012 work in this proceeding.</p>
Hourly Rate for Jack Stoddard  2011-2012	<p>California Black Chamber of Commerce requests an hourly rate of \$300 for Jack Stoddard's 2011 and \$305 for Stoddard's 2012 work in this proceeding. At the time of the proceeding, Stoddard had been a licensed California attorney for 5 years. Stoddard's practice focuses on regulatory matters before the Commission. Previously, Stoddard was an attorney at the Commission practicing before the Federal Energy Regulatory Commission and in federal court and served as a legal advisor to Commissioner Peevey and to Commissioner Ryan.</p> <p>An hourly rate for Stoddard has not been requested from the Commission in the past. We base Stoddard's rate on the 2011 rate on those described in Resolution ALJ-287 for attorney intervenors in the 5-7 years of experience range. We adopt an hourly rate of \$280 for Stoddard's 2011 work in this proceeding. We base Stoddard's 2012 rate on those described in Resolution ALJ-287 for attorney intervenors in the 5-7 years of experience range and apply the cost of living adjustment of 2.2% for 2012 adopted in Resolution ALJ-281. We adopt an hourly rate of \$290 for Stoddard's 2012 work in this proceeding.</p>
Hourly Rate for Demetrio Marquez  2011-2012	<p>California Black Chamber of Commerce requests an hourly rate of \$215 for Demetrio Marquez's 2011 and 2012 work in this proceeding. Demetrio Marquez is a paralegal. We approve an hourly rate of \$110 for Marquez in 2011, equal to the approved hourly rate for paralegals established in D.11-01-023. We apply the Cost of Living Adjustment of 2.2% for 2012 adopted in Resolution ALJ-281 to adopt an hourly rate of \$115 for Marquez's 2012 work in this proceeding.</p>

#	Reason
Disallowance for Printing Expenses	Requested compensation for fees and costs of printing are unreasonable. All charges over \$20 must be supported with receipts. CBCC was contacted by email to produce required receipts for requested printing costs totaling \$969.80. CBCC furnished copy charge request forms for the internal copy jobs. CBCC filed 74 pages of motions, briefs, comments, and testimony. After review of CBCC's filings, printing expenses of \$7.40 are reasonable to reflect the printing necessary and directly related to CBCC's participation in the proceeding to fulfill CBCC's service requirements, at \$.10 a page.
Disallowance of Lexis-Nexis Expenses	California Black Chamber of Commerce requested \$2,765.43 for Lexis-Nexis research expenses. Though the Commission will generally reimburse reasonable out-of-pocket expenses directly related to the intervenor's participation, research expenses for background research on proceeding topics are not compensable. The only Lexis-Nexis invoices that were provided were vague and did not accurately identify which decision issues were being researched. CBCC's briefs and testimony were not heavily supported by research outside of the documents filed in the record and as such the Lexis-Nexis research expenses submitted are disallowed.
Disallowance of hours associated with Information Technology Specialists	California Black Chamber of Commerce request \$1,008.00 in compensation for the work of information technology specialists Robert Martinez and Luke Dilberto. The Commission does not compensate for time spent on clerical and administrative tasks as these fees are subsumed in the fees paid to attorneys. <sup>3</sup> The time spent by Martinez and Dilberto downloading documents and creating databases is disallowed.
Disallowance of Hours for Excessive Duplication of Work	Hours associated with a senior level attorney reviewing the work of junior level attorneys are compensable when reasonable. That review should take less time than the actual drafting of a filing. Review of CBCC's timesheets reveal excessive levels of review with multiple senior level attorneys reviewing a single, short filing. The hours of managing partner Randall Keen are disallowed for excessive internal duplication. Additionally, time spent by Kaushik attending meeting with client and Marshall, as well as time spent preparing the three page opening brief, are disallowed for duplication. Intervenors should remain diligent in keeping compensation costs down by sending one representative for meetings and not duplicating work on filings.

<sup>3</sup> See D.11-07-024 and D.11-05044.

#	Reason
Disallowance of Hours for Demetrio Marquez	California Black Chamber of Commerce requests compensation for the work of paralegal Demetrio Marquez. The Commission does not compensate for the time spent on clerical and administrative tasks as these fees are subsumed in the fees paid to attorneys. <sup>4</sup> Though the time spent by Marquez conducting research and assisting with the review of direct testimony is compensable, time spent saving copies of transcripts, printing and saving documents, serving documents, and doing clerical work at hearings has been disallowed.

**PART IV: OPPOSITIONS AND COMMENTS**

**A. Opposition: Did any party oppose the Claim?** No

**B. Comment Period: Was the 30-day comment period waived (see Rule 14.6(2)(6))?** No

If not:

Party	Comment	CPUC Disposition
	No comments were received.	

**FINDINGS OF FACT**

1. California Black Chamber of Commerce has made a substantial contribution to Decision (D.) 12-11-051.
2. The requested hourly rates for California Black Chamber of Commerce’s representatives, as adjusted herein, are comparable to market rates paid to experts and advocates having comparable training and experience and offering similar services.
3. The claimed costs and expenses, as adjusted herein, are reasonable and commensurate with the work performed.
4. The total of reasonable contribution is \$20,263.17.

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<sup>4</sup> *Id.*

**CONCLUSION OF LAW**

The Claim, with any adjustment set forth above, satisfies all requirements of Public Utilities Code §§ 1801-1812.

**ORDER**

1. California Black Chamber of Commerce is awarded \$20,263.17.
2. Within 30 days of the effective date of this decision, Southern California Edison shall pay California Black Chamber of Commerce the total award. Payment of the award shall include compound interest at the rate earned on prime, three-month non-financial commercial paper as reported in Federal Reserve Statistical Release H.15, beginning June 18, 2014, the 75<sup>th</sup> day after the filing of California Black Chamber of Commerce's completed request, and continuing until full payment is made.
3. The comment period for today's decision is not waived.

This decision is effective today.

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

**APPENDIX****Compensation Decision Summary Information**

<b>Compensation Decision:</b>		<b>Modifies Decision?</b> No
<b>Contribution Decision(s):</b>	D1211051	
<b>Proceeding(s):</b>	A1011015	
<b>Author:</b>	ALJ Melanie Darling	
<b>Payer(s):</b>	Southern California Edison Company	

**Intervenor Information**

<b>Intervenor</b>	<b>Claim Date</b>	<b>Amount Requested</b>	<b>Amount Awarded</b>	<b>Multiplier</b>	<b>Reason Change/Disallowance</b>
California Black Chamber of Commerce	02/08/2013	\$39,368.00	\$20,263.17	No	Disallowance of excessive printing and copying expenses, disallowance of excessive Lexis-Nexis research expenses, disallowance of some hours for duplication, disallowance of hours for administrative and clerical tasks, awarded hourly rates lower than requested.

**Advocate Information**

<b>First Name</b>	<b>Last Name</b>	<b>Type</b>	<b>Intervenor</b>	<b>Hourly Fee Requested</b>	<b>Year Hourly Fee Requested</b>	<b>Hourly Fee Adopted</b>
Phyllis	Marshall	Attorney	California Black Chamber of Commerce	\$535	2011	\$450
Randall	Keen	Attorney	California Black Chamber of Commerce	\$535	2011	\$355
Tara	Kaushik	Attorney	California Black Chamber of Commerce	\$325	2011	\$300
Tara	Kaushik	Attorney	California Black Chamber of Commerce	\$330	2012	\$310

Jack	Stoddard	Attorney	California Black Chamber of Commerce	\$300	2011	\$280
Jack	Stoddard	Attorney	California Black Chamber of Commerce	\$305	2012	\$290
Demetrio	Marquez	Paralegal	California Black Chamber of Commerce	\$215	2011	\$110
Demetrio	Marquez	Paralegal	California Black Chamber of Commerce	\$215	2012	\$115

**(END OF APPENDIX)**