

Decision **PROPOSED DECISION OF ALJ WONG** (Mailed 7/02/14)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of San Diego Gas & Electric Company (U902M) for Authority, Among Other Things, to Increase Rates and Charges for Electric and Gas Service Effective on January 1, 2012.	Application 10-12-005 (Filed December 15, 2010)
And Related Matter.	Application 10-12-006

DECISION GRANTING COMPENSATION TO THE NATIONAL ASIAN AMERICAN COALITION AND LATINO BUSINESS CHAMBER OF GREATER LOS ANGELES FOR SUBSTANTIAL CONTRIBUTION TO DECISION 13-05-010

Claimant: Black Economic Council [BEC], National Asian American Coalition [NAAC], and Latino Business Chamber of Greater Los Angeles [LBCGLA](collectively, Joint Parties or JP).	For contribution to Decision 13-05-010
Claimed (\$): \$384,947.35	Awarded (\$): \$107,287.25 (reduced 72%)
Assigned Commissioner: Michael R. Peevey	Assigned ALJ: John S. Wong

PART I: PROCEDURAL ISSUES

A. Brief Description of Decision: Decision (D.) 13-05-010 resolves the test year 2012 general rate cases for San Diego Gas & Electric Company (SDG&E) and Southern California Gas Company (SoCalGas). The decision adopted a 2012 revenue requirement representing the reasonable costs of providing safe and reliable utility service to the customers of SDG&E and SoCalGas in that year. For SDG&E, the Commission authorized a 2012 revenue requirement at a level

\$115.9 million below the utility's request. For SoCalGas, the authorized 2012 revenue requirement is \$153.7 million below the utility's request. The decision also adopts post-test year increases for 2013, 2014 and 2015.

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

	Claimant	CPUC Verified
Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):		
1. Date of Prehearing Conference:	January 31, 2011	Verified
2. Other Specified Date for NOI:	N/A	N/A
3. Date NOI Filed:	3/1/2011	Verified
4. Was the NOI timely filed?		Yes
Showing of customer or customer-related status (§ 1802(b)):		
5. Based on ALJ ruling issued in proceeding number:	Application (A.)10-12-005/006	See Comments in Part I.C.
6. Date of ALJ ruling:	11/14/2011	See Comments in Part I.C.
7. Based on another CPUC determination (specify):		
8. Has the Claimant demonstrated customer or customer-related status?		Yes, in part. See comment in Part I.C.
Showing of "significant financial hardship" (§ 1802(g)):		
9. Based on ALJ ruling issued in proceeding number:	A.10-12-005/006	Verified
10. Date of ALJ ruling:	11/14/2011	Verified
11. Based on another CPUC determination (specify):		
12. Has the Claimant demonstrated significant financial hardship?		Yes
Timely request for compensation (§ 1804(c)):		
13. Identify Final Decision:	D.13-15-010	Verified
14. Date of Issuance of Final Order or Decision:	5/14/2013	Verified
15. File date of compensation request:	7/9/2013	The correct file date of the compensation

		request was 7/12/2013.
16. Was the request for compensation timely?		Yes

C. Additional Comments on Part I:

#	Claimant	CPUC	CPUC Discussion
5,6		X	<p>Showing of Customer or Customer-Related Status</p> <p>Joint Parties rely on the November 14, 2011 ruling in A.10-12-005/-006 to address their showing of customer or customer-related status (November 14 Ruling). The November 14 Ruling acknowledged the July 8, 2011 ruling in A.10-11-015 directing the Joint Parties to submit signed amended bylaws when the Joint Parties file a request for intervenor compensation. Based on the July 8, 2011 ruling and the amended NOI filed in A.10-11-015, the November 14 Ruling determined that the Joint Parties demonstrated status as a “customer” for purposes of this proceeding. This preliminary determination of customer eligibility would be supported only when Joint Parties submitted signature pages reflecting the adoption of its amended bylaws.</p> <p>On May 12, 2014, the LBCGLA submitted signed bylaws, meeting the requirements of § 1802(b)(1) for a finding of eligibility as a Category 3 customer. On May 16, 2014, the NAAC submitted signed amendments to its bylaws, meeting the requirements of § 1802(b)(1) for a finding of eligibility as a Category 3 customer. The BEC does not have signed bylaws on file with the Commission and as of the issuance date of this award decision, has not satisfied the requirements of Public Utilities Code § 1802(b)(1) for a finding of eligibility as Category 3 customers.</p>
		X	<p>Timeliness of Filing</p> <p>When a compensation request is not filed in compliance with the statutory requirements and any applicable additional requirements, it is deemed incomplete.¹ The request is deemed complete on May 16, 2014, when the</p>

¹ “The Commission, through decisions, has adopted an applies a policy of awarding interest from the 75th day after the date of the filing of a complete compensation request. ..If a compensation request is not filed in compliance with the statute and any applicable additional requirements, and an amendment is necessary to bring that request into compliance, then

Footnote continued on next page

			NAAC submitted eligibility documentation required by the July 8, 2010 ruling in A.10-11-015.
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PART II: SUBSTANTIAL CONTRIBUTION

A. Claimant’s description of its contribution to the final decisions (see Public Utilities Code § 1802(i), § 1803(a) & D.98-04-059).

Intervenor’s Claimed Contribution	Specific References to Claimant’s Presentations and to Decision	CPUC Comments
<p>1. Considering the Rate Increase in the Context of the Economic Recession [Economic Recession]</p> <p>The Joint Parties argued repeatedly that any rate increase should be considered in the context of the Great Recession. Specifically, that the Commission should decline to raise rates during a time in which most ratepayers in the Sempra companies’ service area are facing a lagging economic recovery and were unable to pay their monthly utility bills. The Joint Parties also argued that at a time of government cutbacks and clear ratepayer sentiment, it was not just or reasonable for Sempra to raise its rates.</p>	<ul style="list-style-type: none"> • D.13-05-010, at 11-13. • JP Motion Requesting Party Status; at 2. • JP Prehearing Conference Statement; at 1-2, 6-7, 9. • Ex Parte with Commissioner Florio (Feb. 18, 2011); at 2. • Ex Parte with Commissioner Florio (April 1, 2011); at 2. • Motion of the JP to Compel the Leaders of SDG&E and SoCalGas to Testify (Nov. 17, 2011), at 3. • Ex Parte with President Peevey, Carol Brown and Marzia Zafar (Nov. 18, 2011); at 4. • Motion of the JP to Accept Supplemental Testimony of the JP and Michael Phillips into 	<p>Yes, but <i>see</i> Part II.B, and Comment #1 in Part II.C regarding duplication of effort.</p>

interest should accrue from the 75th day after the date the amendment to the request for compensation was filed. *See* D. 98-04-059 at 51.

	<p>Evidence (Nov. 21, 2011), at 3.</p> <ul style="list-style-type: none"> • JP Opening Brief; at 7-11. • JP Reply Brief; at 3-7. • Testimony of JP Experts Bautista, Canty, and Corralejo (Sept. 22, 2011), at 16-17. • JP Comments on Proposed Decision; at 3-5. • JP Comments on Proposed Decision; at 4-5. 	
<p>2. Supplier Diversity and Employment Diversity</p> <p>In D.13-05-010, the Joint Parties argued for many prudent updates to Sempra’s supplier diversity practices. The Join[t] Parties point, in part, to the [Southern California Edison Company] SCE GRC decision (D.12-11-051) which contemplated supplier diversity and evaluated SCE’s O&M requests in light of the Commission’s supplier diversity objectives.</p> <p>Although the Commission ultimately did not adopt the Joint Parties’ recommendations, the Joint Parties’ time invested in this issue should be duly compensated in accordance with Cal. Pub. Util. Code §1802(i), where they “substantially assisted the Commission in the making of its order or decision because the order or decision has adopted in whole or in part one or more factual contentions, legal contentions, or specific policy or</p>	<ul style="list-style-type: none"> • D.13-05-010, at 672-682. • JP’ Motion Requesting Party Status; at 2. • JP Prehearing Conference Statement; at 3, 8. • Ex Parte with Commissioner Florio (Feb. 18, 2011); at 3. • Ex Parte with Commissioner Florio (April 1, 2011); at 2. • Late-Filed Ex Parte with President Peevey and Commissioner Ferron (June 3, 2011); at 2-3. • Ex Parte with Carol Brown (Sept. 1, 2011); at 3. • Ex Parte with Stephen St. Marie (Sept. 1, 2011); at 3. • Ex Parte with President Peevey, Carol Brown and Marzia Zafar (Nov. 18, 2011); at 3. • Motion of the JP to 	<p>No substantial contribution was made on these issues. <i>See Comment #2 in Part II.C.</i></p>

<p>procedural recommendations presented by the customer.”</p> <p>Furthermore, pursuant to §1802(i), the Joint Parties believe that in many instances their “participation has resulted in substantial contribution, even if the decision adopt[ed] that customer’s contention or recommendation only in part....”</p>	<p>Accept Supplemental Testimony of the JP and Michael Phillips into Evidence (Nov. 21, 2011), at 3.</p> <ul style="list-style-type: none"> • Ex Parte with Carol Brown Relating to Diversity Issues (Dec. 2, 2011); at 2. • Ex Parte with Commissioner Florio and Sepideh Khosrowjah (Dec. 7, 2011); at 3. • Ex Parte with Carol Brown (Dec. 12, 2011); at 2. • JP Opening Brief; at 25-26, 39-40. • JP Reply Brief; at 12. • Testimony of JP Experts Bautista, Canty, and Corralejo (Sept. 22, 2011), at 8-16. • JP Comments on Proposed Decision; at 6-7. • JP Reply Comments on Proposed Decision; at 3. 	
<p>3. Pension Practices</p> <p>D.13-05-010 devotes substantial consideration to discussion of Sempra’s pensions. Though the Decision declines to adopt specific proposals from the Joint Parties, their contribution to the record on this issue provided the Commission with context and a frame of reference to evaluate Sempra’s pension practices.</p> <p>The Joint Parties made several recommendations regarding</p>	<ul style="list-style-type: none"> • D.13-05-010, at 893-894, 896. • JP Motion Requesting Party Status; at 2. • JP Prehearing Conference Statement; at 2, 9. • Ex Parte with Commissioner Florio (Feb. 18, 2011); at 3. • Motion of the JP to Accept Supplemental Testimony of the JP and 	<p>No substantial contribution was made on these issues. <i>See</i> Comment # 3 in Part II.C.</p>

<p>executive compensation, particularly addressing pensions in the context of Governor Brown’s pension plan released in October 2011.</p> <p>Although the Commission ultimately did not adopt the recommendations made, the Joint Parties’ time invested in this issue should be duly compensated in accordance with Cal. Pub. Util. Code §1802(i), where they “substantially assisted the Commission in the making of its order or decision because the order or decision has adopted in whole or in part one or more factual contentions, legal contentions, or specific policy or procedural recommendations presented by the customer.”</p> <p>Furthermore, pursuant to §1802(i), the Joint Parties believe that in many instances their “participation has resulted in substantial contribution, even if the decision adopt[ed] that customer’s contention or recommendation only in part....”</p>	<p>Michael Phillips into Evidence (Nov. 21, 2011), at 4.</p> <ul style="list-style-type: none"> • Testimony of Michael Phillips (Sept. 22, 2011), at 9-12. • JP Comments on Proposed Decision; at 8-9. • JP Reply Comments on Proposed Decision; at 4. 	
<p>4. Executive Compensation</p> <p>The Joint Parties raised multiple issues with regard to executive compensation. As with pension practices, the Joint Parties believe that their contribution to the record on this issue provided the Commission with context and a frame of reference to evaluate Sempra’s executive compensation practices.</p> <p>Although the Commission did not adopt the recommendations made</p>	<ul style="list-style-type: none"> • D.13-05-010, at 865-866, 871-872, 879-881. • JP Motion Requesting Party Status; at 3. • JP Prehearing Conference Statement; at 2, 7. • Ex Parte with Commissioner Florio (Feb. 18, 2011); at 2-3. • Ex Parte with Commissioner Florio (April 1, 2011); at 2. 	<p>Yes. <i>See</i> Comment # 4 in Part II.C.</p>

<p>as to executive compensation, the Joint Parties’ time invested in this issue should be duly compensated in accordance with Cal. Pub. Util. Code §1802(i), where they “substantially assisted the Commission in the making of its order or decision because the order or decision has adopted in whole or in part one or more factual contentions, legal contentions, or specific policy or procedural recommendations presented by the customer.”</p> <p>Furthermore, pursuant to §1802(i), the Joint Parties believe that in many instances their “participation has resulted in substantial contribution, even if the decision adopt[ed] that customer’s contention or recommendation only in part....”</p>	<ul style="list-style-type: none"> • Ex Parte with Carol Brown (Sept. 1, 2011); at 3. • Ex Parte with Stephen St. Marie (Sept. 1, 2011); at 3. • JP Opening Brief; at 40. • JP Reply Brief; at 15-17. • Testimony of Michael Phillips (Sept. 22, 2011), at 4-9. • Testimony of JP Experts Bautista, Canty, and Corralejo (Sept. 22, 2011) at 17-21; • JP Comments on Proposed Decision; pp. 9-11. 	
<p>5. Nuclear Issues and Outreach</p> <p>Throughout the proceeding, the Joint Parties raised issues of nuclear safety and community education in the community surrounding SONGS [San Onofre Nuclear Generating Station], including those issues resulting from the events at the facility that eventually led to the decision to close it, though the “shutdown of SONGS occurred after the evidentiary hearing was concluded in SCE’s GRC proceeding, and after hearings had begun in this proceeding. As a result, no evidence was taken regarding the extended shutdown of SONGS.” (D.13-05-010, at 79.</p>	<ul style="list-style-type: none"> • D.13-05-010, at 76, 78, 589-592. • Ex Parte with Commissioner Florio (April 1, 2011); at 2. • JP Opening Brief; at 17-22. • JP Reply Brief; at 9. • Testimony of JP Experts Bautista, Canty, and Corralejo (Sept. 22, 2011), at 21-23. 	<p>No substantial contribution was made on these issues.</p> <p><i>See</i> Comment # 5 in Part II.C.</p>

<p>6. Auditing Issues</p> <p>The Joint Parties called into question the auditing practices of CPA [Certified Public Accountant] firms used by Sempra and the impact on the credibility of data presented to the Commission, based on reports from the Public Company Accounting Oversight Board on the “Big Four” audit companies, including Deloitte & Touche, the Sempra companies’ auditor.</p>	<ul style="list-style-type: none"> • D.13-05-010, at 983, 991-994. • JP Motion Requesting Party Status; at 3. • JP Prehearing Conference Statement; at 3. • Ex Parte with Commissioner Florio (Feb. 18, 2011); at 2. • Ex Parte with Carol Brown (Sept. 1, 2011); at 3. • Motion of the JP to Accept Supplemental Testimony of the JP and Michael Phillips into Evidence (Nov. 21, 2011), at 3. • Ex Parte with Commissioner Florio and Sepideh Khosrowjah (Dec. 7, 2011); at 3. • Ex Parte with Sarah Thomas (Dec. 9, 2011); at 3. • Ex Parte with President Peevey (Dec. 20, 2011), at 3. • JP Opening Brief; at 42-47. • JP Comments on Proposed Decision; at 5-6. 	<p>No substantial contribution was made on these issues. <i>See Comment # 6 in Part II.C.</i></p>
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<p>7. General Issues and Procedural Requirements</p> <p>This category includes procedural requirements, reviewing briefs of other parties or filings related to procedural or discovery issues, as well as motion practice (for example, the Joint Parties motion to compel, and motion to accept supplemental testimony). This category also includes time spent in engaging in coordination with other intervenors, as directed by the ALJ in the Scoping Memo.</p>	<p>Examples include:</p> <ul style="list-style-type: none"> • Motion to Ensure Maximum Participation in a Cost Effective Manner (May 5, 2011). • Late-filed Ex Parte with President Peevey and Commissioner Ferron (June 3, 2011); at 3. • Motion of the JP to Compel the Leaders of SDG&E and SoCalGas to Testify (Nov. 17, 2011). • Motion of the JP to Accept Supplemental Testimony of the JP and Michael Phillips into Evidence (Nov. 21, 2011). 	<p>No substantial contribution was made on these issues, but some portion of these work activities should be compensated. <i>See</i> Comment # 7 in Part II.C.</p>
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B. Duplication of Effort (Public Utilities Code §§ 1801.3(f) & 1802.5):

	Claimant	CPUC Verified
a. Was the Division of Ratepayer Advocates (DRA) a party to the proceeding?²	Yes	Verified
b. Were there other parties to the proceeding with positions similar to yours?	No	Verified. <i>See</i> Comment 1 in Part II.C below.
c. If so, provide name of other parties:	<i>See</i> Comment 1 in Part II.C below.	

² The 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. (*See* Stats. 2013, Ch. 356, Section 42.) Since DRA’s participation in this proceeding occurred prior to the name change, we use the “DRA” label in this decision.

<p>d. Describe how you coordinated with DRA and other parties to avoid duplication or how your participation supplemented, complemented, or contributed to that of another party:</p> <p>The Joint Parties were the only parties who addressed the potential rate increase from the perspective of people of color and minority business owners in California. Accordingly, their arguments on issues such as supplier diversity and how the economic downturn, and slow recovery, uniquely impacted communities of color were not duplicative. The positions of the Joint Parties did not overlap with other parties, even when addressing the same issue.</p> <p>Furthermore, the Greenlining Institute, a well-respected and strong advocate for communities of color and low-income persons before this Commission, did not participate in the proceeding aside from an agreement they reached with Sempra. This agreement either did not cover the same issue areas the Joint Parties addressed, or did not cover issues in the same way or with similar positions to the Joint Parties.</p>	<p>We find that the JP’s arguments concerning the Economic Recession and Executive Compensation issues duplicated other parties’ efforts, and was not as in depth as other parties’ presentations. For that reason, a reduction to the JP’s activities on the Economic Recession and Executive Compensation issues is appropriate, as described in Comment 1 in Part II.C below.</p>
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C. Additional Comments on Part II:

#	Claimant	CPUC	Comment
1		X	On the Economic Recession issues that the Joint Parties raised, a substantial contribution was made to D.13-05-010. Although the Joint Parties did not propose specific reductions for most of the cost categories, they did raise concerns about the state of the economy and how the utilities’ proposed rate increases would affect low income ratepayers. The Joint Parties’ Economic Recession arguments, and the economic concerns raised by other parties, influenced the Commission’s overall approach towards analyzing the utilities’ proposed rate increases and for making appropriate reductions in various cost categories.

			<p>(See D.13-05-010 at 10-14.)</p> <p>However, as a review of D.13-05-010 shows, ORA, The Utility Reform Network (TURN), and the Utility Consumers’ Action Network (UCAN) raised similar economic concerns, and presented more in-depth analyses and recommendations for many of the cost categories at issue in this proceeding. Due to the overlapping duplicative concerns about the state of the economy and its effect on ratepayers, and the Joint Parties’ generic economic arguments as compared to the other parties’ specific economic analyses for the various cost categories, it is reasonable to reduce the Joint Parties’ compensation for these economic-related issues by three-quarters.</p>
2		X	<p>On the “Supplier Diversity and Employment Diversity” issues that the Joint Parties raised, no substantial contribution was made to D.13-05-010 because none of the factual or legal arguments that they raised were adopted in whole or in part by the Commission or influenced the Commission’s decision.</p> <p>D.13-05-010 at 682 specifically stated that “the recommendations of the Joint Parties concerning the Applicants’ relationships with diverse business enterprises are issues that should have been brought up in Rulemaking (R.) 09-07-027, which addressed changes to General Order (GO) 156, or should be raised in a future proceeding addressing changes to GO 156. Since the changes that the Joint Parties seek affect specific provisions addressed in GO 156, we refrain in this decision from making the changes the Joint Parties have recommended, and do not adopt the Joint Parties’ recommendations concerning diverse business enterprises.”</p> <p>Although the Joint Parties list “Employment Diversity” as part of the activities included under the category of “Supplier Diversity and Employment Diversity,” we note that the Joint Parties did not raise any issues concerning the workplace diversity activities of either SDG&E or SoCalGas. (See D.13-05-010 at Sections 14.6.2 and 14.6.3.)</p>
3		X	<p>On the “Pension Practices” issues that the Joint Parties raised, no substantial contribution was made to D.13-05-010 because none of the factual or legal arguments, and the motion to accept the supplemental testimony, were adopted or granted by the Commission.</p> <p>Although the Joint Parties expressed concern about the Applicants’ executive pension benefits, and the pension benefits of their employees, the Commission stated that it was “not persuaded by the Joint Parties arguments that these pension benefits should be changed in the manner suggested by the Joint Parties.” (D.13-05-010 at 896.)</p>
4		X	<p>Although D.13-05-010 did not adopt the recommendations of the Joint</p>

			<p>Parties on “Executive Compensation” issues, the Joint Parties raised concerns about the state of the economy and the economic situation of ratepayers. These concerns in turn affected the reasoning for reducing various components of the Executive Compensation, and for disallowing ratepayer funding of the costs of the long term incentive compensation program for SDG&E and SoCalGas. (See D.13-05-010 at 880, footnote 165, and at 884.) Thus, a substantial contribution was made to D.13-05-010 on the Executive Compensation issues by the Joint Parties.</p> <p>However, as a review of D.13-05-010 reveals, DRA, TURN, and UCAN raised similar concerns about the Executive Compensation issues, and presented more in-depth analyses and recommendations for the Executive Compensation cost categories at issue in this proceeding. Due to these overlapping arguments about the state of the economy and its effect on ratepayers and the amount of Executive Compensation that should be allowed, and the Joint Parties’ generic economic concerns as opposed to the other parties’ specific economic analyses for the various Executive Compensation cost categories, it is reasonable to reduce the Joint Parties’ contribution for Executive Compensation issues by three-quarters.</p>
5		X	<p>On the “Nuclear Issues and Outreach” issues that the Joint Parties raised, no substantial contribution was made to D.13-05-010 because none of the factual or legal arguments, and procedural motions relating to the Nuclear Issues and Outreach were adopted or granted by the Commission or influenced the decision.</p> <p>D.13-05-010 specifically rejected the Joint Parties’ request that the safety, seismic, nuclear economics, and plant relicensing issues associated with SONGS and Pacific Gas and Electric Company’s Diablo Canyon nuclear plant should be consolidated and handled in an expedited proceeding. D.13-05-010 at 591 determined that “those kinds of issues pertaining to SONGS, and to Diablo Canyon, are outside the scope of SDG&E’s GRC proceeding.” D.13-05-010 at 591 also rejected the Joint Parties’ request to conduct a comprehensive survey of ratepayer views on the renewal of SONGS. In addition, D.13-05-010 at 592 rejected the Joint Parties’ recommendation that SDG&E be required to submit and undertake a SONGS-related community outreach and preparation program.</p>
6		X	<p>On the “Auditing Issues” that the Joint Parties raised, no substantial contribution was made to D.13-05-010 because none of the factual or legal contention, and procedural motions relating to the Auditing Issues were adopted or granted by the Commission, or influenced the decision. (See D.13-05-010 at 991-994.)</p>

7	X	<p>On the “General Issues and Procedural Requirements” that the Joint Parties raised, no substantial contribution was made to D.13-05-010 because none of the factual or legal arguments , and procedural recommendations cited in this section of the Joint Parties’ intervenor compensation claim, were adopted by the Commission. Of the three motions cited in the intervenor compensation claim filed by the Joint Parties for these issues, two of the motions were denied, and the November 17, 2011 motion was withdrawn by the Joint Parties. (See May 7, 2011 Ruling; February 7, 2012 Ruling; 12 Reporters’ Transcript 1110.) In addition, other motions filed by the Joint Parties were denied in the August 23, 2011, and January 20, 2012 rulings.</p> <p>However, although the Joint Parties refer to these activities as “General Issues and Procedural Requirements,” this type of work, such as “reviewing briefs of other parties or filings related to procedural or discovery issues, as well as motion practice,” (<i>see</i> Intervenor Compensation Claim at Part II.A.7) are directly related to the six other issue areas that the Joint Parties raised. Thus, some of the work activities associated with the General Issues and Procedural Requirements relate to the Economic Recession and Executive Compensation issues that the Joint Parties raised and made a substantial contribution on, and some of that work activity should be compensated as described in Part III.D.</p>
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PART III: REASONABLENESS OF REQUESTED COMPENSATION

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

<p>a. Concise explanation as to how the cost of Claimant’s participation bears a reasonable relationship with benefits realized through participation:</p> <p>The Joint Parties’ advocacy reflected in D.13-05-010 addressed broad policy matters from the perspective of for low-income communities and communities of color. For the most part, the Joint Parties cannot easily identify precise monetary benefits to ratepayers from their work related to D.13-05-010, given the complex nature of the issues presented.</p> <p>Furthermore, the Joint Parties’ issues are not conducive to easy quantification of benefit. The issues raised, and the benefits that accrue from diversity of hiring, supplier diversity, customer outreach, and nuclear policy, are not readily quantifiable.</p>	<p>CPUC Verified</p> <hr/> <p>As described in this decision, the Joint Parties’ arguments regarding the state of the economy, and the economic impact on low income ratepayers, as well as the other parties’ economic concerns, affected the Commission’s approach, analyses, and reductions</p>
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	to certain cost categories in D.13-05-010.																
<p>b. Reasonableness of Hours Claimed.</p> <p>The Request for Compensation includes approximately 969 total hours for the Joint Parties’ attorneys and staff. The Joint Parties submit that this is a reasonable amount of time, given the complex and extensive issues examined, as well as the wide variety resulting in D.13-05-010. These hours were devoted to substantive pleadings as well as to procedural matters.</p> <p>The Joint Parties’ request is also reasonable because they were as efficient as possible in staffing this proceeding. This proceeding initially took place primarily when Mr. Gnaizda was the only full-time member of the legal staff. When Ms. Swaroop joined the staff in August 2011, she was a full-time member of the staff, but was not able to take over a case of this complexity and magnitude of the issues. Once Ms. Swaroop joined the legal team, Ms. Swaroop was utilized as much as could be possible given Mr. Gnaizda’s expertise in the case that was already progressing.</p> <p>The Joint Parties’ request also includes [33.9] hours devoted to the preparation of this request for compensation. Mr. Lewis prepared this claim, avoiding the need for any of Mr. Gnaizda’s time, which is several times more costly.</p>	<p><i>See</i> Part III.D for how the number of compensable hours was calculated.</p>																
<p>c. Allocation of Hours by Issue</p> <table border="1" data-bbox="191 1213 1154 1520"> <tr> <td>A. Economic Recession</td> <td>12.84%</td> </tr> <tr> <td>B. Supplier Diversity/Employment Diversity</td> <td>5.52%</td> </tr> <tr> <td>C. Pension-Related Issues</td> <td>5.94%</td> </tr> <tr> <td>D. Executive Compensation</td> <td>6.87%</td> </tr> <tr> <td>E. Nuclear Issues</td> <td>4.41%</td> </tr> <tr> <td>F. Auditing Issues</td> <td>7.42%</td> </tr> <tr> <td>G. General Issues and Procedural Requirements</td> <td>56.94%</td> </tr> <tr> <td>Total</td> <td>100%</td> </tr> </table>	A. Economic Recession	12.84%	B. Supplier Diversity/Employment Diversity	5.52%	C. Pension-Related Issues	5.94%	D. Executive Compensation	6.87%	E. Nuclear Issues	4.41%	F. Auditing Issues	7.42%	G. General Issues and Procedural Requirements	56.94%	Total	100%	<p><i>See</i> Part II.C, Comment #7, and Part III.D.</p>
A. Economic Recession	12.84%																
B. Supplier Diversity/Employment Diversity	5.52%																
C. Pension-Related Issues	5.94%																
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E. Nuclear Issues	4.41%																
F. Auditing Issues	7.42%																
G. General Issues and Procedural Requirements	56.94%																
Total	100%																

B. Specific Claim:*

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate	Basis for Rate*	Total \$	Hours	Rate	Total \$
Robert Gnaizda	2010	19.2	\$535	D.12-07-[0]15	\$10,272.00	6.28	\$535	\$3,359.80
Robert Gnaizda	2011	324.6	\$535	D.12-07-[0]15	\$173,661.00	86.52	\$535	\$46,288.20
Robert Gnaizda	2012	102.5	\$545	Attachment B	\$55,862.50	28.32	\$545	\$15,434.40
Robert Gnaizda	2013	59.5	\$545	Attachment B	\$32,427.50	20.97	\$555 ³	\$11,638.35
Shalini Swaroop	2011	178.9	\$215	Attachment C	\$38,463.50	67.03	\$180	\$12,065.40
Shalini Swaroop	2012	128.2	\$220	Attachment C	\$28,204.00	42.49	\$185	\$7,860.65
Aaron Lewis	2013	26.9	\$195	Attachment H	\$5,245.50	12.33	\$185	\$2,281.05
Faith Bautista	2010	1.5	\$300	Attachment D	\$450.00	0.69	\$150 ⁴	\$103.50
Faith Bautista	2011	29.9	\$300	Attachment D	\$8,970.00	6.96	\$150	\$1,044.00
Faith Bautista	2012	1.4	\$306	Attachment D	\$428.00	0.64	\$155	\$99.20
Faith Bautista	2013	12.4	\$306	Attachment D	\$3794.40	5.27	\$160	\$843.20
Len Canty	2010	1.5	\$300	Attachment E	\$450.00	0.69	\$150	\$103.50
Len Canty	2011	23.2	\$300	Attachment E	\$6,960.00	4.08	\$150	\$612.00
Len Canty	2012	0.3	\$300	Attachment E	\$90.00	0.14	\$155	\$21.70
Jorge Corralejo	2010	1.5	\$300	Attachment F	\$450.00	0.69	\$150	\$103.50
Jorge Corralejo	2011	20.7	\$300	Attachment F	\$6,210.00	4.92	\$150	\$738.00

³ Application of 2.0% COLA adopted by Resolution ALJ-287.

⁴ Adopted in Decision (D.) 12-07-015.

Jorge Corralejo	2012	0.3	\$306	Attachment F	\$91.80	0.14	\$155	\$21.70
Jorge Corralejo	2013	0.2	\$306	Attachment F	\$61.20	0.09	\$160	\$14.40
Michael Phillips	2011	19.3	\$383	Attachment G	\$7,391.90	2.38	\$380	\$904.40
Michael Phillips	2012	0.4	\$391	Attachment G	\$156.40	0.09	\$390	\$35.10
Subtotal:					\$379,364.30	Subtotal:		\$103,572.05
OTHER FEES								
Item	Year	Hours	Rate	Basis for Rate*	Total \$	Hours	Rate	Total \$
Aaron Lewis	2010	1.2	\$110	See Comment 2 below.	\$132.00	0.55	\$90	\$49.50
Aaron Lewis	2011	16.3	\$110	See Comment 2 below.	\$1,793.00	6.83	\$90	\$614.70
Subtotal:					\$1,925.00	Subtotal:		\$664.20
INTERVENOR COMPENSATION CLAIM PREPARATION ****								
Item	Year	Hours	Rate	Basis for Rate*	Total \$	Hours	Rate	Total \$
Aaron Lewis	2013	33.9	\$97.50	Attachment H	\$3,305.25	33.9	\$90	\$3,051.00
Subtotal:					\$3,305.25	Subtotal:		\$3,051.00
COSTS								
#	Item	Detail			Amount	Amount		
1	Parking	Parking for legal staff when attending Commission proceedings.			\$77.00			\$0.00
Subtotal:					\$77.00	Subtotal:		\$0.00
TOTAL REQUEST \$:					\$384,947.35	TOTAL AWARD \$:		\$107,287.25

* 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 seeks 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.

** Reasonable claim preparation time typically compensated at ½ of preparer’s normal hourly rate.			
ATTORNEY INFORMATION			
Attorney	Date Admitted to CA BAR⁵	Member Number	Actions Affecting Eligibility (Yes/No?) If “Yes”, attach explanation
Robert Gnaizda	January 9, 1962	32148	No
Shalini Swaroop	June 11, 2010	270609	No
Aaron Lewis	December 5, 2012	285526	No

C. Attachments Documenting Specific Claim and Comments on Part III:

Attachment or Comment #	Description/Comment
1	Certificate of Service
2	<p>2010 and 2011 Rate for Law Student Aaron Lewis</p> <p>In D.12-07-015, Aaron Lewis was awarded a compensation rate of \$90 per hour for work performed just after his first year of law school. Since that time, Mr. Lewis has spent one summer working for the Hon. Thelton Henderson at the federal court of the Northern District of California. In addition, Mr. Lewis has volunteered for the Joint Parties during both his last two academic years as a law student at the University of California at Hastings. Thus, he is now a much more experienced advocate.</p> <p>Of particular note is that law students that have been awarded a compensation rate of \$110 per hour (D.12-04-042) or \$100 per hour (D.11-03-025) were simultaneously receiving academic credits at law school for their work before the CPUC. Mr. Lewis can make no such claim. Intervenor compensation before this Commission is his only opportunity for remuneration for work performed in this matter.</p>
Attachment A	Time Recording for Attorneys, Experts, and Staff
Attachment B	2012 and 2013 Hourly Rate for Counsel Robert Gnaizda
Attachment	2011 and 2012 Hourly Rate for Shalini Swaroop

⁵ This information may be obtained through the State Bar of California’s website at <http://members.calbar.ca.gov/fal/MemberSearch/QuickSearch> .

C	
Attachment D	2010, 2011, 2012, and 2013 Hourly Rate for Expert Faith Bautista
Attachment E	2010, 2011, 2012, and 2013 Hourly Rate for Expert Len Canty
Attachment F	2010, 2011, 2012, and 2013 Hourly Rate for Expert Jorge Corralejo
Attachment G	2010, 2011 and 2012 Hourly Rate for Michael Phillips
Attachment H	2012 and 2013 Hourly Rate for Counsel Aaron Lewis

D. CPUC Disallowances & Adjustments:

#	Reason
1. Disallowance for duplication of efforts and failure to make a substantial contribution.	<p>The following describes how we derived the intervenor compensation award for the Joint Parties. As described above, the Joint Parties made two substantial contributions on the issues of “Considering the Rate Increase in the Context of the Economic Recession” (Economic Recession) and “Executive Compensation.” As set forth in the Joint Parties’ Intervenor Compensation Claim and in Part III.A.c of this decision, the first and second set of issues amount to 12.84% and 6.87% of the Joint Parties’ work activities, respectively. As described in Part II.C of this decision, if the “General Issues and Procedural Requirements” are apportioned among the other six issues that the Joint Parties raised, the Economic Recession and Executive Compensation issues would account for 45.83% of the work effort on the General Issues and Procedural Requirements.</p> <p>Next, we then added the hours spent by the Joint Parties on the Economic Recession and Executive Compensation issues, and applied the 45.83% apportionment factor to the hours spent on General Issues and Procedural Requirements, to derive the hours of work that should be compensated for the Joint Parties’ substantial contributions.</p> <p>As described in Part II.B, since the Joint Parties’ Economic Recession and Executive Compensation issues were duplicative of other parties’ efforts, and because the Joint Parties did not present their arguments in depth, we then reduced the total hours worked on these three work activities by three fourths.</p>
2. Disallowance for parking costs.	<p>The Commission does not compensate intervenors for routine travel costs.⁶ Routine travel costs are defined as travel of less than 120 miles. The parking costs/travel costs claimed by Joint Parties are for travel of less than 120 miles.</p>

⁶ See Decision (D.) 10-11-032.

3. Adoption of Robert Gnaizda's hourly rate(s).	Joint Parties seek an hourly rate of \$535 for Robert Gnaizda's work in 2010 and 2011 and an hourly rate of \$545 for Gnaizda's work in 2012. The Commission adopted a 2010 and 2011 hourly rate for Gnaizda of \$535 in D.12-07-015. We apply these rates here. We apply the 2.2% Cost-Of-Living-Adjustment (COLA) adopted by the Commission in Resolution ALJ-281 to adopt an hourly rate of \$545 for Gnaizda's 2012 work in this proceeding. Furthermore, we apply the 2.0% COLA adopted by Resolution ALJ-287 to adopt an hourly rate of \$555 for Gnaizda's 2013 work in this proceeding.
4. Adoption of Shalini Swaroop's hourly rate(s).	Joint Parties seek the rate of \$215 for 2011 and \$220 for 2012 for work Swaroop completed in this proceeding. The Commission does not have a pre-established hourly rate for Swaroop's work in Commission proceedings. As such, the Commission defers to Resolution ALJ-281 in establishing an hourly rate reflective of Swaroop's experience. Swaroop became a licensed attorney in June 2010 and had approximately one-year of experience as an attorney when she began working on this proceeding. Resolution ALJ-281 sets 2011 attorney hourly rates with 0-2 years of experience at \$150-\$205 per hour. The resolution sets 2012 attorney hourly rates at \$155-\$210 per hour. Swaroop's experience coupled with ALJ-281's guidelines supports the Commission's adoption of Swaroop's 2011 hourly rate of \$180 and 2012 hourly rate of \$185.
5. Adoption of Faith Bautista's hourly rate(s).	Joint Parties seek an hourly of \$300 for 2010-2011 and \$306 for 2012-2013 for work Bautista completed in this proceeding. The Commission has pre-established hourly rates for Bautista, adopted by D. 12-07-015. For 2010 and 2011, the Commission applies the rate of \$150 per hour for work Bautista completed in this proceeding. For 2012, the Commission applies the 2.2% COLA adopted by Resolution ALJ-281, and adopts Bautista the rate of \$155 per hour. For 2013, the Commission applies the 2.0% COLA adopted by Resolution ALJ-287, and adopts Bautista the rate of \$160 per hour.
6. Adoption of Len Canty's hourly rate(s).	Joint Parties seek an hourly rate of \$300 for Canty's work in this proceeding. The Commission has pre-established hourly rates for Canty, adopted by D. 12-07-015. For 2010 and 2011, the Commission adopted the hourly rate of \$150 per hour. We apply those rates here. For 2012, the Commission adopts a rate of \$155 per hour reflective of both the 2.2% COLA in Resolution ALJ-281 and Canty's years of experience.
7. Adoption of Jorge Corralejo's hourly rate(s).	Joints Parties seek an hourly rate of \$300 for Corralejo's work in this proceeding. The Commission has pre-established hourly rates for Corralejo, adopted by D. 12-07-015. For 2010 and 2011, the Commission adopted the rate of \$150. We apply those rates here. For 2012, the Commission applies the 2.2% COLA adopted by Resolution ALJ-281, and adopts Corralejo the rate of \$155 per hour. For 2013, the Commission applies the 2.0% COLA adopted by Resolution ALJ-287, and adopts Corralejo the rate of \$160 per hour.
8. Adoption of Michael Phillips' hourly rate(s).	Joint Parties seek an hourly rate of \$383 for Phillips' work in this proceeding. The Commission adopted a 2010 hourly rate of \$360 for Phillips in D. 12-04-033. The Commission grants the requested 5% step increase for Phillips in 2011 to

	adopt an hourly rate of \$380. The Commission applies the 2.2% COLA adopted by Resolution ALJ-281 for Phillips' 2012 rate, and adopts the rate of \$390 per hour.
9. Adoption of Aaron Lewis' hourly rate(s).	Joint Parties seek an hourly rate of \$110 for Lewis' work in 2010-2011 and a rate of \$195 for his work in 2013. In D. 12-07-015 the Commission adopted Lewis the rate of \$90 per hour while performing work as a legal intern. Having only become licensed in 2012, we apply the \$90 hourly rate for Lewis' work in 2010 and 2011 in this proceeding. For 2013, Lewis falls into the 0-2 year range of experience for attorneys, pursuant to Resolution ALJ-287. As such, we adopt the rate of \$180 per hour for work Lewis completed in this proceeding in 2013.

PART IV: OPPOSITIONS AND COMMENTS

A. Opposition: Did any party oppose the Claim?	No
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B. Comment Period: Was the 30-day comment period waived (see Rule 14.6(c)(6))?	No
<p>The Joint Parties filed comments on the Proposed Decision. However, the comments do not make specific references to the record or to the applicable law to support their position as required by Rule 14.3. Accordingly, no changes have been made to this decision.</p>	

FINDINGS OF FACT

1. Black Economic Council, National Asian American Coalition, and Latino Business Chamber of Greater Los Angeles rely on the July 8, 2011 ALJ ruling in A.10-11-015 to support their claim as eligible as Category 3 customers in their NOI in A.10-12-005 and A.10-12-006
2. The July 8, 2011 ALJ ruling in A.10-11-015 required Black Economic Council, National Asian American Coalition, and Latino Business Chamber of Greater Los Angeles to submit signed bylaws with their claim in A.10-11-015 to uphold its preliminary finding of eligibility as Category 3 customers, defined by § 1802(b)(1).
3. Black Economic Council, National Asian American Coalition, and Latino Business Chamber of Greater Los Angeles did not file signed bylaws in A.10-11-015, thereby invalidating the July 8, 2011 ruling marking the parties' preliminary eligible as Category 3 customers.
4. On May 12, 2014, Latino Business Chamber of Greater Los Angeles submitted signed bylaws completing the statutory requirements of § 1802(b)(1) and establishing eligibility as a Category 3 customer.

5. On May 16, 2014, National Asian American Coalition submitted signed bylaws completing the statutory requirements of § 1802(b)(1) and establishing eligibility as a Category 3 customer.
6. Black Economic Council does not have signed bylaws on file with the Commission and has not satisfied the requirements of Public Utilities Code § 1802(b)(1) for a finding of eligibility as Category 3 customers.
7. Black Economic Council, National Asian American Coalition, and Latino Business Chamber of Greater Los Angeles made a substantial contribution to D.13-05-010 on the Economic Recession and Executive Compensation issues, but only Latino Business Chamber of Greater Los Angeles and National Asian American Coalition are customers eligible for compensation, pursuant to § 1802(b)(1).
8. Black Economic Council, National Asian American Coalition, and Latino Business Chamber of Greater Los Angeles's participation in this proceeding on the Economic Recession and Executive Compensation issues overlapped with the similar concerns raised by The Office of Ratepayer Advocates, The Utility Reform Network and the Utility Consumers' Action Network.
9. The hourly rates for the representatives of Black Economic Council, National Asian American Coalition, and Latino Business Chamber of Greater Los Angeles, as adjusted herein, are comparable to the market rates paid to experts and advocates having comparable training and experience and offering similar services, and consistent with the past hourly rates awarded to Black Economic Council, National Asian American Coalition, and Latino Business Chamber of Greater Los Angeles' representatives.
10. The claimed costs and expenses, as adjusted herein, are reasonable and commensurate with the work performed.
11. The total of the reasonable compensation is \$107,287.25.

CONCLUSIONS OF LAW

1. Black Economic Council, National Asian American Coalition, and Latino Business Chamber of Greater Los Angeles made a substantial contribution to D.13-05-010 because their arguments regarding the state of the economy and the economic impact on low income ratepayers, as well as the other parties' economic concerns, affected the Commission's approach, analyses, and reductions to certain cost categories in D.13-05-010.
2. Black Economic Council, National Asian American Coalition, and Latino Business Chamber of Greater Los Angeles' intervenor compensation claim, as adjusted herein, satisfies the requirements of Public Utilities Code §§ 1801-1812.

ORDER

1. National Asian American Coalition and Latino Business Chamber of Greater Los Angeles, are awarded \$107,287.25
2. Within 30 days of the effective date of this decision, San Diego Gas & Electric Company (SDG&E) and Southern California Gas Company (SoCalGas) shall pay National Asian American Coalition and Latino Business Chamber of Greater Los Angeles, the award. We direct SDG&E and SoCalGas to allocate payment responsibility among themselves, based on their respective electric and gas revenues, to reflect the year in which the proceeding was primarily litigated. Payment of the award shall include compound interest at the rate earned on prime, three-month non-commercial paper as reported in Federal Reserve Statistical Release H.15, beginning July 30, 2014, the 75th day after the request of Black Economic Council, National Asian American Coalition, and Latino Business Chamber of Greater Los Angeles' was completed, and continuing until full payment is made.
3. The comment period for today's decision is not waived.
4. This decision is effective today.

Dated _____, at San Francisco, California.

APPENDIX A

Compensation Decision Summary Information

Compensation Decision:		Modifies Decision?	No
Contribution Decision(s):	D1305010		
Proceeding(s):	A1012005, A1012006		
Author:	ALJ Wong		
Payer(s):	San Diego Gas & Electric Company, Southern California Gas Company		

Intervenor Information

Intervenor	Claim Date	Amount Requested	Amount Awarded	Multiplier?	Reason Change/Disallowance
Black Economic Council, National Asian American Coalition, and Latino Business Chamber of Greater Los Angeles (Joint Parties)	07/12/2013 Date of Claim's Completion May 16, 2014	\$384,947.35	\$107,287.25	No	No substantial contribution made in other issue areas. In addition, reduction made due to duplication of effort by other parties and lack of specific analyses by the Joint Parties. Consistent with hourly fees previously awarded to the Joint Parties' representatives, the hourly fees have been reduced from what was requested. Change in hourly rates.

Advocate Information

First Name	Last Name	Type	Intervenor	Hourly Fee Requested	Year Hourly Fee Requested	Hourly Fee Adopted
Robert	Gnaizda	Attorney	Joint Parties	\$535	2010	\$535
Robert	Gnaizda	Attorney	Joint Parties	\$535	2011	\$535
Robert	Gnaizda	Attorney	Joint Parties	\$545	2012	\$545
Robert	Gnaizda	Attorney	Joint Parties	\$545	2013	\$555
Shalini	Swaroop	Attorney	Joint Parties	\$215	2011	\$180
Shalini	Swaroop	Attorney	Joint Parties	\$220	2012	\$185
Aaron	Lewis	Law Clerk	Joint Parties	\$110	2010	\$90

Aaron	Lewis	Law Clerk	Joint Parties	\$110	2011	\$90
Aaron	Lewis	Attorney	Joint Parties	\$195	2013	\$180
Faith	Bautista	Advocate	Joint Parties	\$300	2010	\$150
Faith	Bautista	Advocate	Joint Parties	\$300	2011	\$150
Faith	Bautista	Advocate	Joint Parties	\$306	2012	\$155
Faith	Bautista	Advocate	Joint Parties	\$306	2013	\$160
Len	Canty	Advocate	Joint Parties	\$300	2010	\$150
Len	Canty	Advoate	Joint Parties	\$300	2011	\$150
Len	Canty	Advocate	Joint Parties	\$300	2012	\$155
Jorge	Corralejo	Advocate	Joint Parties	\$300	2010	\$150
Jorge	Corralejo	Advocate	Joint Parties	\$300	2011	\$150
Jorge	Corralejo	Advocate	Joint Parties	\$306	2012	\$155
Jorge	Corralejo	Advocate	Joint Parties	\$306	2013	\$160
Michael	Phillips	Expert	Consultant	\$383	2011	\$380
Michael	Phillips	Expert	Consultant	\$391	2012	\$390

(END OF APPENDIX)