

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Southern California Edison Company (U338E) to Establish Marginal Costs, Allocate Revenues, Design Rates, and Implement Additional Dynamic Pricing Rates.

Application 11-06-007
(Filed June 6, 2011)

**DECISION GRANTING COMPENSATION TO THE UTILITY REFORM NETWORK
FOR SUBSTANTIAL CONTRIBUTION TO DECISION 13-03-031**

Claimant: The Utility Reform Network	For contribution to D.13-03-031
Claimed (\$): \$182,406.44	Awarded (\$): 182,277.94 (reduced 0.07%)
Assigned Commissioner: Michael Peevey	Assigned ALJ: Stephen C. Roscow

PART I: PROCEDURAL ISSUES

A. Brief Description of Decision:	This decision addresses the application of Southern California Edison Company (SCE) to establish marginal costs, allocate revenues, and design rates for service provided to its customers during its Test Year 2012 General Rate Case cycle. The decision adopts without modification proposed settlement agreements related to marginal costs and revenue allocation, as well as rate design for residential customers, medium and large power commercial customers, agricultural and pumping customers, and street light and traffic control customers. The decision also approves, with modifications, the proposed settlement addressing small commercial and industrial customer rate design. The rates approved in D.13-03-031 will take effect no earlier than April 1, 2013.
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B. Claimant must satisfy intervenor compensation requirements set forth in Public Utilities Code §§ 1801-1812:

	Intervenor	CPUC Verified
Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):		
1. Date of Prehearing Conference:	Sept. 12, 2011	Correct.
2. Other Specified Date for NOI:	N/A	N/A
3. Date NOI Filed:	Oct. 12, 2011	Correct.
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:	<i>See Comment #1</i>	Correct.
6. Date of ALJ ruling:	<i>See Comment #1</i>	Correct.
7. Based on another CPUC determination (specify):	<i>See Comment #1</i>	Correct.
8. Has the Claimant demonstrated customer or customer-related status?		Yes.
Showing of “significant financial hardship” (§ 1802(g)):		
9. Based on ALJ ruling issued in proceeding number:	Petition 10-08-016	Correct.
10. Date of ALJ ruling:	Nov. 22, 2010	Correct.
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.13-03-031	Correct.
14. Date of Issuance of Final Order or Decision:	Apr. 2, 2013	Correct.
15. File date of compensation request:	Jun. 3, 2013	Correct.
16. Was the request for compensation timely?		Yes.

C. Additional Comments on Part I

#	Claimant	CPUC	Comment
1	X		TURN understands that the ALJ Division has adopted a practice of only issuing a formal ruling on an intervenor’s notice of intent if the intervenor is seeking to demonstrate significant financial hardship, rather than relying on the rebuttable presumption created by an earlier finding of hardship. TURN’s showing on financial hardship (relying on the rebuttable presumption) and customer status was contained in our NOI. TURN has previously been found to satisfy these two standards -- for example <i>see</i> ALJ ruling on January 3, 2012 in R.11-11-008.

PART II: SUBSTANTIAL CONTRIBUTION

A. In the fields below, describe in a concise manner Claimant’s contribution to the final decision (see § 1802(i), § 1803(a) & D.98-04-059).

Intervenor’s Claimed Contribution(s)	Specific References to Intervenor’s Claimed Contribution(s)	CPUC Discussion
<p><u>Residential Rate Design – Withdrawal of SCE’s Customer Charge Proposal</u></p> <p>TURN argued in its protest that SCE’s proposal for increases to its fixed residential customer charge violated state law, as the Commission had recently concluded in D.11-05-047, issued in A.10-03-014 (to which SCE had been an active party). TURN urged the Commission to direct SCE to re-file its application in compliance with the conclusions reached in that decision, rather than permit SCE to re-litigate the same issue in this docket.</p> <p>SCE voluntarily withdrew its customer charge proposal and submitted updated testimony without this element on October 7, 2011.</p>	<ul style="list-style-type: none"> • TURN Protest, at 1-3 • D.13-03-031, at 3 (“On October 7, 2011, SCE revised its initial testimony, primarily to remove its initial proposal to increase its current residential customer charge.”) • <i>Assigned Commissioner and Administrative Law Judge’s Scoping Memo</i>, at 3 (explaining that SCE announced at the PHC that it would revise its original June 6, 2011 testimony to remove the proposal to increase its current residential customer charge) • <i>See also</i> Reporter’s Transcript, PHC, Sept. 12, 2011, at 13, lines 1-9 (SCE/Reed): “What we have done after some further consideration is to decide that to avoid any premature consideration of this issue in this proceeding, which obviously we are not proposing to relitigate it at all -- we were waiting for the Commission or an Appeals Court to take action on it -- we are now planning to defer consideration of it to some future proceeding.” 	Verified.
<p><u>Residential Rate Design – Rejection of SCE’s Proposed Changes to Baseline Quantities</u></p> <p>TURN opposed SCE’s proposal to reduce the baseline allowance from 55% of average usage in each climate zone to the statutory minimum of 50% for all residential customers (other than all-electric customers). TURN also opposed SCE’s</p>	<ul style="list-style-type: none"> • Testimony Garrick F. Jones and William B. Marcus on Behalf of TURN, at 53-83 • D.13-03-031, Attachment B, Residential Rate Group Settlement Agreement § 4(i) and Appendix A, at A-1 (Comparison of Parties’ Positions and Settlement) 	Verified.

<p>proposal to adopt separate baseline allowances for single family (SF) and multi-family (MF) customers within each climate zone, including a much lower baseline allowance for MF customers than for SF customers. SCE’s proposal would have resulted in more of MF customers’ usage being billed at upper tier rates, thus increasing bills. TURN presented analysis showing that MF customers use less electricity, have less peaky load profiles (use less on-peak electricity), are all-around less costly to serve by the utility, and additionally tend to be lower income than SF residents. TURN argued that SCE’s proposed baseline changes should be rejected because they would harm lower income and smaller users.</p> <p>D.13-03-031 adopts the multi-party settlement agreement on residential rate design issues, which resolved these baseline allowance issues. The settlement reflects a compromise of positions held by TURN and other parties. The settlement reduces the baseline allowance from 55% to 53%, instead of SCE’s proposed 50%, ensuring that smaller users benefit because more usage is billed at the lowest rate compared to SCE’s proposal. The settlement also continues SCE’s current practice of using the same baseline allowance for all customers within a climate zone, rather than distinguishing between SF and MF residents, likewise benefiting CARE customers and smaller users.</p>		
<p><u>Residential Rate Design – Treatment of PTR Credits</u></p> <p>TURN addressed SCE’s proposed treatment of Peak Time Rebate (PTR) credits during the course of settlement negotiations on residential rate design issues. (TURN did not address this issue in testimony.) The settlement agreement adopted by D.13-03-031 includes SCE’s proposal to allocate the cost of 80 percent of PTR credits to residential customers and 20 percent to all</p>	<ul style="list-style-type: none"> • D.13-03-031, Attachment B, Residential Rate Group Settlement Agreement § 4(g) 	<p>Verified.</p>

<p>customer groups, but, as a result of TURN’s advocacy, additionally requires SCE to study actual PTR program results to determine the extent to which the PTR program yields demand response versus random customer load drops. Specifically, the settlement agreement requires SCE to initially evaluate the extent to which the Summer 2012 PTR program results yields demand response versus random customer load drops and provide this initial study and all supporting data to TURN and DRA by December 31, 2012. SCE must also conduct a study to evaluate the Summer 2013 PTR program results and provide the study and all supporting data to TURN and DRA. The Settlement Agreement provides for the Settling Parties or SCE to seek PTR program changes based on the results of these studies under specified circumstances.</p>		
<p><u>Residential Rate Design - Submetering Discount for Mobilehome Parks</u></p> <p>TURN conducted discovery and participated in settlement negotiations prior to the preparation of rebuttal testimony which would have addressed the proposals of the Western Manufactured Housing Communities Association (WMA) regarding the submetering discount provided under Schedule DMS-2. Because TURN, SCE, and WMA were ultimately able to settle this issue, the need for rebuttal testimony was obviated.</p> <p>As explained in the Motion for Adoption of Residential Rate Group Settlement Agreement: "SCE also proposed revised rates related to the submetering discount provided under Schedule DMS-2 and other related submetering tariffs. For Schedule DMS-2, SCE proposed a cost-of-service discount of 36.5 cents per space per day, a diversity benefit adjustment (DBA) of 23.6 cents per space per day, and a Minimum Average Rate (MAR) of 5.9 cents per kWh (corrected value). WMA proposed a cost-of-service discount of 45.5 cents per space per day, a diversity benefit adjustment</p>	<ul style="list-style-type: none"> • Motion for Adoption of Residential Rate Group Settlement Agreement, at 4 (presenting the positions of TURN, WMA, and SCE, the only parties to address this issue) • D.13-03-031, Attachment B, Residential Rate Group Settlement Agreement § 4(o) and Appendix A, at A-2 (Comparison of Parties’ Positions and Settlement of Submetering Issues). 	<p>Verified.</p>

<p>(DBA) of 20.6 cents per space per day but using a matrix of 114 values to reflect differences in park usage, climate region, and CARE saturation, and a change to the calculation of the MAR. TURN proposed a cost-of-service discount of 28 cents per space per day and proposed to calculate the DBA using the tier rates and charges in Schedule D, as implemented in this proceeding, which would reflect the residential rate design changes agreed upon in the Settlement Agreement." (Motion, Res. Rate Design Settlement, at 4.) TURN also supported SCE's MAR.</p> <p>D.13-03-031 adopts the settlement agreement which changes the cost-of-service discount for customers who provide submetered electric service on Schedule DMS-2 to \$0.330 per space per day, which is within the range of dispute (WMA at 45.5 cents, SCE at 36.5 cents, and TURN at 28 cents) but lower than either WMA's or SCE's position. This discount was derived using SCE's RECC method and the inflation rates and cost of capital assumptions proposed by TURN. The settlement further provides that the DBA is to be calculated using the tier rates and charges in Schedule D, D-CARE and GS-1 as implemented in this proceeding, as TURN proposed, and sets the MAR at 5.9 ¢/kWh, with SCE continuing to apply the MAR on the customer's monthly bill.</p>		
<p><u>Residential Rate Design – Additional Information to Be Provided By SCE in Next GRC Phase 2</u></p> <p>During the course of settlement negotiations pertaining to residential TOU rate design, particularly the on-peak period in SCE's TOU rate schedules, TURN's participation resulted in an agreement that SCE would provide the following information in its next GRC Phase 2:</p> <ul style="list-style-type: none"> • SCE's system load profiles, non-residential load profiles (total MW) and residential load profiles based on the following conditions: (a) 	<ul style="list-style-type: none"> • D.13-03-031, Attachment B, Residential Rate Group Settlement Agreement § 4(q) 	<p>Verified.</p>

<p>peak day; (b) average of 10 days with the highest daily peaks (system); (c) average summer weekday; (d) average summer weekend; (e) average winter weekday; (f) average winter weekend; and (g) average of 10 days with the highest daily peaks in the period from November through February (system).</p> <ul style="list-style-type: none"> • An analysis of the date, time, and amounts of substation "B" bank transformer peaks across SCE's fleet of transformers; and • A quantitative discussion of peak loads on SCE's residential and nonresidential primary distribution feeder lines. <p>The provision of this information, which is enshrined in the settlement agreement adopted by D.13-03-031, will assist all parties and the Commission in considering the appropriate design of TOU rates in SCE's next GRC Phase 2.</p>		
<p><u>Residential Rate Design – Electric Vehicles</u></p> <p>Following the submission of the proposed Residential Rate Group Settlement Agreement, NRDC raised concerns about the proposed changes to SCE's rate schedule for residential customers who charge electric vehicles, are served on a single residential meter, and take service on Schedule TOU-D-TEV. TURN, along with DRA, worked with SCE and NRDC to expeditiously address NRDC's concerns without adverse impacts to the body of residential customers. The result was a modification to the settlement agreement to revise Schedule TOU-D-TEV to minimize bill impacts to the great majority of EV customers without cost shifting to other residential customers. The Commission adopted the settlement agreement as modified to address NRDC's concerns in</p>	<ul style="list-style-type: none"> • See Amendment to Motion for Adoption of Residential Rate Group Settlement Agreement, filed Sept. 11, 2012 • D.13-03-031, at 17 and Ordering Paragraph 2 (approving the Residential Rate Group Settlement Agreement, as amended to reflect changes to § 4(k) regarding TOU-D-TEV) 	<p>Verified.</p>

<p>D.13-03-031.</p>		
<p><u>Marginal Cost / Revenue Allocation Settlement</u></p> <p>In D.13-03-031, the Commission adopted the multi-party settlement resolving all marginal cost and revenue allocation issues. The MC/RA settlement reflects a compromise of positions held by TURN and other parties. The settling parties were able to reach agreement on the allocation of SCE’s total revenue requirement among the rate groups, thereby avoiding the need to litigate and resolve the differences among the parties regarding the methodologies and forecasts used to derive marginal customer costs, marginal generation capacity costs, marginal energy costs, and marginal distribution demand costs. While the settlement agreement adopts marginal cost inputs proposed by various settling parties (including TURN), ultimately, the effect of each of these inputs is muted by the revenue allocation capping mechanism, which played a crucial role in achieving an outcome acceptable to all settling parties.</p> <p>Included with the MC/RA settlement agreement filed with the Commission was a comparison of parties’ positions and the settlement outcome on the various marginal cost and revenue allocation issues. As these tables indicate, TURN prevailed in part or in whole on a number of our specific recommendations.</p> <p>For instance, TURN (and DRA) recommended the NCO methodology for calculating marginal customer costs, while no other party endorsed this methodology. The settlement adopts a hybrid approach which reflects TURN’s advocacy in several regards: a 50:50 ratio of SCE’s RECC and SCE’s NCO marginal customer cost calculations adjusted to use TURN’s RECC input values with the exception of taxes and A&G, and the NCO replacement factor is set at 3.1 percent (SCE proposed 5%, TURN proposed lower replacement rates). The settlement also adopts marginal generation</p>	<ul style="list-style-type: none"> • Testimony Garrick F. Jones and William B. Marcus on Behalf of TURN, at 3-45 (marginal costs) and at 45-53 (revenue allocation) • Motion for Adoption of Marginal Cost and Revenue Allocation Settlement Agreement, filed July 27, 2012, Appendix A (Comparison of Positions and Settlement), at A-1 – A-2 (Marginal Cost Comparison Exhibit) • Motion for Adoption of Marginal Cost and Revenue Allocation Settlement Agreement, filed July 27, 2012, Appendix A (Comparison of Positions and Settlement), at A-3 – A-6 (Revenue Allocation Comparison Exhibit) • D.13-03-031, Attachment A (Marginal Cost and Revenue Allocation Settlement Agreement) 	<p>Verified.</p>

<p>capacity costs of \$114+ 15% RA adder. This value is lower than that proposed by every party but TURN and DRA. TURN's proposal, \$73, was the lowest number, placing downward pressure on the settled outcome to the benefit of residential customers.</p> <p>As for revenue allocation, the settlement would exclude CARE from the allocation of SGIP program costs, as proposed by TURN. It would also employ revenue allocation capping in the magnitude proposed by TURN. TURN proposed a 4% general rate cap, with a floor of 8% less than system average, whereas the settlement includes a delivery cap of SAPC+4%, a generation cap of SAPC+1.5%, and a rate floor of 6% less than system average. The settlement additionally treats the Agricultural rate groups as a single class for capping, with a compromise capping allocation midway between SCE's and TURN's proposals. TURN was instrumental in creatively devising and modeling various revenue allocation scenarios during settlement negotiations, which ultimately produced the settlement agreement adopted by D.13-03-031.</p> <p>But perhaps most significant of all is the end result for residential customers. While SCE proposed a revenue requirement allocation to residential customers of 2.3% above the system average (Ex. SCE-3, Update Testimony, Oct. 7, 2011), the settled outcome allocates to the residential class just 1.5% above system average (all else being equal). Table B-3 in Appendix B to the MC/RA Settlement Agreement provides an illustration of these impacts assuming a total bundled revenue requirement of \$11.6095 billion (\$4.9311 billion for residential). The 0.8% revenue requirement allocation avoided by the settlement is equal to approximately \$39 million of this illustrative revenue requirement.</p>		
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B. Duplication of Effort (§§ 1801.3(f) & 1802.5):

	Intervenor's Assertion	CPUC Verified
a. Was the Office of Ratepayer Advocates (ORA) a party to the proceeding?¹	Yes	Verified.
b. Were there other parties to the proceeding with positions similar to yours?	Yes	Verified.
c. If so, provide name of other parties: The Greenlining Institute (Greenlining) and the Center for Accessible Technology (CforAT) also addressed the interests of residential customers, though each of these parties focused on a subset of the residential class. According to Greenlining's NOI, Greenlining represented the interests of "low-income and minority residential and small business utility customers in this proceeding," and CforAT represented the interests of residential customers with disabilities. Similarly, the Solar Energy Industries Association (SEIA), who represents "its members throughout California and the country who want a rapid transition to a clean and renewable energy future," (Residential Rate Design Settlement Agreement, at 1) was a very active participant in residential rate design issues, with an interest in promoting rooftop solar.		Verified.
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: TURN coordinated closely with DRA throughout the proceeding, including conferring on strategy about SCE's residential customer charge proposal, coordinating testimony coverage and showings, and working closely together throughout settlement negotiations pertaining to marginal costs/revenue allocation and residential rate design. For purposes of residential rate design, TURN additionally coordinated with other like-minded parties such as Greenlining and CforAT. TURN also coordinated with SEIA, who had overlapping interests with TURN's, during the settlement negotiation process. These parties did not all share the same perspective and argued for somewhat different outcomes with respect to modifications to residential rates. As a result of these differences, TURN, DRA, and SEIA became parties to the residential rate design settlement, while Greenlining and CforAT opposed the settlement. TURN participated in two settlements and played a leading role in both of these settlement processes, thus avoiding duplication by virtue of our unique role. In the marginal cost and revenue allocation settlement process, TURN provided unique technical expertise (in the form of Bill Marcus) and coordinated with DRA and other intervenors to achieve an acceptable outcome on all disputed issues.		Agreed.

¹ The Division of Ratepayer Advocates was renamed the Office of Ratepayer Advocates effective September 26, 2013, pursuant to Senate Bill No. 96 (Budget Act of 2013: public resources), which was approved by the Governor on September 26, 2013.

<p>In the residential rate design settlement negotiation process, TURN coordinated the active intervenors who ultimately became settling parties (on issues related to default residential rates), including DRA and the SEIA. TURN drafted offers and counteroffers on behalf of this group, and also put forth proposed settlement language to address other residential rate design issues, in close coordination with DRA. On MHP submetering discount issues, the only active parties were TURN, SCE and WMA, so no risk of duplication existed.</p> <p>As a result of these efforts, TURN submits that we avoided undue duplication in our participation in this proceeding and complemented the efforts of other parties, where feasible.</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>As demonstrated in the Substantial Contribution section above, TURN’s participation led to substantial benefits for residential ratepayers. For instance, SCE’s withdrawal of its proposal to dramatically increase its customer charge benefitted the majority of residential customers (with the greatest benefits going to CARE customers and small users), who would have paid higher monthly bills if SCE’s proposal had been adopted. Similarly, by avoiding SCE’s proposed reduction to the baseline allowance (to 50%) and proposal to separately calculate the baseline allowance for multifamily and single family customers, TURN’s participation prevented bill increases for CARE customers and smaller users. TURN’s advocacy also resulted in a lower submetering discount for DMS-2 customers than advocated by other parties (SCE and WMA), thus saving the body of ratepayers from paying higher rates to compensate for this discount.</p> <p>TURN also played a crucial role in helping to achieve a marginal cost/revenue allocation settlement that reduces the revenue requirement allocation to residential customers by approximately 0.8% relative to SCE’s updated proposal. This outcome provides a benefit to residential customers of just under \$40 million, based on the illustrative revenue requirement used to model results of the settlement agreement (<i>See</i> D.13-03-031, Appendix A, MC/RA Settlement Agreement, Appendix B, Revenue Allocation Summary Results).</p> <p>Taken together, the benefits obtained by TURN far exceed the cost of TURN’s participation in this proceeding, which was less than \$200,000. TURN’s claim should be found to be reasonable.</p>	<p><u>CPUC Verified</u> Verified.</p>
<p>b. Reasonableness of Hours Claimed.</p> <p>Given the level of success achieved by TURN in this proceeding across a range of issues, TURN submits that the amount of time devoted by staff and consultants is fully reasonable. TURN assigned a number of attorneys to work on various pieces of this</p>	<p>Verified, <i>but see</i> “CPUC Disallowances and Adjustments” in Part III.D.</p>

proceeding. TURN originally assigned Thomas Long to be the lead attorney, with assistance from Matthew Freedman and Nina Suetake. At the end of February 2012, TURN assigned Hayley Goodson to replace Thomas Long, due to Mr. Long's competing and untenable workload constraints. Ms. Goodson has represented TURN in several GRC Phase 2 proceedings, including SCE's last GRC Phase 2. Because of her familiarity with the subject matter at hand, as well as the typical settlement negotiation process in GRC Phase 2 proceedings, she was particularly well-suited to be Mr. Long's replacement and was able to get up to speed in relatively short order.

Mr. Freedman assisted TURN in addressing residential rate design issues throughout this proceeding. Initially, he addressed SCE's proposal to increase its residential customer charge, an issue excluded from SCE's updated testimony (consistent with TURN's urging). During settlement negotiations, Mr. Freedman covered rate design for submetered mobilehome parks (MHPs), an issue he had just litigated extensively in PG&E's TY 2011 GRC Phase 2. He also assisted Ms. Goodson, as necessary, on issues pertaining to rate design for default residential service, given his close involvement with related issues before the California Legislature and in other CPUC rate design proceedings. During those few instances when Ms. Goodson was unavailable, Mr. Freedman was easily able to step in and represent TURN during settlement negotiations.

Ms. Suetake played a much more limited role, advising Ms. Goodson on rate design issues related to the Peak Time Rebate (PTR) program, in addition to her preliminary work early in the proceeding.

JBS Energy, Inc.

Given the complexity of the issues presented in Phase 2 of a General Rate Case, TURN retained the services of JBS Energy, Inc. to assist with the preparation of testimony on a wide range of issues. JBS Energy consultants, led by Bill Marcus, have extensive experience in General Rate Cases and were able to effectively analyze very challenging data. TURN relied heavily on JBS Energy in this proceeding.

Bill Marcus and Garrick Jones assisted TURN with reviewing SCE's application, and they prepared testimony on Marginal Costs, Revenue Allocation, and Residential Rate Design. Mr. Jones prepared testimony on the quantification of marginal generation, distribution, and customer costs. Mr. Marcus testified on revenue allocation, residential rate design, and one technical marginal cost issue relating to the calculation of economic carrying charge rates. Greg Ruzovan conducted extensive analysis of RASS data which directly and substantially informed Mr. Marcus' residential rate design testimony opposing SCE's proposal to adopt a separate baseline allowance for single family and multifamily customers. Mr. Marcus, and to a lesser extent Mr. Jones, also assisted TURN during settlement negotiations.

Last but certainly not least, Jeff Nahigian assisted TURN in the evaluation of SCE's and WMA's testimony on rate design for submetered mobilehome parks, as well as in settlement negotiations related to that issue.

Settlement Negotiations

<p>TURN devoted substantial time to settlement negotiations on Marginal Cost and Revenue Allocation. Settlement negotiations spanned from February 2012 until July 2012, when the motion for adoption of the settlement agreement was filed. In that process, several key individuals were designated by the entire settlement group as leads who could work through details, assist with modeling, and develop a framework for agreement. Bill Marcus was one of these key people without whom a final settlement may not have been possible.</p> <p>While less time-consuming than settlement negotiations on Marginal Cost and Revenue Allocation, settlement negotiations related to residential rate design also demanded a significant amount of TURN's time. Negotiations, for the most part, lasted from March 2012 through July 2012, when the motion for adoption of the settlement agreement was filed. TURN played a very active role in these negotiations, including coordinating the intervenors, as discussed above in Section II.B.d.</p> <p>Given TURN's substantial contributions in this proceeding, as well as the lead role played by TURN's staff and expert consultants during settlement negotiations, the Commission should find that the number of hours claimed by TURN is reasonable.</p>																						
<p>c. Allocation of Hours by Issue</p> <p>TURN has allocated all of our attorney and consultant time by issue area or activity, as evident on our attached timesheets (Attachment 2) and in Attachment 4, which shows the allocation of TURN's time included in this request by attorney or expert and issue / activity area. The following codes relate to specific substantive issue and activity areas addressed by TURN.</p>	Verified.																					
<table border="1"> <thead> <tr> <th data-bbox="191 1161 350 1234">Code</th> <th data-bbox="350 1161 1003 1234">Description</th> <th data-bbox="1003 1161 1227 1234">Allocation of Time</th> </tr> </thead> <tbody> <tr> <td data-bbox="191 1234 350 1339">#</td> <td data-bbox="350 1234 1003 1339">The work in in this category was substantive in nature but not specific to any one issue area addressed by TURN.</td> <td data-bbox="1003 1234 1227 1339">6.8%</td> </tr> <tr> <td data-bbox="191 1339 350 1409">Comp</td> <td data-bbox="350 1339 1003 1409">Intervenor Compensation: work preparing TURN's NOI and Request for Compensation</td> <td data-bbox="1003 1339 1227 1409">3.2%</td> </tr> <tr> <td data-bbox="191 1409 350 1514">EV</td> <td data-bbox="350 1409 1003 1514">The work in this category addressed residential rate design for customers charging electric vehicles at home.</td> <td data-bbox="1003 1409 1227 1514">0.5%</td> </tr> <tr> <td data-bbox="191 1514 350 1583">GH</td> <td data-bbox="350 1514 1003 1583">The work in this category includes participation in hearings.</td> <td data-bbox="1003 1514 1227 1583">1.5%</td> </tr> <tr> <td data-bbox="191 1583 350 1814">GP</td> <td data-bbox="350 1583 1003 1814">The work in this category includes activities associated with general participation in this proceeding, such as TURN's initial review of the applications, reading ALJ procedural rulings, and reading parties' preliminary pleadings as necessary to determine whether TURN should address the issues raised.</td> <td data-bbox="1003 1583 1227 1814">4.0%</td> </tr> <tr> <td data-bbox="191 1814 350 1879">MC</td> <td data-bbox="350 1814 1003 1879">The work in this category addressed marginal cost methodologies and forecasts.</td> <td data-bbox="1003 1814 1227 1879">39.6%</td> </tr> </tbody> </table>	Code	Description	Allocation of Time	#	The work in in this category was substantive in nature but not specific to any one issue area addressed by TURN.	6.8%	Comp	Intervenor Compensation: work preparing TURN's NOI and Request for Compensation	3.2%	EV	The work in this category addressed residential rate design for customers charging electric vehicles at home.	0.5%	GH	The work in this category includes participation in hearings.	1.5%	GP	The work in this category includes activities associated with general participation in this proceeding, such as TURN's initial review of the applications, reading ALJ procedural rulings, and reading parties' preliminary pleadings as necessary to determine whether TURN should address the issues raised.	4.0%	MC	The work in this category addressed marginal cost methodologies and forecasts.	39.6%	
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MC/RA	The work in this category addressed a combination of issues related to marginal costs and revenue allocation which were not readily separable.	8.5%
MHP	The work in this category addressed residential rate design for submetered mobilehome park customers.	6.6%
PD	This work was related to the Proposed Decision which preceded D.13-03-031, where such work was not readily allocated to a specific issue code.	0.2%
PTR	The work in this category addressed SCE's residential Peak Time Rebate program.	0.5%
PTR/TOU	The work in this category addressed a blend of PTR and TOU residential rate design issues.	0.2%
RA	The work in this category addressed revenue allocation among customer classes.	6.2%
RRD	The work in this category addressed default residential rate design (excluding PTR, TOU, and MHP rate design issues).	22.0%
TOU	The work in this category addressed residential Time of Use rate design.	0.3%
TOTAL		100%

TURN submits that under the circumstances this information should suffice to address the allocation requirement under the Commission's rules. Should the Commission wish to see additional or different information on this point, TURN requests that the Commission so inform TURN and provide a reasonable opportunity for TURN to supplement this showing accordingly.

B. Specific Claim:*

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate	Basis for Rate*	Total \$	Hours	Rate	Total \$
Matthew Freedman, TURN Attorney	2011	4.25	\$350	D.12-07-019	\$1,487.50	4.00 [1]	\$350.00	\$1,400.00
Matthew Freedman, TURN Attorney	2012	15.5	\$375	Resolution ALJ-281, plus 5% step increase	\$5,815.60	15.50	\$370.00 <i>See D.13-12-028.</i>	\$5,735.00
Hayley Goodson, TURN	2012	80.50	\$320	D.13-03-027	\$25,760.00	80.00 [2]	\$325.00 <i>See D.13-</i>	\$26,000.00

Attorney							11-022	
Hayley Goodson, TURN Attorney	2013	1.25	\$340	Resolution ALJ-287, plus 5% step increase	\$425.00	1.00 [3]	\$340.00	\$340.00
Thomas Long, TURN Attorney	2011	30.50	\$520	D.13-05-007	\$15,860.00	30.50	\$520.00	\$15,860.00
Thomas Long, TURN Attorney	2012	40.00	\$530	Resolution ALJ-281	\$21,200.00	40.00	\$520.00 <i>See</i> D.13-11-022	\$20,800.00
Nina Suetake, TURN Attorney	2011	2.00	\$295	D.12-05-033	\$590.00	2.00	\$295.00	\$590.00
Nina Suetake, TURN Attorney	2012	3.75	\$315	Resolution ALJ-281, plus 5% step increase	\$1,181.25	3.75	\$315.00 <i>See</i> D.14-07-021	\$1,181.25
Garrick Jones, JBS Energy, Inc.	2011	121.37	\$140	D.12-03-024 (for work in 2010, post 7/1/12)	\$16,991.80	121.37	\$140.00	\$16,991.80
Garrick Jones, JBS Energy, Inc.	2012	191.50	\$150	Request pending in A.10-11-002 (filed 7/13/12) and A.11-10-015 (filed 1/25/13)	\$28,725.00	191.50	\$150.00 <i>See</i> D.14-03-015	\$28,725.00
William Marcus, JBS Energy, Inc.	2011	21.74	\$250	D.13-05-008	\$5,435.00	21.74	\$250.00	\$5,435.00
William Marcus, JBS Energy, Inc.	2012	117.21	\$260	Request pending in A.11-10-015 (filed 1/25/13)	\$30,474.60	117.21	\$260.00 <i>See</i> D.14-08-025	\$30,474.60
Jeffrey Nahigian, JBS Energy, Inc.	2011	0.50	\$195	Request pending in A.11-10-015 (filed 1/25/13)	\$97.50	0.5	\$195.00 <i>See</i> D.14-08-025	\$97.50
Jeffrey Nahigian, JBS Energy, Inc.	2012	43.25	\$195	Request pending in A.11-10-015 (filed 1/25/13)	\$8,433.75	43.25	\$195.00 <i>See</i> D.14-08-025	\$8,433.75

				1/25/13)				
Greg Ruzovan, JBS Energy, Inc.	2011	1.25	\$195	D.12-03-024 (for work in 2010)	\$243.75	1.25	\$195.00	\$243.75
Greg Ruzovan, JBS Energy, Inc.	2012	77.72	\$195	D.12-03-024 (for work in 2010)	\$15,155.40	77.2	\$200.00 See D.13-09-022	\$15,440.00
	Subtotal:				\$177,876.15		Subtotal:	\$177,747.65
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate	Basis for Rate*	Total \$	Hours	Rate	Total \$
Thomas Long, TURN Attorney	2011	2.00	\$260	1/2 of requested hourly rate for 2011	\$520.00	2.00	\$260.00	\$520.00
Hayley Goodson, TURN Attorney	2013	23.00	\$170	1/2 of requested hourly rate for 2013	\$3,910.00	23.00	\$170.00	\$3,910.00
	Subtotal:				\$4,430.00		Subtotal:	\$4,430.00
COSTS								
#	Item	Detail			Amount			Amount (\$)
1	FedEx	FedEx expense associated with A.11-06-007			\$26.27			\$26.27
2	Phone	phone/fax expense associated with A.11-06-007			\$16.72			\$16.72
3	Photocopying	expense associated with copying pleadings related to A.11-06-007			\$51.50			\$51.50
4	Postage	expense associated with mailing pleadings related to A.11-06-007			\$5.80			\$5.80
	Subtotal:				\$100.29		Subtotal:	\$100.29
TOTAL REQUEST \$:					\$182,406.44	TOTAL AWARD \$:		\$182,277.94
<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. Intervenor'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.</p> <p>**Travel and Reasonable Claim preparation time typically compensated at 1/2 of preparer's normal hourly</p>								

rate.			
Attorney	Date Admitted to CA BAR ²	Member Number	Actions Affecting Eligibility (Yes/No?) If "Yes", attach explanation
Matthew Freedman	3/29/2001	214812	No
Hayley Goodson	12/5/2003	228535	No
Thomas Long	12/11/1986	124776	No
Nina Suetake	12/14/2004	234769	No

C. Attachments Documenting Specific Claim and Comments on Part III

Attachment or Comment #	Description/Comment
Comment #1	<p><u>Hourly Rates for TURN Staff Attorneys</u> TURN seeks hourly rates for its staff attorneys at levels that the Commission has previously adopted for each individual's work in a given year, or at an increased level for 2012 and 2013 consistent with Resolutions ALJ-281 and ALJ-287. The following describes the basis for the requested rates that have not been previously awarded as of the date of this Request for Compensation.</p> <p>TURN submits that this information is more than sufficient for the Commission to grant the requested increases. However, should the Commission disagree and believe that it needs more information to support the request, TURN asks that we be given an opportunity to provide additional information before a draft decision issues on this compensation request.</p> <p><u>2012 Hourly Rate for Matthew Freedman</u> For Mr. Freedman's work in 2012, TURN seeks an hourly rate of \$375, an increase of 7.2% from the previously awarded rate of \$350 for 2011. This increase is consistent with the general 2.2% cost-of-living increase provided for in Res. ALJ-281, plus the first of two 5% step increases available with his move to the 13+ years experience tier.³</p>

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

³ TURN has submitted several pending requests for compensation that include 2012 hours for Freedman at either his authorized hourly rate for 2011 (R.11-05-005 (the RPS rulemaking) and A.10-11-002 (PG&E Solar PV Manufacturing)), or at the 2011 rate plus the 2.2% COLA for 2012 (A.10-03-014 (PG&E GRC Phase 2)). In D.13-05-008, the Commission awarded compensation in A.10-03-014 using the \$360 rate

	<p><u>2013 Hourly Rate for TURN Attorney Hayley Goodson</u> For Ms. Goodson's work in 2013, TURN seeks an hourly rate of \$340, an increase of 7.0% from the previously awarded rate of \$320 for 2012. The increase is the general 2.0% increase provided for in Res. ALJ-287, plus the second of two 5% step increases available with her move in 2011 to the 8-12 years experience tier.</p> <p><u>2012 Hourly Rate for Thomas Long</u> For Mr. Long's work in 2012, TURN seeks an hourly rate of \$530, an increase of 2.2% from the previously awarded rate of \$520 for 2011. The increase is the general 2.2% increase provided for in Res. ALJ-281.</p> <p><u>2012 Hourly Rate for Nina Suetake</u> For Ms. Suetake's work in 2012, TURN seeks an hourly rate of \$315, an increase of 7.2% from the previously awarded rate of \$295 for 2011. The increase is the general 2.2% increase provided for in Res. ALJ-281, plus the second of two 5% step increases available with her move to the 5-7 years experience tier. TURN also requested this rate for Ms. Suetake in A.10-11-015 in a request for compensation filed on January 25, 2013.</p>
Comment #2	<p><u>Hourly Rates for JBS Energy, Inc. Experts</u></p> <p><u>2012 Hourly Rate for Garrick Jones</u> TURN seeks an hourly rate of \$150 for Mr. Jones's work during 2012 in this proceeding, equal to his actual billing rate during this period. The increase from \$140 (through 2011) to \$150 was discussed in some detail in the Request for Compensation filed in A.10-11-002 on July 13, 2012.⁴ Rather than repeat the justification for the requested hourly rate, TURN refers the Commission to the pending request in A.10-11-002 and asks that the relevant material be incorporated by reference as though full set forth here. Should the Commission wish to see the justification included in this request, TURN requests the opportunity to supplement or amend this request accordingly.</p> <p><u>2012 Hourly Rate for Bill Marcus</u> TURN seeks an hourly rate of \$260 for Mr. Marcus's work during 2012 in this proceeding, equal to his actual billing rate during this period. The increase from \$250 (through 2011) to \$260 was discussed in some detail in the Request for Compensation filed in A.10-11-015 on January 25, 2013. Rather than repeat the justification for the requested hourly rate, TURN refers the Commission to the pending request in A.10-11-015 and asks that the relevant material be incorporated by reference as though full set forth here. Should the Commission wish to see the justification included in this request, TURN requests the opportunity to supplement or amend this request accordingly.</p>

requested for 2012 work. TURN is not seeking to change the hourly rate for Mr. Freedman's work in 2012 as included in any of the pending or awarded requests that include his 2012 work. However, TURN does seek an increase to the \$375 rate for 2012 work here and in future compensation requests that include 2012 hours for Mr. Freedman, consistent with the Commission's prior decisions and resolutions providing for step increases.

⁴ The increase is justified in part based on Mr. Jones's experience warranting a move to the next tier the Commission has adopted for intervenor compensation purposes.

2011 Hourly Rate for Jeffrey Nahigian

TURN seeks an hourly rate of \$195 for Mr. Nahigian's work during 2011 in this proceeding, equal to his actual billing rate during this period. The increase from \$190 (through 2010) to \$195 was discussed in some detail in the Request for Compensation filed in A.10-11-015 on January 25, 2013. Rather than repeat the justification for the requested hourly rate, TURN refers the Commission to the pending request in A.10-11-015 and asks that the relevant material be incorporated by reference as though full set forth here. Should the Commission wish to see the justification included in this request, TURN requests the opportunity to supplement or amend this request accordingly. TURN also notes that we requested the wrong billing rate for Mr. Nahigian's 2011 work in another proceeding, A.10-03-014. In that Request for Compensation, TURN sought a 2011 billing rate for Mr. Nahigian of \$190, which was the same rate previously approved for his 2010 work. However, Mr. Nahigian's actual billing rate to TURN was \$195 in 2011. The request for compensation TURN filed in A.10-11-015, the SCE GRC (filed after the A.10-03-014 comp request), asked for this \$195 rate for Mr. Nahigian in 2011. TURN acknowledged in that request that previous requests for a rate of \$190 in 2011 were the result of an internal error.

2012 Hourly Rate for Jeffrey Nahigian

On January 1, 2011, JBS Energy, Inc. increased Jeffrey Nahigian's hourly billing rate from \$190 to \$195. On September 1, 2012, JBS Energy, Inc. increased Mr. Nahigian's hourly billing rate from \$195 to \$200. Because all of Mr. Nahigian's time in this proceeding in 2012 was before September 1, 2012, TURN seeks an hourly rate of \$195 for his 2012 work. TURN provides this explanation to avoid any confusion because TURN has pending a request for compensation in A.10-11-015 (SCE 2012 GRC Phase 1) that requests a billing rate of \$200 for some of Mr. Nahigian's time in 2012. The Commission approved an hourly rate of \$195 for Mr. Nahigian's work in 2012 in D.13-05-008, issued last month in A.10-03-014. However, the Commission's rationale – applying the 2.2% COLA authorized in Res. ALJ-281 to Mr. Nahigian's 2011 rate of \$190 – was based on TURN's mistaken request for the wrong billing rate for Mr. Nahigian in 2011. As explained above, TURN should have requested a 2011 billing rate of \$195 for Mr. Nahigian, which was the actual rate JBS Energy, Inc. charged to TURN for his work that year.

2012 Hourly Rate for TURN Expert Greg Ruzovan of JBS Energy, Inc.

On September 1, 2012, JBS Energy, Inc. increased the hourly billing rate for Greg Ruzovan from \$195 to \$200. Because all of Mr. Ruzovan's time in this proceeding in 2012 was before September 1, 2012, TURN seeks an hourly rate of \$195 for his work in 2012. TURN provides this explanation to avoid any confusion if and when TURN seeks compensation for Mr. Ruzovan's late 2012 work in another proceeding at the higher billing rate.

Comment #2	<p><u>Photocopying Costs</u></p> <p>TURN includes our internal costs associated with photocopying in this Request for Compensation (Item # 3 in the COSTS table above), calculated at \$0.10/page, per the Commission’s directive in D.13-05-031, just issued in I.11-06-009. In that decision, the Commission directed TURN to “take into account local market rates including volume discounts” for photocopying in future intervenor compensation requests. The Commission noted that the UPS Store on Van Ness Avenue in San Francisco charges 10 cents per page for 100 copies or more (15 cents per page for less than 100 pages). TURN has not conducted any local market research into photocopying rates. However, for purposes of this Request for Compensation, TURN applies the 10 cent rate suggested by the Commission in D.13-05-031 because the two copying jobs included in this request were each larger than 100 pages, as our detailed expense records (attached to this request) reveal.</p>
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D. CPUC Disallowances and Adjustments

#	Reason
[1]	On 06/23/2011 Freedman’s timesheet indicates that time was spent in a “TURN discussion of case staffing issues.” The Commission will not compensate for such work as it did not contribute to the Commission’s decision-making process and solely relates to issues internal to TURN. As such, the 0.25 hours listed for this entry is deducted from Freedman’s 2011 total.
[2]	On 02/17/2012 Goodson’s timesheet indicates that time was spent “glanc[ing] at TURN testimony.” The Commission will not compensate for this work as it did not contribute to the Commission’s decision-making process. As such, half of the time listed for this entry (0.5 hours) is deducted from Goodson’s 2012 total.
[3]	On 03/12/2013 Goodson’s timesheet indicates that time was spent to “skim reply cmnts on PD.” The Commission will not compensate for such work as it did not contribute to the Commission’s decision-making process. As such, the 0.25 hours listed for this entry is deducted from Goodson’s 2012 total.

PART IV: OPPOSITIONS AND COMMENTS

A. Opposition: Did any party oppose the Claim?	No.
B. Comment Period: Was the 30-day comment period waived (<i>see</i> Rule 14.6(2)(6))?	Yes.

FINDINGS OF FACT

1. The Utility Reform Network has made a substantial contribution to Decision 13-03-031.
2. The requested hourly rates for The Utility Reform Network'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 compensation is \$182,277.94.

CONCLUSION OF LAW

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

ORDER

1. The Utility Reform Network is awarded \$182,277.94.
2. Within 30 days of the effective date of this decision, Southern California Edison Company shall pay The Utility Reform Network the total award. Payment of the award shall include interest at the rate earned on prime, three-month non-financial commercial paper as reported in Federal Reserve Statistical Release H.15, beginning August 17, 2013, the 75th day after the filing of Claimant's request, and continuing until full payment is made.
3. The comment period for today's decision is waived.

This decision is effective today.

Dated _____, at San Francisco, California.

APPENDIX

Compensation Decision Summary Information

Compensation Decision:		Modifies Decision?	
Contribution Decision(s):	D1303031		
Proceeding(s):	A1106007		
Author:	ALJ Roscow		
Payer(s):	Southern California Edison Company		

Intervenor Information

Intervenor	Claim Date	Amount Requested	Amount Awarded	Multiplier?	Reason Change/Disallowance
The Utility Reform Network	6/3/2013	182,280.44	182,277.94	No.	<i>See "CPUC Disallowances and Adjustments" in Part III.D.</i>

Advocate Information

First Name	Last Name	Type	Intervenor	Hourly Fee Requested	Year Hourly Fee Requested	Hourly Fee Adopted
Matthew	Freedman	Attorney	TURN	\$350	2011	\$350.00
Matthew	Freedman	Attorney	TURN	\$375	2012	\$370.00
Hayley	Goodson	Attorney	TURN	\$320	2012	\$325.00
Hayley	Goodson	Attorney	TURN	\$340	2013	\$340.00
Thomas	Long	Attorney	TURN	\$520	2011	\$520.00
Thomas	Long	Attorney	TURN	\$530	2012	\$520.00
Nina	Suetake	Attorney	TURN	\$295	2011	\$295.00
Nina	Suetake	Attorney	TURN	\$315	2012	\$315.00
Garrick	Jones	Expert	TURN	\$140	2011	\$140.00
Garrick	Jones	Expert	TURN	\$150	2012	\$150.00
William	Marcus	Expert	TURN	\$250	2011	\$250.00
William	Marcus	Expert	TURN	\$260	2012	\$260.00
Jeffrey	Nahigian	Expert	TURN	\$195	2011	\$195.00
Jeffery	Nahigian	Expert	TURN	\$195	2012	\$195.00
Greg	Ruszovan	Expert	TURN	\$195	2011	\$195.00
Greg	Ruszovan	Expert	TURN	\$195	2012	\$200.00

(END OF APPENDIX)