

Decision **PROPOSED DECISION OF ALJ YIP-KIKUGAWA**

(Mailed 8/4/2014)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Pacific Gas and Electric Company for Approval of Modifications to its SmartMeter™ Program and Increased Revenue Requirements to Recover the Costs of the Modifications (U39M).

Application 11-03-014
(Filed March 24, 2011)

**DECISION GRANTING COMPENSATION TO EMF SAFETY NETWORK
FOR SUBSTANTIAL CONTRIBUTION TO DECISION 12-02-014**

Intervenors: EMF Safety Network	For contribution to Decision 12-02-014
Claimed (\$): \$39,884.70	Awarded (\$): \$24,348.70 (reduced 38.8%)
Assigned Commissioner: Michael Peevey	Assigned ALJ: Amy Yip-Kikugawa

PART I: PROCEDURAL ISSUES**A. Brief Description of Decision:**

The decision modified Pacific Gas & Electric's Smart Meter program to allow customer choice to opt out of Smart Meters in favor of using analog electric and gas meters. The decision adopted interim charges to opt out. The decision ordered a second phase of the proceeding to consider cost issues, and a community wide opt-out option.

B. Intervenor must satisfy intervenor compensation requirements set forth in Pub. Util. Code Sections 1801-1812:

	Intervenor	CPUC Verified
Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):		
1. Date of Prehearing Conference (PHC):	May 6, 2012	May 6, 2011

2. Other Specified Date for NOI:		
3. Date NOI Filed:	June 6, 2012	Verified
4. Was the NOI timely filed?		Yes
Showing of customer or customer-related status (§ 1802(b)):		
5. Based on Administrative Law Judge (ALJ) ruling issued in proceeding number:	Application (A.)11-03-014	Verified
6. Date of ALJ ruling:	October 26, 2011	Verified
7. Based on another CPUC determination (specify):		
8. Has the Intervenor demonstrated customer or customer-related status?		Yes
Showing of "significant financial hardship" (§ 1802(g)):		
9. Based on ALJ ruling issued in proceeding number:	A.11-03-014	Verified
10. Date of ALJ ruling:	October 26, 2011	Verified
11. Based on another CPUC determination (specify):		
12. Has the Intervenor demonstrated significant financial hardship?		Yes
Timely request for compensation (§ 1804(c)):		
13. Identify Final Decision:	D.12-02-014	Verified
14. Date of Issuance of Final Order or Decision:	February 9, 2012	Verified
15. File date of compensation request:	April 9, 2012	Verified
16. Was the request for compensation timely?		Yes

PART II: SUBSTANTIAL CONTRIBUTION**A. Intervenor's contribution to the final decision (See § 1802(i), § 1803(a) & D.98-04-059).**

Contribution	Specific References to Intervenor's Presentations and to Decision	Showing Accepted by CPUC
Network contribution to this proceeding was substantial. Network provided a basis for evaluating the reasonableness of PG&E's proposal based on a comprehensive view into customer	Network fully participated in the proceeding with these activities: Motion for Party Status, April 25, 2011; Network Protest, April 25, 2011; PHC, May 6; PHC, July 27; Network alternative proposals, August 19 2011; CPUC	Network made a substantial contribution to the decision, but, as cautioned by the ALJ, there

<p>concerns; a basis for understanding Radio Frequency (RF) emissions from smart meters; assessed the reasonableness of costs, and represented thousands of PG&E customers who did not want PG&E's proposed radio-off smart meter but wanted to retain or restore their use of analog meters. Neither the Division of Ratepayers Advocate (DRA) nor The Utility Reform Network (TURN) represented these customers. (<i>See</i> Protests of DRA and TURN.)</p> <p>The scope of the op-out proceeding was whether or not PG&E's proposed opt-out option and costs were reasonable.</p> <p>(<i>See</i> comments 11-1 and 11-2.)</p>	<p>Workshop, Sept. 14, 2011; Network Comments on Proposed Decision (PD), Dec. 12, 2011; Network Reply Comments, Dec. 19, 2011; Network letter to the Commissioners, Jan.25, 2012.</p> <p>Network's general participation noted; D.12-02-014, at 4, timely protests filed; at 36, Comments and Reply Comments filed.</p>	<p>was significant overlap with the positions of other parties, including DRA, Ecological Options Network (EON), and Aglet Consumers Alliance (Aglet).</p>
<p>1. Opt-out option: The basis of the opt-out proceeding was to evaluate and provide an opt-out option for customers who did not wish to have a smart meter on their home. Network prevailed, and the Commission authorized the opt-out option of an analog meter.</p>	<p>Opt-opt option addressed in Network documents:</p> <p>Network Protest, April 25, 2011; at 1, 7, 8;</p> <p>Network alternative proposals; August 19 2011 (e-mail);</p> <p>Network Comments on PD, Dec. 12 2011; at 1, 8, A-1, A-2, A-3;</p> <p>Network Reply Comments, Dec. 19, 2011; at 1;</p> <p>Network letter to the Commissioners; January 25, 2012; at 1, 3.</p> <p>D.12-02-014 Order Paragraph 2 at 39</p> <p>Network's contribution recognized in D.12-02-014; at 10, at 10 footnote 13, at 11, at 1 footnote 19; at 28.</p>	<p>Yes, but <i>see</i> above.</p>
<p>Radio-off option: PG&E proposed customers not wanting a smart meter would receive a radio-off smart meter. Part of the scope of the proceeding was to determine if the radio-off meter option was</p>	<p>Radio-off option addressed in Network documents:</p> <p>Network Protest, April 25, 2011; at 4, 6;</p> <p>Network alternative proposals; August 19 2011 (e-mail);</p>	<p>Yes, but <i>see</i> above.</p>

<p>reasonable. Network prevailed as we opposed the radio-off option, which was defeated.</p>	<p>Network Comments on PD, Dec. 12, 2011; at 1, 2, 8, A-1;</p> <p>Network Reply Comments, Dec. 19, 2011; at 1, 2;</p> <p>D.12-02-014 at 19, paragraph 2.</p> <p>Network's contribution recognized in D.12-02-014; at 10, at 10 footnotes 12, 13; at 11; footnote 20.</p>	
<p>2. Use of analogs: Network asserted throughout the proceeding that customers who did not want a smart meter, wanted to retain or restore their use of analog meters. Network prevailed in the use of analog meters as the opt-out option.</p>	<p>Use of Analogs addressed in Network documents:</p> <p>Motion for Party Status, April 25, 2011; at 2;</p> <p>Network Protest, April 25, 2011; at 6, 7, 8;</p> <p>PHC, July 27;</p> <p>Network alternative proposals; August 19 2011 (e-mail);</p> <p>Network Comments on PD; Dec. 12, 2011; at 1, 2, 6, 7, A-1, A-2, A-3;</p> <p>Network Reply Comments, Dec. 19, 2011; at 2;</p> <p>Network letter to the Commissioners; Jan.25, 2012; at 1.</p> <p>D.12-02-014 Order Paragraph 1, 2 at 39;</p> <p>Network's contribution to use of analogs is recognized in D.12-02-014, at 10; at 10 footnote 13.</p>	<p>Yes, but <i>see</i> above.</p>
<p>3. Costs: Part of the scoping memo for the proceeding was to determine if the proposed costs were reasonable. Network asserted there should be no cost to opt out of a smart meter and provided substantial reasoning. PG&E proposed a rate between \$135 and \$270 initial fee and up to \$20 per month. For CARE customers they proposed \$105-\$215 initial fee plus up to \$16 per month fees. (PG&E opt-out application, March 24,2011 at 6, 7) D.12-02-014</p>	<p>The issue of costs addressed in Network documents:</p> <p>Motion for Party Status, April 25, 2011, at 2;</p> <p>Network Protest, April 25, 2011; at 1, 2, 5, 6, 8;</p> <p>Network alternative proposals; August 19 2011(e-mail);</p> <p>Network Comments on PD, Dec. 12, 2011 at 1, 2, 4, 8, A-1, A-2, A-3;</p> <p>Network Reply Comments, Dec. 19, 2011;</p>	<p>While Network did not prevail, as they claim, we find that Network did make a substantial contribution in this regard. However, as pointed out above, there was significant</p>

<p>adopted an interim fee of \$75 initial fee and \$10 per month and for CARE and FERA \$10 initial fee and \$5 a month.</p> <p>Network prevailed in part on this issue as the fee proposed was an “interim” rate, and far below PG&E’s proposed rate.</p> <p>Network supported community wide opt out which is recognized in the decision and will be reviewed in the second phase of the proceeding, along with costs.</p>	<p>at 1; Network letter to the Commissioners; Jan.25, 2012, at 1; D.12-02-014 Order Paragraph 2c at 40. Network’s contribution to cost issues is recognized in D.12-02-014, at 28; at 28 footnote 48; at 31 footnote 55. Network’s support of community wide opt out is noted in D.12-02-014, at 11, at 11 footnote 19. Commission support for review of this issue in the second phase noted in D.12-02-014, at 21; at 26; at 35; at 36.</p>	<p>duplication and overlap with EON.</p>
<p>4. RF Emissions: The issue of RF emissions was a fundamental part of the evaluation of the reasonableness of the opt-out option. Network prevailed in obtaining an RF emissions assessment ordered by the ALJ in the proceeding, which provided a basis of understanding for the opt-out issue, and supported the rejection of the radio-off meter as the opt-out option.</p>	<p>RF emissions addressed in Network documents: Motion for Party Status, April 25, 2011; at 2; Network Protest, April 25, 2011 at 2, 3, 4, 7, 8; PHC May 6; Network alternative proposals; August 19, 2011 (e-mail); CPUC Workshop, Sept. 14, 2011; ALJ ruling, October 18, 2011, at 4, ruling paragraph; Network Comments on PD, Dec. 12, 2011; at 1, 4, 5, 6, 7, A-1; Network letter to the Commissioners; Jan. 25, 2012; at 2. D.12-02-014 refers to RF emissions throughout the proceeding on at 4, 5, 10, 11, 12, 13, 14, 15, 16, 36. Network’s contribution to RF emissions is recognized in D.12-02-014, at 10, at 10 footnotes 12, 13.</p>	<p>The health effects of RF emissions were specifically excluded from the scope of this proceeding. The narrow issue of compliance with Federal Communications Commission (FCC) requirements was also addressed by ORA. EON and Aglet also addressed RF issues. Again, there was significant duplication.</p>
<p>5. Customer concerns: This issue also includes customer choice, and customer relief. Network</p>	<p>Customer concerns addressed in Network documents:</p>	<p>Yes, although there was</p>

<p>represented and supported customers who did not wish to have a smart meter, and wanted to retain or restore the analog meter. Network provided a unique and comprehensive perspective on the range of customer concerns and needs, which provided a basis of understanding in order to assess the reasonableness of the opt-out option. Network prevailed in its representation of customers who did not want a smart meter.</p>	<p>Network Protest, April 25, 2011; at 2, 3,4, 5, 6, 7; Network alternative proposals; August 19 2011(e-mail); Network Comments on PD, Dec. 12, 2011; at 1, 2, 3, 7, 8, A-1, A-2, A-3; Network Reply Comments, Dec. 19, 2011; at 1, 2; Network Exparte; Jan 26, 2012, at 1; Network letter to the Commissioners: Jan.25, 2012; at 1, 3; D.12-02-014 Order Paragraph 1, 2, at 39. Network’s contribution to this category is recognized in D.12-02-014; at 10, at 10 footnote 13; at 28.</p>	<p>duplication with EON in this regard.</p>
---	--	---

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

	Intervenor	CPUC Verified
<p>a. Was the Office of Ratepayer Advocates (ORA)¹ a party to the proceeding?</p>	<p>Yes</p>	<p>Verified</p>
<p>b. Were there other parties to the proceeding with positions similar to yours?</p>	<p>Yes</p>	<p>Verified</p>
<p>c. If so, provide name of other parties: Other parties with similar but varied positions included Aglet; EON; County of Lake; Town of Fairfax and associated parties; Wilner and Associates; Californians for Renewable Energy, and Alameda County Residents Concerned About Smart Meters.</p>		<p>Verified</p>
<p>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:</p>		<p>While we appreciate the specificity in</p>

¹ The Division of Ratepayer Advocates (DRA) was renamed the Office of Ratepayer Advocates effective September 26, 2013, pursuant to Senate Bill 96 (Budget Act of 2013), which was approved by the Governor on September 26, 2013.

<p>In April, 2011, Network discussed RF emissions, FCC rules, guidelines and a FCC letter with Tom Roberts, (ORA) by e-mails. During the proceeding several e-mails were exchanged between Network and the ORA, regarding RF emissions and FCC guidelines. (See D. 12-02-014 at 10 (DRA FCC concerns).)</p> <p>On 6/21/2011 Network e-mailed PG&E discovery questions and PG&E’s answers to all parties, including the ORA. Tom Roberts responded on 6/24/2011 with the DRA’s discovery questions.</p> <p>On 9/14/2011 Maurer discussed the analog meter option with Tom Roberts (DRA) at the CPUC workshop on September 14, 2012 and the Roberts did not agree this option was viable. ORA mostly supported PG&E’s proposed opt out option (D.12-02-014, discussion at 10), and Network opposed PG&E’s proposal (D.12-02-014, discussion at 10).</p> <p>In January, Maurer called the ORA to discuss costs and spoke with Candace Morey who said the DRA supported the opt-out fees.</p> <p>Network also coordinated its work with EON, Aglet, and TURN.</p> <p>Network coordinated Discovery Questions to PG&E in May 2011 with EON. Network and EON worked to supplement, not duplicate each other efforts. EON’s expertise was with the harm from the RF emissions due to the SMPS in the “radio off” smart meter, and Network supported their position and expertise, but did not provide substantial details of this problem like EON did. Network’s focus was on the need for analog meters at no cost, for a wide variety of reasons, which EON supported.</p> <p>Aglet also supported the use of analog meters, but focused more on costs. Aglet and Network disagreed on the cost to opt out. (See Aglet and Network’s position D.12-02-014 at 28.)</p> <p>In January, 2012, Maurer discussed opt-out costs with Marcel Hawiger of TURN by phone.</p> <p>Network coordinated with Aglet and TURN on a protest to the PG&E Advice Letter. Aglet and EON signed onto a letter to the Commission from Network regarding costs to opt out.</p> <p>In addition, Network exchanged e-mail with ACRCASM, and phone conversation with Jim Tobin, lawyer for the Fairfax group.</p>	<p>detail regarding Network’s efforts to avoid duplication, it is not particularly clear how such efforts complemented or supplemented the efforts of other parties.</p>
--	--

C. Additional Comments on Part II:

#	Intervenor	CPUC	Comment
1	Maurer		See Attachment 3 for listings and total time of Maurer’s activity. I have done my best to categorize my efforts per issue.

			<p>I did not include in this compensation request time networking with other group members or time researching the general issues, or networking with the public as I am compensated for this work by the EMF Safety Network. The time I have listed is solely focused on CPUC activities, including writing; the protest, discovery, ALJ’s requested proposals, comments and reply comments; attending two PHC and one workshop, and staying informed of the activity in the proceeding.</p> <p>I did not include time spent coordinating a Motion to Strike (with Aglet) and coordinating a protest to PG&E’s Advice Letters (Aglet and TURN) (memorandum accounts). I omitted some of the time reviewing motions in the proceeding. Travel time of 10.4 hours to San Francisco for two PHCs and one workshop is waived. Additional time filing this compensation form is also waived. (Approximately 30-35 total hours waived.)</p>
2	Sage		See Attachment 4 for listings and total time of Sage’s activity.

PART III: REASONABLENESS OF REQUESTED COMPENSATION

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

<p>a. Concise explanation as to how the cost of Intervenor’s participation bears a reasonable relationship with benefits realized through participation:</p> <p>The value of consumer protections is difficult to quantify. PG&E estimates that opt out costs will be approximately \$60 million. (D.12-02-014, at 25, Table 2.) The ratepayer money at stake and the value of ratepayer consumer rights, and health and safety considerations greatly exceed the cost of Network’s participation.</p>	<p style="text-align: center;">CPUC Verified</p> <hr/> <p>D.98-04-059 directs customers to demonstrate the productivity of their participation by assigning a reasonable dollar value to the benefits of their participation to ratepayers. (D.98-04-059 at 34-35.) The costs of a customer’s participation should bear a reasonable relationship to the benefits realized through its participation. Even without this intervenor’s participation, ORA and Aglet, among others, advocated for use of analog meters as an</p>
---	--

	<p>opt-out option, as well as the RF emission/FCC compliance issue. Health impacts were specifically excluded from the scope of this proceeding. We agree that intervenor made a significant contribution but because of duplication of efforts, we make certain adjustments, disallowances, and reductions in the areas described below. However, as we determined for Aglet, we do find that the benefits to ratepayers exceed the costs of Network’s participation in this matter.</p>
<p>b. Reasonableness of Hours Claimed. As shown in Attachment 3, Time and Cost Records of Sandi Maurer, and Attachment 4, Time and Costs Records of Cindy Sage, Network has spent roughly 240 hours in the first phase of the opt-out proceeding. This substantial contribution of effort was necessary and contributed to Network’s prevailing on providing customers who did not want a smart meter relief. This relief will pay off in CPUC and utility costs to manage customer dissatisfaction and complaints, and considering the ratepayer funds and public health concerns at stake, Network’s costs are reasonable.</p>	<p>Even for a relatively inexperienced intervenor, 240 hours is excessive. Intervenor was one of many parties in this proceeding that supported an analog option for the Smart Meter opt-out program. We have disallowed the hours related to RF emissions as either being outside the scope of this proceeding or duplicative of other parties’ participation. In addition, as pointed out in D.12-02-014, issues related to RF emissions and compliance with FCC standards were addressed in D.10-12-001 and D.12-06-017, issued in A.10-04-008, a matter in which Network actively participated. We have also reduced the allowed hours</p>

	for 2011 by 15% to account for duplication.
<p>c. Allocation of Hours by Issue <i>See</i> Attachment 3, and Attachment 4 for a listing of the substantive issues in which Network participated. These issues are addressed in Network filings and in D.12-02-014. <i>See</i> Section 9 above for details of Network's participation by issue. As shown in the summary table at the end Attachment 3, Network has allocated Maurer's professional time to the following issues: opt-out option (18.7 hours, or 15.0% of her professional time); radio-off (9.6 hours, or 7.7%); use of analog meters (30.2 hours, or 24.3%); costs (35.8 hours, or 28.8%); RF emissions (19.6 hours, or 15.8%); and customer concerns (10.5 hours, or 8.4%). As shown in the summary table at the end Attachment 4, Network has allocated Sage's professional time to the following issues: opt-out option (35.0 hours, or 42.4% of her professional time); radio-off (8.5 hours, or 10.3%); and RF emissions (39.0 hours, or 47.3%).</p>	Yes

B. Specific Claim:*

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate	Basis for Rate*	Total \$	Hours	Rate	Total \$
Sandi Maurer	2011	111.7	\$125	<i>See</i> Comment 5	\$13,962.50	78.3	\$125	\$9,787.50
Maurer	2012	12.7	\$125	<i>See</i> Comment 5	\$1,587.50	12.7	\$125 ²	\$1,587.50
Cindy Sage	2011	81.0	\$250	<i>See</i> Comment 6	\$20,250.00	35.7	\$250	\$8,925.00
Sage	2012	1.5	\$250	<i>See</i> Comment 6	\$375.00	1.5	\$250	\$375.00
Subtotal:					\$36,175.00	Subtotal:		\$20,675.00
OTHER FEES								
Describe here what OTHER HOURLY FEES you are Claiming (paralegal, travel **, etc.):								
Item	Year	Hours	Rate	Basis for Rate*	Total \$	Hours	Rate	Total \$
Maurer/ Travel	2011	10.4	\$62.50	Half hourly rate	\$650.00/ waived			0 (waived)
Sage/	2011	10	\$125	Half hourly rate	\$1,250.00	10	\$125	1,250.00

² Adopted by D. 13-10-066.

Travel								
Subtotal:					\$1,250.00	Subtotal:		\$1,250.00
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate	Basis for Rate*	Total \$	Hours	Rate	Total \$
Maurer (NOI)	2011	11.4	\$62.50	Half hourly rate	\$712.50	11.4	\$62.50	\$712.50
Maurer (Request)	2012	15.0	\$62.50	Half hourly rate	\$937.50	15.0	\$62.50	\$937.50
Sage (NOI)	2011	0.5	\$125	Half hourly rate	\$62.50	0.5	\$125	\$62.50
Sage (Request)	2012	5.5	\$125	Half hourly rate	\$687.50	5.5	\$125	\$687.50
Subtotal:					\$2,400.00	Subtotal:		\$2,400.00
COSTS								
#	Item	Detail	Amount	Amount				
1	Office copies	454 at 11 cents/page	\$49.94					\$49.94
2	Postage	Filings to CPUC	\$9.76					\$ 9.76
Subtotal:			\$59.70	Subtotal:				\$59.70
TOTAL REQUEST \$:			\$39,884.70	TOTAL AWARD \$:				\$24,384.70
<p>*We remind all intervenors that Commission staff may audit their records related to the award and that intervenors must make and retain adequate accounting and other documentation to support all claims for intervenor compensation. Claimant's records should identify specific issues for which it 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>**Reasonable claim preparation time typically compensated at 1/2 of preparer's normal hourly rate.</p>								

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

Attachment or Comment #	Description/Comment
1	Certificate of Service
2	Service List
3	Time and Cost Records of Sandi Maurer
4	Time and Cost Records of Cindy Sage

<p>5</p>	<p>Basis for Rate for Sandi Maurer: To assess an appropriate rate for CPUC advocacy work I reviewed the posted “Intervenor Hourly Rates,” considered my previous CPUC experience; my current advocacy work with the EMF Safety Network, my previous work history running a successful small business, and reviewed Resolution ALJ-267.</p> <p>On the CPUC website, on the Intervenor Compensation page there is a link to a document titled, “Intervenor Hourly Rates.” I used a key search for the word advocate and tallied the rates paid to advocates and divided by the total number and found the average was \$135 an hour.</p> <p>I have been working at the CPUC for two years, having filed A.10-04-018 in April 2010, and spent more than two hundred hours on A.10-04-018, and learned how to navigate the CPUC processes, which was not an easy task. I have had expert help from retired ALJ James Weil, who is an expert in Commission procedures and mentored me through this process.</p> <p>In my current work I coordinate my efforts with local, national and international EMF advocates, therefore have the most up to date knowledge and awareness of this issue, plus I have been studying and researching EMF health risks for over five years.</p> <p>My previous work experience includes 20 years running my own successful business, where I learned many professional skills that I bring to the CPUC work.</p> <p>I also have a college degree from Sonoma State University (BA-1984).</p> <p>Resolution ALJ-267 sets a 2011 range for experts with 0-6 years of experience at the Commission, equal to \$125-\$185.</p> <p>For the reasons stated above, I have selected a rate of \$125 per hour, which is slightly higher than I determined in the NOI, but slightly below the average CPUC intervenor advocacy rate and at the bottom range per Resolution ALJ-267.</p>
<p>6.</p>	<p>Basis for Rate for Cindy Sage: I am the owner of Sage Associates, an environmental consulting firm. I have been a professional environmental consultant since 1972. I hold an M.A. degree in Geology, and a B.A. in Biology (Zoology) from the University of California, Santa Barbara. I am a Senior Fellow, Department of Oncology, School of Health and Medical Sciences, Orebro University, Orebro, Sweden (2008-2011).</p> <p>I served as a member of the California Public Utilities Commission EMF Consensus Group (1990-1991), the Keystone Center Dialogue for Transmission Line Siting (a national group developing EMF Policy 1991-1992), and of the International Electric Transmission Perception Project. From 1977 to 1981, I served as a member of the California Board of Registration for Professional Engineers (Department of Consumer Affairs). I am a full member of the Bioelectromagnetics Society. I am the co-editor of the BioInitiative Report, and a founding member of the BioInitiative Working Group, an international scientific and public health research collaboration. I was a Lecturer in the Environmental Studies Program, University of California, Santa Barbara and a founding member of that program, and developed and taught classes in environmental impact assessment from 1972 - 1981.</p>

	<p>My professional involvement in this area includes constraint analysis, environmental planning, and impact assessment on EMF and radiofrequency radiation siting issues for more than 30 years. My company has provided professional consulting services to city and county planners, private developers, state and federal agencies and schools with respect to measurement and assessment of EMF as a part of land planning and environmental constraints analysis since 1972. I have been an expert witness who testifies on EMF computer modeling, impacts on people and property, EMF policy, public perception, visual impairment and land use issues, and have qualified both in state and in federal court proceedings as an expert witness in this area.</p> <p>(See also Resolution ALJ-267.)</p>
--	---

D. CPUC Disallowances and Adjustments:

#	Reason
1. Reasonableness of hours claimed by Sandi Maurer and Cindy Sage.	The impact of RF emissions on health matters was outside the scope of this proceeding. We reduce the claim by 19.6 hours for Sandi Maurer (Maurer) and by 39 hours for Cindy Sage (Sage).
2. Disallowance for duplication of efforts.	Consistent with D.98-04-059, we address duplication issues on a case-by-case basis. Here, the ALJ specifically noted the potential for duplication and overlap of participation with Network and EON. (See ALJ Ruling dated October 26, 2011). In that Ruling, Network is specifically described as a sponsored project of EON, which holds the nonprofit designation. We therefore deduct 15% of allowed hours to account for duplication. This is a modest disallowance that still provides reasonable compensation for this intervenor.
3. Adoption of Sage hourly rate(s).	Sage has many years of experience in working on EMF and transmission siting issues and should be compensated as an expert. Based on her experience, we find that compensation at an hourly rate of \$250 is reasonable for 2011 and 2012. This rate is consistent with Resolution ALJ-281 and is at the mid-range of compensation for experts with more than 13 years of experience.

4. Compensation for travel.	The Commission does not compensate intervenors for routine travel. ³ Routine travel costs are defined as travel of less than 120 miles. Here, Sage's office is located in Santa Barbara, a distance greater than 120 miles from CPUC headquarters. It is therefore reasonable to award compensation for Sage's travel time.
-----------------------------	--

PART IV: OPPOSITIONS AND COMMENTS

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

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

Party	Comment	CPUC Disposition
	No Comments Received.	

Findings of Fact

1. EMF Safety Network has made a substantial contribution to Decision 12-02-014

2. The requested hourly rates for EMF Safety 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 \$24,384.70.

³ See D. 10-11-032.

CONCLUSION OF LAW

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

ORDER

1. EMF Safety Network is awarded \$24,384.70.
2. Within 30 days of the effective date of this decision, Pacific Gas and Electric Company shall pay EMF Safety 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 June 23, 2012, the 75th day after the filing of EMF Safety Network's request, and continuing until full payment is made.
3. The comment period for today's decision is not waived.

This order is effective today.

Dated _____, at San Francisco, California.

APPENDIX

Compensation Decision Summary Information

Compensation Decision:		Modifies Decision?	No
Contribution Decision(s):	D1202014		
Proceeding(s):	A1103014		
Author:	ALJ Amy Yip-Kikugawa		
Payer(s):	Pacific Gas and Electric Company		

Intervenor Information

Intervenor	Claim Date	Amount Requested	Amount Awarded	Multiplier?	Reason Change/Disallowance
EMF Safety Network (Network)	4/9/12	\$39,884.70	\$24,384.70	N/A	Disallowance for duplication of efforts.

Advocate Information

First Name	Last Name	Type	Intervenor	Hourly Fee Requested	Year Hourly Fee Requested	Hourly Fee Adopted
Sandi	Maurer	Expert	Network	\$125	2011	\$125
Sandi	Maruer	Expert	Network	\$125	2012	\$125
Cindy	Sage	Expert	Network	\$250	2011	\$250
Cindy	Sage	Expert	Network	\$250	2012	\$250

(END OF APPENDIX)