Decision **PROPOSED DECISION OF ALJ KIM** (Mailed 11/5/14)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Southern California Edison Company (U338E) for Approval of its 2012-2014 California Alternate Rates for Energy (CARE) and Energy Savings Assistance Programs and Budgets.	Application 11-05-017 (Filed May 16, 2011)
And Related Matters.	Application 11-05-018 Application 11-05-019 Application 11-05-020

DECISION GRANTING COMPENSATION TO THE CALIFORNIA HOUSING PARTNERSHIP CORPORATION FOR SUBSTANTIAL CONTRIBUTION TO DECISION 12-08-044

Claimant: California Housing Partnership Corporation (CHPC)	**For contribution to Decision (D.) 12-08-044**
Claimed ($): $123,788.00	**Awarded ($): $56,200.00 (reduced 54.6%)**
Assigned Commissioner: Catherine J.K. Sandoval	**Assigned ALJ: Kimberly Kim**

PART I: PROCEDURAL ISSUES

A. Brief Description of Decision:	D. 12-08-044 "approve[s] approximately $5 billion to continue . . . the Energy Savings Assistance (ESA) and the California Alternate Rates for Energy (CARE) Programs" for the four major California investor owned utilities for the 2012-2014 program cycle. Decision, p. 2. Regarding the specific issues for which the California Housing Partnership Corporation ("CHPC") seeks compensation, D. 12-08-044. 1. - decided that "Civil Code Section 1941.1 . . . does not

	create an explicit prohibition that ratepayer funds cannot be used to provide assistance to the landlords," a ruling which CHPC explicitly urged the Commission to adopt; 2. – establishes a second phase of this proceeding in which a "Multifamily Segment Study" will be conducted, in which a Final Report will issue that includes recommendations on: (a) "how the ESA Program can be modified to better meet the needs of its low income multifamily residents;" and (b) "how multifamily segment measure offerings should be modified (including central system needs) and develop possible co-pay or financing frameworks that comply [with] the ESA cost-effectiveness approach" (Decision, pp. 164-166), consistent with arguments made by CHPC; 3. – noted that "the Commission also intends to further examine and develop an informed record regarding CHPC's proposed multifamily expedited enrollment process, including identifying and examining relevant legal and operational hurdles (e.g., housing subsidy and definition of income and potential need for memorandum of agreement or understanding with other potential partner agency(ies)), toward development of feasible expedited enrollment process," (Decision, p. 324, Finding of Fact 84), consistent with CHPC's arguments; and 4. – in numerous places noted the importance of adopting a "comprehensive multifamily strategy" (Decision, p. 6); of determining "how to better reach and serve . . .those residing in low income multifamily households" (p. 21); of adopting a "whole building approach" to multifamily housing and "offer[ing] a single point of contact" (pp. 141-142, 161), consistent with CHPC's legal, factual and policy contentions. See CPUC comments below regarding description of D.12-08-044.

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:	August 8, 2011	Yes; 2 PHCs were held: August 8 and September 6, 2011
2. Other Specified Date for NOI:		N/A
3. Date NOI Filed:	Sept. 7, 2011	Yes
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:	A. 11-05-017	*See* Comment Below
6. Date of ALJ ruling:	*See* comment below	
7. Based on another CPUC determination (specify):		
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:	A. 11-05-017	*See* Comment Below
10. Date of ALJ ruling:	See Comment Below	
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. 12-08-044	Yes
14. Date of Issuance of Final Order or Decision:	8/30/2012	Yes
15. File date of compensation request:	October 29, 2012	Yes
16. Was the request for compensation timely?		Yes

C. Additional Comments on Part I

#	Intervenor's Comment(s)	CPUC Discussion
5, 6	No ruling issued in response to CHPC's timely filed Notice of Intent to Claim Intervenor Compensation. CHPC demonstrated its customer status in its NOI (Filed September 7, 2011). Please see Part 1(A) of our NOI and the related attachments.	

	Pursuant to Pub. Util. Code § 1802(b)(1)(C), and based on CHPC's showing in its NOI, we find that CPHC is a "representative of a group or organization authorized pursuant to its articles of incorporation or bylaws to represent the interests of residential customers. . . ." CHPC was determined to be an intervenor eligible to claim intervenor compensation in D.14-08-023, issued on August 18, 2014	
9, 10	Since no ruling issued in response to CHPC's NOI, CHPC does not have a determination of significant financial hardship. CHPC demonstrated significant financial hardship in its NOI (Filed September 7, 2011). Please see Part III(C). Pub. Util. Code § 1802(g) states that significant financial hardship for a group or organization means that "the economic interest of the individual members of the group or organization is small in comparison to the costs of effective participation in the proceeding." CHPC has demonstrated significant financial hardship and is eligible to claim intervenor compensation. Based on the timing of CHPC's claim, we provide an independent assessment in this decision,, while also noting that the Commission has affirmed this determination in D.14-08-023, issued on August 18, 2014.	
A		CHPC's description of D.12-08-044 focuses on only those issues for which it seeks compensation. The proceeding was broad-reaching and multi-faceted.

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
1. **The ESAP program should be expanded to better serve the low-income multifamily housing sector in order to help California achieve its ambitious, long-term global climate change initiatives (AB 32), and to**	**CLAIMANT'S PRESENTATIONS:** "The goals of NCLC/CHPC/NHLP's	In this proceeding, CHPC, the National Consumer Law Center (NCLC) and the National Housing Law Project (NHLP) generally

more equitably serve the state's traditionally-underserved populations. CHPC showed that in order to advance California's long-term Global Climate Change goals, and as a matter of achieving more equitable treatment of low-income individuals, the Commission must consider allowing ESAP to assist multifamily rental buildings more fully.	recommendations are to remove barriers that make it hard to serve [multifamily buildings] and to spend ESAP dollars more wisely in multifamily buildings so that deeper savings can be achieved in each building served. This helps California reach its energy efficiency and greenhouse gas reduction goals, while also assisting the low-income families who disproportionately reside in multifamily buildings." (Reply Brief NCLC/CHPC/NHLP at pp. 3.) "Through ESAP, the demand for both electricity and natural gas is greatly reduced, thus reducing carbon emissions that contribute significantly to climate change." (Initial Brief of NCLC et al., Feb 2, 2012 pp. 1.) "Moreover, California arguably has the most ambitious plans in the country to mitigate the carbon emissions that are primary contributors to climate change." (Initial Brief of NCLC et al., Feb 2, 2012 pp. 2.) "…the ESAP portions of [the applications of the IOUs for approval of their 2012–2014 CARE and ESAP budgets and programs] must be seen in light of California's overall body of laws and policies promoting more efficient use of energy." (Initial Brief of	participated and acted in unison. NCLC, CHPC, and NHLP consistently provided joint testimony and other filings in this proceeding. These three intervenors' efforts were primarily focused on the multifamily segment and related issues as they relate to the ESA Program. While those issues are important, they are only a few of the many issues and important points considered and addressed in the overall proceeding, which looked at numerous issues affecting both the ESA and CARE Programs. We find that CHPC has made a substantial contribution on the multifamily segment and related issue, as claimed, but reduce the hours by 50% to account for duplication.

	NCLC et al., Feb 2, 2012 pp. 3.) NCLC/CHPC/NHLP urge the Commission to see the present ESAP cases as an opportunity to move the program in the direction of "deeper retrofits" and program integration, which also will have the effect of providing greater assistance to eligible low- income households. (Initial Brief of NCLC et al., Feb 2, 2012 pp. 4.) CHPC cited for the commission the "Final Report on Phase 2 Low Income Needs Assessment" (KEMA Report), which showed that 43 percent of low-income Californian's live in large, multifamily buildings. However, of those homes treated by LIEE (aka ESAP) from 2007 to 2010, only 24 percent were multifamily homes. (Testimony of Matt Schwartz on behalf of NCLC, NHLP and CHPC at pp. MS-7.) "The statistics regarding multifamily households served in the past should not be determinative in deciding whether to adopt the changes NCLC/CHPC/NHLP have proposed for improving the multifamily component of ESAP in the future. Our recommendations should be adopted on their merits: because they will remove needless barriers to serving	

	these buildings and thus help California better serve low-income households while helping the state achieve its energy efficiency and greenhouse gas reduction goals." (Reply Brief NCLC/CHPC/NHLP pp. 4.) "The primary energy retrofit programs that actually reach both our affordable and market rate low-income rental properties are provided through third party, for-profit contractors, who typically provide prescriptive products and services generally not well suited to the more complicated design and engineering standards of complicated multifamily buildings. This can leave the property with lesser quality products of very limited useful lives that, at times, must be replaced at the property's expense. (Testimony of Dan Levine on behalf of NCLC, NHLP and CHPC at pp. DL-6.) **FINAL DECISION:** D.12-08-044, p. 138: "CHPC et al.'s above observation correctly focuses and orients us to the Commission's two ultimate goals for the low income programs, and in turn correctly puts this multifamily segment issue in perspective today. At issue is not just the treatment of the multifamily segment, but instead the overall vision and goals of reaching all eligible low-	

	income households by 2020, and the effective design and implementation of the ESA Program as envisioned. Thus, if a segment of the low income population is underserved or could be better served, then the ESA Program must undertake reasonable efforts to remedy that identified concern." D.12-08-044, p. 154: "[W]e recognize today that the ESA Program can certainly be improved to better serve this multifamily housing segment and the overall low income residential segment. We will direct the IOUs to do so going forward." D.12-08-044, p. 21: The Commission will work to "overcome some difficult new challenges, including…how to better reach and serve the remaining eligible low income population, including those residing in low income multifamily households…" D.12-08-044, p. 157-163: "While there is not yet a consensus on how to tackle this issue, we see the need for attention to [the multi-family] segment and we see several immediate strategies the IOUs and the parties proposed and which we can pursue here […] Furthermore, the IOUs are directed to simultaneously begin developing and advancing more long-term and comprehensive multifamily	

	segment strategies as discussed in Section 3.10.6.4 of this decision."	
2. **Civil Code Sec. 1941.1 has been misconstrued in prior Decisions: 1941.1 does not legally bar ESAP from assisting multifamily rental units (including for heating and hot water measures).** CHPC (coordinating closely with NCLC and NHLP) contended that the Commission should reverse prior rulings in D. 07-12-051 and 08-11-031 that held -- due to Civil Code s. 1941.1 -- ESAP was barred from providing assistance to owners of multifamily rental housing, especially assistance for common systems such as heating or hot water. CHPC sought a ruling that Section 1941.1 does not legally bar ESAP from assisting multifamily rental units (including for heat and hot water measures) and that the relevant holdings in D. 07-12-051 and 08-11-031, to the extent that they are based on Section 1941.1, should be reversed or revised. The Commission has opened a second phase of the proceeding – including the hiring of a multifamily segment study consultant – in which these issues will be more fully explored.	**CLAIMANT'S PRESENTATIONS** "Section 1941.1 is completely silent as to the efficiency of any heating or hot water equipment. To the contrary, the language expressly allows for use of equipment that "conformed to applicable law in effect at the time of installation," even if under current codes or standards installation of such equipment, due to efficiency or other reasons, would be illegal. No case interpreting Section 1941.1 begins to imply that an owner is responsible for providing energy-efficient heating or hot water equipment, even at the level of equipment that complies with current federal appliance efficiency standards or "Title 20" standards. In fact, because landlord-tenant laws like Section 1941.1 do not require any particular level of efficiency for heating or hot water equipment, many states that are considered energy efficiency leaders and that have laws comparable to Section 1941.1 allow their utility energy efficiency programs to provide incentives for installation of efficient equipment, including in rental properties." (Initial	Partly agreed, and also see discussion in Issue 1, above. It is agreed that the issue is a policy one but the real issue is whether the Commission should consider potentially shifting the costs associated with measures that landlords are legally obligated to provide at their own cost, to the ratepayers. To date, the Commission has viewed and reviewed this issue with that framework. Particularly as to the Civil Code section reference, CHPC et al., did not aid the Commission, rather this argument confused the record. The Commission has not misconstrued Civil Code section provision. The Commission, in D. 07-12-051 and restated in D.08-11-031, had simply acknowledged the explicit language of Civil Code section 1941.1 that the landlords have the legal duty to provide habitable rental units, nothing more.

	Brief of NCLC, CHPC and NHLP, 2/2/12, pp. 38-39.) "The prohibition first articulated in D. 07-12-051 and restated in D.08-11-031 allows highly inefficient heating and hot water equipment to remain in place. Moreover, that prohibition can be fairly read to prohibit ESAP assistance for relatively inexpensive repairs or system upgrades (e.g., boiler controls or blankets, thermostatic valves) – not required by the Civil Code or the warranty of habitability – that could achieve significant energy savings. We do not believe it is the Commission's intent to prohibit cost effective measures that result in substantial energy savings from being considered…" (Initial Brief of NCLC, CHPC and NHLP, 2/2/12, pp. 37.) "NCLC/CHPC/NHLP thus ask the Commission to lift the current prohibition and revise its current policy so that heating and hot water replacements or repairs could be allowed under ESAP, when an investment-grade audit shows one or more of those measures to be cost-effective in a particular building. We are not suggesting that these measures should be prescriptive measures that are always allowed, nor are we asking that these measures be provided for free." (Initial Brief of NCLC, CHPC and	

	NHLP, 2/2/12, pp. 37.) **FINAL DECISION:** D.12-08-044, p. 104: The Commission recognized that "Civil Code Section 1941.1 merely creates landlords' legal responsibility to maintain habitable rental property. It does not create an explicit prohibition that ratepayer funds cannot be used to provide assistance to the landlords to ensure habitable rental units. It also does not prohibit the use of ratepayer funds to provide assistance to the landlords to invest in energy efficient rental units." D.12-08-044, p. 336: [Findings of Fact] "162. California Civil Code Sections 1941.1 (c) and (d) specifically require the landlord to provide heating and hot water in tenant occupied dwellings. "163. California Civil Code Section 1941.1 does not create an explicit prohibition that ratepayer funds cannot be used to provide assistance to the landlords to ensure such habitable rental units. "164. California Civil Code Section 1941.1 also does not prohibit the use of ratepayer funds to provide assistance to the landlords to invest in energy efficient rental units."	
3. **Furnace and water heater repair and replacements should be listed as ESAP-eligible measures for low-income multifamily rental housing.**	**CLAIMANT'S PRESENTATIONS:** "Initial Brief of the National Consumer Law Center et al.",	Yes, but see discussion in Issue 1, above. In addition, this issue is subsumed within Issue 5 below and should not be

CHPC (with NCLC and NHLP) argued that furnace and water heater repair and replacements should be listed as ESAP-eligible measures for multifamily rental housing with the following policy parameters: • Program costs will be contained through program-level and per-unit cost caps, owners shall be responsible for a share of the cost; • Eligibility shall be limited to those heating and hot water systems deemed cost effective through a high-quality energy audit.	2/2/12, pp. 36-42: "The Commission Ruling That Prohibits Heating and Hot Water System Repair and Replacement in Rented Housing Should be Revised." "Reply Brief of National Consumer Law Center et al.", 2/16/12, pp. 7-8 (seeking to "lift the current prohibition on replacing or repairing heating or hot water systems in rental property" and noting the support of other parties for this position.) "Reply Testimony of Ann Silverberg on Behalf of NCLC, NHLP and CHPC," 12/9/11, see especially p. AS-4 (highlighting the "proposed treatment of large central system and hot water systems" in a proposed multifamily pilot); "Reply Testimony of Charles Harak on Behalf of NCLC, NHLP and CHPC," 12/9/11, see especially p. CH-6 ("ESAP [should] be allowed to provide assistance for cost-effective centrally-provided heat and hot water systems in low-income multifamily buildings"); p. CH-8 (Massachusetts multifamily program fully pays for "repair or replacement of heating systems and hot water systems and/or their controls (including common systems)" p. CH-13 (Rhode Island's and New Jersey's multifamily program provides assistance for common area measures.)	compensated separately.

	CHPC, in coordination with NCLC and NHLP, submitted the testimony of several witnesses in support of its policy contention that ESAP should provide greater assistance to common systems/common area equipment in multifamily rental properties, especially for heating and hot water measures: "Testimony of Matt Schwartz on Behalf of NCLC, NHLP and CHPC," 11/18/11, see especially p. MS-7 (noting that for multifamily buildings, ESAP "does not include those [measures] with the highest levels of energy savings … such as hot water systems and in some instances, heating"); p. MS-10 ("Commission should revise its current prohibition on providing assistance to heating and hot water systems in multifamily rental housing"); pp. MS-16 to 17 (ESAP "makes it … difficult to achieve significant savings relating to heat and hot water systems"); pp. MS 17-18 (offering "policy opinions as to why the Commission should reconsider that portion of D. 0811-031" prohibiting ESAP assistance for heating and hot water systems in multifamily buildings"). "Testimony of Dan Levine on Behalf of NCLC, NHLP and CHPC," 11/18/11, see especially p. DL-7 ("ESAP	

	offers only a limited number of energy efficiency measures that exclude building systems like heating and hot water”). “Reply Testimony of Matt Schwartz on Behalf of NCLC, NHLP and CHPC,” 12/9/11, see especially p. MS-8 (a proposed multifamily pilot “fails to acknowledge the exclusion of common area measures, particularly domestic hot water with high energy savings potential”); p. MS-8 (describing savings from installation of high-efficiency DHW boilers). **PROPOSED DECISION/FINAL DECISION:** The Proposed Decision (“PD”) of ALJ Kim, 5/4/12, addressed the legal issues briefly, on PD p. 86 & n. 52 (reaffirming prior decisions that “furnace repair and replacement or hot water repair and replacement work” in rental units cannot legally be supported through ESAP, and p. 226 (similarly reaffirming D. 08-11-031). The “Comments” of NCLC et al. on the PD urged the Commission to revise the PD and the prior holding in D. 08-11-031. The Final Decision in fact did so. In D. 12-08-044 (issued 8/30/12), p. 103, the Commission noted that it had previously “recognized that furnace…or water heater repair and replacement work in renter-occupied units as the	

	legal responsibility of the landlord," citing D. 07-12-051, D.08-11-031, and Civil Code Section 1941.1. On p. 104, the Commission stated: "The Civil code Section 1941.1 merely creates landlords' legal responsibility to maintain habitability rental property. It also does not prohibit the use of ratepayer funds to provide assistance to the landlords to invest in energy efficient rental units."	
4. **Identification of existing barriers faced by tenants and owners of low income multifamily housing to accessing ESAP** CHPC (in coordination with NHLP and NCLC) provided detailed analysis of the existing barriers experienced by multifamily rental building owners and managers in accessing existing energy efficiency programs.	**CLAIMANT'S PRESENTATIONS:** "ESAP offers only a limited number of energy efficiency measures, which exclude building systems like heating and hot water, and do not get at the largest energy savings opportunities that would be available in a whole building approach." (Testimony of Dan Levine on behalf of NCLC, NHLP and CHPC at pp. DL-7.) "Most owners of low-income multifamily rental properties lack the financial resources to make energy efficiency improvements to their buildings beyond basic replacement and repair. Publicly assisted housing developments face the challenge of having their rents and therefore cash flow restricted. Market-rate buildings where large numbers/percentages of the tenants are lower income face	Yes, but see discussion in Issue 1, above. In addition, this issue is subsumed within Issue 5 below and should not be compensated separately.

	similar challenges in that they are typically already charging the maximum amount of rent allowed by the market. Thus, they cannot raise rents to make energy efficiency improvements since the market will not reward them with higher rents. When a market-rate building makes enough revenue to exceed the operating costs of the building, a large percentage of those profits must be reinvested in high-priority capital improvements (such as roof repairs and unit refurbishments). As a result, energy efficiency improvements are often considered non-essential luxuries." (Testimony of Dan Levine on behalf of NCLC, NHLP and CHPC at pp. DL-5.) "CHPC learned that while interest in making energy efficiency improvements was high among many owners/managers of low income multifamily rental housing, most did not have sufficient capital funds to finance these improvements themselves and few had successfully accessed programs specifically designed to serve low income households, including the Energy Savings Assistance Program (ESAP was then known as the Low Income Energy Efficiency Program). These conversations with GREEN members and others	

	helped CHPC identify key barriers for multifamily rental housing accessing low-income energy efficiency programs such as ESAP. These fundamental barriers to access include: • Requiring eligibility determinations for each individual household in a multifamily building and obtaining individual household information and permission to do work; • Offering only a limited, prescriptive list of measures that often does not include those with the highest levels of energy savings documented in multifamily buildings in California such as hot water systems and in some instances, heating; [and] ignores the interactivity of measures; and fails to reflect the unique energy and building systems of individual multifamily buildings; • Failing to offer a single point of contact to access the wide array of rebate and incentive programs, and thus requiring owners and tenants to attempt to navigate a multitude of uncoordinated services and incentive programs delivered through different systems." (Testimony of Matt Schwartz on behalf of NCLC, NHLP and CHPC at pp. 6.) "During 2009, and possibly	

	earlier as well, various low-income multifamily stakeholders – public housing authorities, community development corporations, and community-based groups working with low-income tenant households – began voicing complaints that the utility-funded energy efficiency programs were not accessible to them in practice, even though under the formal program rules these buildings were certainly eligible to receive energy efficiency services. More specifically, multi-family building owners and advocates working with tenants in those properties voiced complaints that the properties could not afford to make the co-payments that the programs required – as the program rules (including rebate structures) were designed for commercial and market-rate property owners and managers with greater cash resources – and that it was too hard for the owners to figure out how to simultaneously – or even sequentially – access the different programs for which the owners/managers themselves and tenants might qualify." (CHPC/NCLC/NHLP Reply Testimony of Charles Harak, pp. CH 6-12.) **FINAL DECISION:** D. 12-08-044, pp. 164-167	

	(establishing a Multifamily Segment Study with a budget of $400,000 and setting strict deadlines; requiring evaluation of "programs administered in other jurisdictions" [note that the reply testimony of Charles Harak on behalf of CHPC et.al. reviewed programs in MA, RI and NJ]; requiring examination of "comments, objections and proposals from parties to the proceeding" and of the "single point of contact" approach"). pp. 324-325, Findings of Fact 80-84 (discussing steps to identify "if the ESA Program is not effectively reaching the multifamily segment" and describing "eight immediate strategies … to immediately begin improving the penetration rate for the multifamily segment.") pp. 388-389, Ordering paragraphs 70-72 (regarding "eight immediate Multifamily Segment Strategies" and "Multifamily Segment Study").	
5. **Overcoming barriers to ESAP access with CHPC et al. proposed solutions such as "expedited enrollment," "whole building" approach, and "single point-of-contact".** CHPC (along with NCLC and NHLP) facilitated the contribution of expert witness testimony that demonstrated how barriers to accessing energy efficiency programs could be eliminated in order to	**CLAIMANT'S PRESENTATIONS:** **Regarding expedited enrollment:** "Testimony of Matt Schwartz on Behalf of NCLC, NHLP and CHPC", 11/18/11, see especially p. MS-7 ("Requiring eligibility determinations for each individual household in a	Yes, but see above. This is a general issue in which Issues 3 and 4 were addressed.

optimize the ESAP program. CHPC (along with NCLC and NHLP) presented testimony that "expedited enrollment" is currently used in the Weatherization Assistance Program ("WAP") operated by the state's Department of Community Services and Development ("CSD"), under a memorandum of understanding signed by the federal Department of Housing and Urban Development and Department of Energy, and that "expedited enrollment" could help ESAP reach more multifamily buildings, at lower administrative cost. CHPC recommended that ESAP should provide a single point-of-contact/"one-stop shop" for multifamily buildings seeking ESAP services, to overcome some the barriers that currently exist due to tenants and owners having to apply separately to ESAP, the general energy efficiency program, and possibly other programs. CHPC contended that ESAP should take a "whole building" approach so that all cost-effective measures will be delivered once a multifamily building seeks services.	multifamily building" identified as one of the "key barriers for multifamily housing accessing" ESAP); p. MS-9 (recommending that "the Commission should adopt an expedited multifamily enrollment process.") "Testimony of Dan Levine" on behalf of NCLC, NHLP and CHPC, 11/18/11, p. DL-5 ("we recommend an expedited multifamily enrollment process"); p. p. DL-7 (describing the barriers created by "requiring tenants" to individually prove they are "income-eligible"); p. DL-9 (recommending "Expedited multifamily enrollment"). "Testimony of Wayne Waite Re: Expedited Enrollment" on behalf of NCLC, NHLP and CHPC, 11/18/11 ("shar[ing] the experience that HUD (working closely with the Department of Energy … and the California Department of Community Services) have had in using what I will here call 'expedited enrollment'"). "Initial Brief of NCLC, CHPC and NHLP," 2/2/12, pp. 17-25 ("The Commission Should Adopt an Expedited Enrollment Process for Multifamily Rental Buildings"). "Reply Brief of NCLC, CHPC and NHLP," 2/16/12, pp. 4-6 ("An Expedited Enrollment Process for Multifamily Rental Buildings …")	

	Regarding the contention that ESAP should take a more integrated, "whole building" approach and to adopt a single point of contact/ "one-stop shop": "As described in my testimony below, a "one-stop shop" or single point of contact would offer seamless access to ESAP and other energy efficiency programs through a single "application" and rebate process and integrated offerings (potentially from more than one program), and thereby reduce the barriers to program entry for multifamily building owners." (Testimony of Matt Schwartz on Behalf of NCLC, NHLP and CHPC 11/18/11, pp. MS-10.) To reduce obstacles to participation, the MF HERCC recommended providing multifamily building owners/managers with a single point of contact to help them navigate access to ESAP and IOU incentive programs in a coordinated manner. I recommend that the Commission direct the IOUs to incorporate this idea of a single point of contact for owners of multifamily rental buildings that are home to a significant number of eligible households into ESAP." (Testimony of Matt Schwartz on Behalf of NCLC, NHLP and CHPC 11/18/11, pp. MS-12.)	

	"Under current program designs, multifamily owners/managers find it time consuming and daunting to sort through the range of individual measures and targeted programs that might apply to their properties, and to make sense of the varying application procedures and requirements associated with each program. And due to the fractured nature of how multifamily rental buildings are served, owner/managers must often access multiple programs in striving to make comprehensive energy efficiency improvements to their buildings." (Testimony of Matt Schwartz on Behalf of NCLC, NHLP and CHPC 11/18/11, pp. MS-13.) "Testimony of Dan Levine on Behalf of NCLC, NHLP, and CHPC," 11/18/11, pp. DL-7 to DL-9 (citing problems with the limited measures currently offered by ESAP). "Testimony of Wayne Waite Re: Tenant Benefits" on behalf of NCLC, NHLP and CHPC, 11/18/11, pp. WW C-3 to WW C-5 (explaining how a "whole building approach" that addresses landlord-metered loads can provide benefits to tenants). "Reply Brief of NCLC, CHPC and NHLP," 2/16/12, pp. 7-10 (noting the support of other parties for a "whole-building" approach.)	

	"[A] limited piecemeal approach offers little in the way of the kind of deep energy savings that interest multifamily rental building owners." (Testimony of Matt Schwartz on Behalf of NCLC, NHLP and CHPC 11/18/11, pp. MS-13.) "…we recommend a whole-building approach and the creation of a "one-stop shop" that maximizes the amount of assistance tenants and building owner/managers can receive by accessing the various energy efficiency programs in a coordinated way while reducing the administrative costs for multifamily rental property owner/managers and the disruptions to our tenants." (Testimony of Dan Levine on Behalf of NCLC, NHLP and CHPC 11/18/11, pp. DL-4,5.) "As Dan Levine of The John Stewart Company indicated in his November 18, 2011 testimony (Pages DL-1 to DL-9) and Ann Silverberg reiterates in her testimony, multifamily housing owners/managers need a single point of contact, capable of delivering a package of energy measures responsive to the specific characteristics, needs, and interests of the specific multifamily property. This single point of contact must be capable of aggregating	

	incentives and rebates from one or more program sources and providing that benefit to the property in a coordinated manner in both accessing (i.e. applying for) the programs as well as in the delivery of services." (Reply Testimony of Matt Schwartz on Behalf of NCLC, NHLP and CHPC," 12/9/11, pp. MS-10,11.) **PROPOSED DECISION: Regarding expedited enrollment:** D. 12-08-044, p. 13 ("the Commission intends to further examine and develop an informed record regarding … NCLC's proposed multifamily expedited enrollment process"); p. 167 (same); p. 325, Finding of Fact 84 (same); p. 355, Conclusion of Law 86 (same). **Regarding "whole building" approach and one-stop shopping/single point of contact:** D.12-08-044, pp. 41: The Commission emphasized its push for more, ongoing integration, directing the IOUs and Energy Division to work with the Integrated Demand Side Management Taskforce. In addition, the Commission ordered the IOUs to develop plans (as part of the 2015-2017 applications) for more integration of ESAP with other ratepayer energy efficiency programs.	

	D. 12-08-044, pp. 141-144 (summarizing NCLC and CHPC's positions on these issues), p. 161 ("the proposed concept of single point of contact is approved"). D.12-08-044, p. 161: In Strategy 5 of the Multifamily Segment Strategies, the Commission orders "The IOUs are directed to offer a single point of contact for multifamily rental housing owner/operators for ESA Program and other energy efficiency programs offerings by the IOUs. During this cycle, the IOUs should explore ways to expand this single point of contact concept to include, where appropriate, coordinate with other non-IOU efficiency or housing renovation programs (e.g. CSD or other local government programs)." **Regarding overcoming the barriers that the multifamily segment faces in accessing ESAP:** D. 12-08-044, pp. 164-167 (establishing a Multifamily Segment Study with a budget of $400,000 and setting strict deadlines; requiring evaluation of "programs administered in other jurisdictions" [note that the reply testimony of Charles Harak on behalf of NCLC reviewed programs in MA, RI and NJ]; requiring examination of "comments, objections and proposals from	

	parties to the proceeding" and of the "single point of contact" approach"). D. 12-08-044 pp. 324-325, Findings of Fact 80-84 (discussing steps to identify "if the ESA Program is not effectively reaching the multifamily segment" and describing "eight immediate strategies … to immediately begin improving the penetration rate for the multifamily segment.") D. 12-08-044 pp. 388-389, Ordering paragraphs 70-72 (regarding "eight immediate Multifamily Segment Strategies" and "Multifamily Segment Study").	
6. **The Statewide Low Income Energy Efficiency Program requirement that the non-cash value of housing subsidies be counted as income for the purpose of determining ESAP eligibility is adverse to the goals of ESAP, is unpractical, and is unsound policy.** CHPC (coordinating closely with NCLC and NHLP) factually contended that the value of many housing subsidies (public housing low-income housing tax credit and project-based section 8) cannot be quantified and, as a policy matter, that the value of housing subsidies should not be counted as income in determining ESAP eligibility.	**CLAIMANT'S PRESENTATIONS** "Testimony of Wayne Waite Re: Counting of Housing Subsides As Income" on behalf of NCLC, NHLP and CHPC, 11/18/11, pp. WW A-2 to A-6 (As a Manager at the U.S. Department of Housing and Urban Development ("HUD"), Mr. Waite described HUD's various housing subsidy programs, noting that "a household living in HUD-subsidized does not receive any direct assistance from HUD"; that "HUD provides subsidies for property owners"; that the "Housing Benefit received by the tenant" cannot "be easily quantified"; and because	Yes, but see discussion in Issue 1, above.

	HUD's "housing subsidies are not assistance given directly to the tenant," the "assistance programs [he is] familiar with do not value housing subsidies in income calculations.") The "Initial Brief of NCLC, CHPC and NHLP," 2/2/12, pp. 8-17, argued that "The Non-Cash Value of Housing Subsidies Should Not be Counted as Income," including a summary of: the five major housing subsidy programs; of Mr. Waite's testimony; and of relevant statutes and regulations. "Comments of CHPC and NHLP" on the May 2, 2012 Proposed Decision of ALJ Kim, 5/24/12, pp. 2-5. **FINAL DECISION:** D. 12-08-044: p. 13 (discussion of "Expedited Enrollment Proposal, Housing Subsidy and Income Definition," stating that "NCLC's proposed multifamily expedited enrollment process" including "housing subsidy" issues will be "further examine[d]" in the "second phase"); p. 167 (same); p. 355, Conclusion of Law 86 (same).	

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

	Claimant	CPUC Verified
a. Was the Office of Ratepayer Advocates (ORA) a party to the proceeding?[1]	Yes	Yes
b. Were there other parties to the proceeding with positions similar to yours?	Yes	Yes
c. If so, provide name of other parties: California Housing Partnership Corporation (CHPC), National Housing Law Project (NHLP), The Utility Reform Network (TURN), Green for All, Center for Accessible Technology, National Asian American Coalition, Latino Business Chamber of Greater Los Angeles, Black Economic Council (the prior three known as "Joint Parties"), Natural Resources Defense Council (NRDC).		CHPC consistently provided joint testimony and other filings with NHLP and NCLC.
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: CHPC worked in close coordination with ORA and with other intervenors who addressed similar issues Although CHPC/NCLC/NHLP worked together on a multitude of issues, no extraneous work was performed. The Intervenor Compensation claim awards sought by each organization reflect the time spent by individuals at CHPC, NCLC and NHLP on their discrete participation efforts. Had one organization done this work instead of three, that single organization could fairly request, and account for, compensation for the total sum of each of the claims put forth by CHPC, NCLC and NHLP. CHPC/NCLC/NHLP worked diligently to avoid duplication of our own efforts. Examples of this include: (1) dividing up which IOUs each intervenor drafted discovery requests for (NCLC focused its discovery efforts on PG&E and SoCalEd, while CHPC drafted discovery for SoCalGas and SDG&E); (2) dividing up preparation for, and presentations at, the low-income multifamily housing workshops; (3) allocating coverage of the other workshops to eliminate the need for each of our organizations to send representatives (4) drafting separate sections for most of the comments and briefs including the majority of which we jointly filed; (5) dividing up the responsibility for answering the questions propounded by ALJ Kim.		We do not agree that CHPC avoided duplication with NCLC and NHLP. These three parties largely provided joint testimony, substantive comments and other filings in A.11-05-017 et al. CHPC's claim does not properly distinguish its unique and separate substantial contribution, separate and apart from those other parties. Thus, comments, responses, reply briefs, and testimony largely presented material that is duplicative of NCLC and NHLP, as well as earlier

[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.

CHPC/NCLC/NHLP acted as a unified team in order to avoid duplication with DRA. Using well-considered delegation of tasks amongst CHPC/NCLC/NHLP, we had numerous phone calls and meetings with DRA. In those discussions, CHPC/NCLC/NHLP kept DRA fully abreast of the issues we intended to address in our workshop presentations, testimony, discovery, and briefs, so that DRA would not need to duplicate any of our work on multifamily issues. CHPC, NCLC, and NHLP elicited from DRA the extent to which it planned to address the multifamily issues that were the focus of our efforts. As the briefs and other documents filed in this case make clear, this coordination effort relieved DRA of the burden of addressing these issues in depth. References in DRA's briefs in support of positions taken by CHPC/NCLC/NHLP reflect our conversations with DRA in which we sought to coordinate with, but not duplicate, DRA's own efforts. See, e.g., DRA Opening Brief, 2/2/12, pp. 10, 59-60. Similarly, CHPC/NCLC/NHLP had numerous phone calls and e-mail exchanges with several of the other intervenors; namely NRDC, TURN, Center for Accessible Technology, the Joint Parties and Green for All. This communication advised those parties of the positions CHPC/NCLC/NHLP would be taking, and served to eliminate duplication of all parties' efforts. The results of these coordination calls and e-mails can be seen in the briefs of other intervenors where they simply voice their support for positions we took on multifamily issues, without those other intervenors duplicating any of our testimony, discovery or other efforts. See, for example, "Testimony of Matt Schwartz on behalf of NCLC, NHLP and CHPC," 11/18/11, p. MS11, which includes a table showing which other parties support the positions taken by the CHPC/NCLC/NHLP. The same testimony, pp. MS-11 and MS-12, similarly shows the CHPC/NCLC/NHLP support for positions of other parties which, due to care in avoiding duplicative efforts, required almost no expenditure of additional time on those issues; the CHPC/NCLC/NHLP deferred to the work of other parties.	filings. Our review of the timesheets filed by the three intervenors show duplicative claims for seemingly same or similar efforts. Moreover, comments, responses, reply briefs and other filings largely consisted of recycling of prior filings and reiteration of points and materials previously made and therefore a duplicative of earlier filings with minor unique responses that made up a small percentage of subsequent filings yet several hours were again billed for this work. We therefore consider the billed hours by CHPC excessive and have reduced the compensated hours accordingly. We agree that these intervenors provided an important perspective, but claiming approximately 730 hours under the circumstances is not reasonable for issues

	that represented only a small portion of and narrow scope of the overall proceeding which addressed numerous issues affecting the ESA and CARE Programs. We address this more fully below.

PART III: REASONABLENESS OF REQUESTED COMPENSATION

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

a. Intervenor's claim of cost reasonableness:	**CPUC Verified**
Note: A precise dollar value cannot be provided at this time for benefits realized, as the Commission has deferred to the second phase of this proceeding further consideration of the changes CHPC has proposed to be made to ESAP's service of multifamily buildings. That said, D. 12-08-044 unquestionably initiates major changes to how ESAP serves multifamily properties. Thirty full pages of the decision (section 3.10, pp. 137 to 167) are devoted to the "Multifamily Housing Segment." The Commission has already required the adoption of eight "Multifamily Segment Strategies" and has also mandated the retention of a multifamily segment consultant to further explore the many multifamily issues raised by NCLC/CHPC/NHLP. The decision overturns the legal barrier to ESAP providing assistance for heat and hot water measures in multifamily housing, even if it remains for the second phase to determine if such assistance will actually be provided, and the extent of such assistance. The decision also mandates a whole house approach and a single point of contact for multifamily buildings. The mandated consideration of expedited enrollment may allow many more multifamily buildings to access ESAP. ESAP will expend $1.1 billion over the next three years (D. 12-08-044, p. 6), yet each of the IOU's (with the exception of SDG&E) is under-serving multifamily households relative to the company's own estimate of the percentage of ESAP-eligible households living in multifamily housing. Similarly, the Decision, p. 155, notes that "each IOU's multifamily homes [percentage] treated figures" (with the exception of SDG&E) is falling, comparing 2007-2010 to prior periods. If the changes urged by CHPC that are slated for review in	We note that this explanation is quite similar to that provided by NCLC. As with NCLC, we find that the claimed cost of CHPC's participation does not bear a reasonable relationship with results realized through its participation. CHPC has not demonstrated how the cost of CHPC's participation is reasonably related to the benefits ratepayers receive because of its participation. While we find that a substantial contribution was made in the narrow scope of issues it focused on, much of the time claimed by CHPC is unreasonable given the narrow scope of issues it focused on, primarily in the multifamily sector, in a large proceeding with a wide array of issues. Therefore, CHPC's compensation in this decision is reflective of and commensurate with its substantial contribution to the select portion of the overall ESA and CARE Programs.

Phase 2 result in even a 1% increase in total ESAP funding going to the multifamily sector, that would result in a $10 million increase in efficiency services in the multifamily sector. It is not at all unreasonable to assume that the changes initiated in D. 12-08-044 will lead to much more than a 1% increase in total expenditures in the multifamily segment, given the focus of the Decision on that segment.	Specifically, we have reduced the hours compensated, which is appropriate both because of duplication and because of the narrow range of issues that this party has focused on. With these adjustments, we concur that the benefits realized bear a reasonable relationship to CHPC's participation in the proceeding.
b. Reasonableness of Hours Claimed. CHPC's accounting of hours is reasonable in light of the unexpected lengthening of this proceeding, for which a final decision was initially anticipated in October 2011. As a point of fact, the Final Decision was not issued until the end of August 2012. While CHPC exceeded the amount of total hours that it estimated for its participation in the NOI, the amount of work required of CHPC was substantially increased as the scope of the proceeding developed to span more than fifteen months and include eight full days of workshops. Ross Nakasone left CHPC before completion of CHPC's intervenor compensation claim, Katherine Carlin was then hired to complete the intervenor compensation claim. CHPC et al., presented more witnesses than any other party, conducted extensive discovery and provided comprehensive replies to the ALJ's data requests. CHPC co-lead the planning and coordination of the Multifamily Workshop (Oct 21, 2011). In addition, CHPC was directed to respond to a series of questions (including a specific requirement of CHPC et al. regarding Question 12) presented by ALJ Kim. (Dec. 28, 2011 Ruling) CHPC coordinated with other parties to avoid duplication of efforts (Part II(B)(d) above), which allowed for joint filings in the majority of cases with NCLC and NHLP. Despite the substantial amount of time required for inter-party coordination, the avoidance of duplication of efforts significantly outweighed the additional coordination time. CHPC's total hours claim is conservative for the following reasons: 1. CHPC worked diligently to divide labor internally to those best suited for the particular tasks. Ross Nakasone, Esq. had primary responsibility for performing substantive research, and for the drafting and review of filings and other proceeding-related documents. Matt Schwartz, CHPC's President & CEO, provided	The hours claimed by CHPC are not reasonable and have been adjusted to account for duplication, inefficiency, and the narrow range of issues focused on. Even considering the fact that this proceeding spanned 14 months, CHPC's efforts and contribution were narrowly focused. Early on in this proceeding, the assigned ALJ properly provided guidance and clearly stated concerns about potential duplication due to the number of intervenors with overlapping concerns. (*See*, e.g., Ruling dated November 30, 2011.) While we recognize that CHPC made an effort to coordinate and collaborate with other parties, and has apparently waived certain costs, we remain concerned about the excessive number of hours claimed and have made adjustments for duplication. In examining this issue, we thoroughly reviewed the filings jointly presented by NCLC, NHLP and CHPC for their substance, the legal or expert nature of the filings contents, the uniqueness of the contents in comparison to previous filings by these organizations in this docket, and by who appeared to be the lead on the filing based on the time sheets that were submitted. Filings were up to 85% repetitive of

strategic direction, informing the discussion with his high-level expertise on low-income multifamily issues. Ann Gressani, CHPC's regulatory consultant, has several years of experience with the CPUC and was charged with coordinating CHPC's issues with other parties, and facilitating CHPC's engagement with Energy Division staff and Commissioners' offices. Ms. Gressani also advised on strategy and procedure. 2. As a matter of billing discretion and in recognition of the size of this claim, and despite their substantial contributions to this proceeding, Matt Schwartz and Ann Gressani have both waived their fees and are not filing for Intervenor Compensation reimbursement. Internal estimates reflect that these waivers will eliminate tens of thousands of dollars in otherwise reimbursable costs. 3. None of the countless hours of internal coordination work within CHPC is being claimed. CHPC arranged for the testimony of five expert witnesses at no cost, including United States Department of Housing and Urban Development official Wayne Waite, who has both housing and energy efficiency program expertise, and others who have field expertise and practical experience with ESAP implementation. As noted above, section II.B., regarding duplication of efforts, CHPC ccoordinated closely with other parties and put in extremely minimal time on various issues it had intended to address more fully, once it learned that other parties would be covering those issues. CHPC/NCLC/NHLP also made sure that other parties with similar interests were aware of our planned efforts, so that they could simply voice their support for our positions, without having to spend time themselves on factually and legally developing those issues.	previous filings with the residue of the document being unique responses to other comments or briefs filed in the proceeding. Reductions have been made for the excessive hours claimed to produce duplicative filings. (*See* Part III.C.) We also note that in its NOI, CHPC estimated that it would devote approximately 360 hours to this proceeding. While it is certainly true that NOIs are used to estimate budgets, CHPC's claimed hours is more than double its estimate. Here, CHPC's estimate in its NOI was not just for the overall proceeding, and this claim is only for its work until Phase I. Thus, presumably there will be even greater amount claim to be filed following the recent Phase II decision. That would mean that CHPC expended double its full proceeding estimate just in Phase I. That is unreasonable. Even recognizing that the proceeding spanned 14 months, given the duplication and the narrow scope of issues CHPC focused on in the overall ESA and CARE proceeding, the hours claimed are excessive.
c. Allocation of hours by issue:	Allocation of Hours by Issue: CHPC did not present this information in its claim, but rather in its time records. Pursuant to those records, CHPC states that it allocated its time as follows: Low-Income Multifamily Renter Households are underserved/removing

	barriers – 15%; Civil Code Sec. 1941.1 as a legal barrier to making rental heating and hot water measures ESAP eligible – 5%; As a matter of policy, making rental heating and hot water measures ESAP eligible for multifamily rental housing – 20%; Expedited enrollment for Low-income Multifamily Rental Housing – 18%; Housing subsidies as an element considered as household income – 8%; A whole-building, performance-based approach, including coordinated delivery of energy efficiency services through a single point of contact – 17%; General/Multiple Issues – 17%; and These general issue categories do not neatly correspond with the substantial contribution claimed in CHPC's claim, nor do they jibe with the issues outlined in the Assigned Commissioner's Amended Scoping Memo Ruling, dated January 26, 2012.

B. Specific Claim:*

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	**Year**	**Hours**	**Rate**	**Basis for Rate***	**Total $**	**Hours**	**Rate**	**Total $**
Ross Nakasone	2011	488	$150	*See* comment 3	$73,200.00	244	$150	$36,600.00
Ross Nakasone	2012	241.5	$185	*See* comment 3	$44,678.00	120.75	$150	$18,075.00
				Subtotal:	**$117,878.00**		***Subtotal:***	**$54,675.00**
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	**Year**	**Hours**	**Rate**	**Basis for Rate***	**Total $**	**Hours**	**Rate**	**Total $**

Ross Nakasone	2011	1.5	$75	*See* comment 3	$112.00	0	N/A	$0.00
Ross Nakasone	2012	37.7	$92	*See* comment 3	$3,473.00	10	$75	$750.00
Katie Carlin	2012	30	$77.5	*See* comment 3	$2,325.00	10	$77.50	$775.00
				Subtotal:	**$5,910.00**		***Subtotal:***	**$1,525.00**
				TOTAL REQUEST $:	**$123,788.00**	**TOTAL AWARD $:**		**$56,200.00**

*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.

**Travel and Reasonable Claim preparation time typically compensated at ½ of preparer's normal hourly rate.

ATTORNEY INFORMATION

Attorney	Date Admitted to CA BAR[2]	Member Number	Actions Affecting Eligibility (Yes/No?) If "Yes", attach explanation
Ross Nakasone	August 19, 2000	208210	Yes. Effective January 1, 2002 Ross Nakasone is inactive
Kathleen (Katie) Carlin	August 22, 2011	277428	No

[2] This information may be obtained through the State Bar of California's website at http://members.calbar.ca.gov/fal/MemberSearch/QuickSearch.

C. CPUC Disallowances and Adjustments

Comment	Reason
1. Disallowance for lack of efficiency and duplication	The number of hours that CHPC has claimed for billed fees is excessive, given the amount of collaboration that went into almost all of its filings, the very narrow scope of issues this party focused on, primarily the multifamily sector, and the duplication among CHPC, NCLC, and NHLP. In addition, many of the jointly-filed documents were repetitive of earlier filings and provided little unique or additional substantive information.
2. Hourly rate for Ross Nakasone	CHPC did not provide justification for Nakasone's rates, other than referencing D.08-04-010, which set intervenor rates for 2008. CHPC provided resumes on September 10, 2014. In 2011, Nakasone had 1 year of experience with CHPC, 2 years of intern experience, and approximately 6 years of experience as a legislative director with the County of San Mateo. We consider his experience equivalent to that of an expert with 0 to 6 years of experience in the area of low income, multifamily housing. While Nakasone has a J.D, his membership in the California Bar is inactive. Accordingly, we award Nakasone the $150 per hour requested hourly rate for 2011, which is consistent with rates set forth in Resolution ALJ-267. For 2012, we rely on Resolution ALJ-281 and apply the same rate. CHPC provided no justification for increasing Nakasone's hourly rate to $185 in 2012.
3. Hourly rate for Katie Carlin	CHPC did not provide justification for Carlin's hourly rate, other than referencing D.08-04-010, which set intervenor rates for 2008. CHPC provided resumes on September 10, 2014. Carlin was admitted to the California Bar in 2011 and had approximately 1 year of experience as an attorney. Her only work in this proceeding was preparing the intervenor compensation claim. We award her an hourly rate of $155 per hour, pursuant to Resolution ALJ-281, but will compensate the work done in this proceeding at $77.50, consistent with the intervenor compensation program requirements.
4. Claimed hours for Intervenor Compensation Claim Preparation	CHPC claims 69.2 hours in 2011 and 2012 to prepare its intervenor compensation claim. This decision disallows 1.5 hours in 2011 and 47.7 hours claimed in 2012 for this task. The hours billed are excessive to create a routine filing that is developed from time records and references to filed documents, testimony, and the final decision. We allow 10 hours for Carlin and 10 hours for Nakasone for preparation of the claim. In addition, we note that CHPC had to refile its intervenor compensation request because the previously-filed version listed the title of the organization as the national Consumer Law Center. We do not compensate for time spent on erroneously prepared and filed documents.

PART IV: OPPOSITIONS AND COMMENTS

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

If so:

Party	Reason for Opposition	CPUC Disposition

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

If not:

Party	Comment	CPUC Disposition
	No comments were filed.	

FINDINGS OF FACT

1. California Housing Partnership Corporation has made a substantial contribution to Decision 12-08-044.

2. The requested hourly rates for California Housing Partnership Corporation'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 $56,200.00.

CONCLUSION OF LAW

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

O R D E R

IT IS ORDERED that:

1. California Housing Partnership Corporation is awarded $56,200.00.

2. Within 30 days of the effective date of this decision, Pacific Gas and Electric Company, Southern California Edison Company, San Diego Gas & Electric Company, and Southern California Gas Company shall pay California Housing Partnership Corporation their respective shares of the award, based on their California-jurisdictional gas and electric revenues for the 2012 calendar year, to reflect the year in which the proceeding was primarily litigated. 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 January 12, 2013, the 75th day after the filing of California Housing Partnership Corporation's request, and continuing until full payment is made.

3. The comment period for today's decision is not waived.

This decision is effective today.

Dated _____, at San Francisco, California.

APPENDIX

Compensation Decision Summary Information

Compensation Decision:		**Modifies Decision?**	No
Contribution Decision(s):	D1208044		
Proceeding(s):	A1105017, A1105018, A1105019, A1105020		
Author:	ALJ Kim		
Payer(s):	Pacific Gas and Electric Company, Southern California Edison Company, San Diego Gas & Electric Company, Southern California Gas Company		

Intervenor Information

Intervenor	Claim Date	Amount Requested	Amount Awarded	Multiplier?	Reason Change/Disallowance
California Housing Partnership Corporation	10/29/2012	$123,788.00	$56,200.00	No.	Disallowance for duplication of efforts and lack of efficiency, reduction in hourly rate claimed for Nakasone in 2012

Advocate Information

First Name	Last Name	Type	Intervenor	Hourly Fee Requested	Year Hourly Fee Requested	Hourly Fee Adopted
Ross	Nakasone	Expert	California Housing Partnership Corporation	$150	2011	$150
Ross	Nakasone	Expert	California Housing Partnership Corporation	$185	2012	$150
Katie	Carlin	Attorney	California Housing Partnership Corporation	$155	2012	$155

(END OF APPENDIX)