

Decision _____

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 NATURAL RESOURCES DEFENSE COUNCIL FOR SUBSTANTIAL CONTRIBUTION TO DECISION 14-08-030

Intervenor: Natural Resources Defense Council (NRDC)	For contribution to Decision 14-08-030
Claimed: \$24,029.08 ¹	Awarded: \$21,546.15 (10.33%)
Assigned Commissioner: Catherine J.K. Sandoval	Assigned ALJ: Kimberly Kim

PART I: PROCEDURAL ISSUES

A. Brief description of Decision:	D.14-08-030 reviewed and ruled on various Phase II activities ordered in the Phase I Decision, including on four completed studies and three working group reports: the Low-Income Needs Assessment, the Energy Education Study, the Multifamily Segment Study, and the Impact Evaluation Report, in addition to the reports of the Cost-Effectiveness Working Group, the Workforce Education and Outreach Group, and the Mid-cycle Working Group. It specifically adopts and directs implementation of the 2013 Multifamily Phase I Study and the four recommendations from the Cost-Effectiveness Working Group final report. It also provides guidance on the high efficiency furnace and smart strip measures and adopts bridge funding for 2015
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¹ In NRDC’s original request, they claim \$23,304.00. However, after reviewing NRDC’s timesheets, a mathematical error was discovered. Our correction of this mathematical error reflects the actual request as \$24,029.08.

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

	Intervenor	CPUC Verified
Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):		
1. Date of Prehearing Conference (PHC):	August 8, 2011	Verified.
2. Other specified date for NOI:		
3. Date NOI filed:	September 7, 2011	Verified.
4. Was the NOI timely filed?		Yes.
Showing of customer or customer-related status (§ 1802(b)):		
5. Based on ALJ ruling issued in proceeding number:	R.09-08-009	Verified.
6. Date of ALJ ruling:	January 28, 2010	Yes.
7. Based on another CPUC determination (specify):	n/a	The ALJ Ruling in R.11-11-008 on December 1, 2011, also affirms NRDC's eligibility for intervenor compensation.
8. Has the Intervenor demonstrated customer or customer-related status?		
Showing of "significant financial hardship" (§ 1802(g)):		
9. Based on ALJ ruling issued in proceeding number:	As R. 13-12-011	Verified.
10. Date of ALJ ruling:	July 29, 2014	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. 14-08-030	Verified; please note an Order Correcting Error was issued for this Decision (D.) 14-08-042.
14. Date of issuance of Final Order or Decision:	August 20, 2014	Verified.
15. File date of compensation request:	October 20, 2014	Verified.
16. Was the request for compensation timely?		Yes.

PART II: SUBSTANTIAL CONTRIBUTION

A. Did the Intervenor substantially contribute to the final decision (see § 1802(i), § 1803(a), and D.98-04-059).

Intervenor’s Claimed Contribution(s)	Specific References to Intervenor’s Claimed Contribution(s)	CPUC Discussion
<ul style="list-style-type: none"> The following italicized headers correspond to the substantive issue areas used to categorize staff timesheets. 		
<p>1. Cost Effectiveness</p> <p>The Commission adopted the cost effectiveness working group report and ordered the utilities to implement the four cost-effectiveness working group recommendations and ordered the Energy Division to reconvene the working group to establish a program-level cost effectiveness threshold.</p> <p>NRDC initially proposed the key recommendations that the Working Group ultimately adopted (see Phase I Testimony, referenced in the right column).</p> <p>The adopted cost effectiveness recommendations include:</p> <ol style="list-style-type: none"> The Commission shall base program approval for the 2015-2017 cycle and beyond on the cost-effectiveness results at the program level, rather than at the measure level; In the 2015-2017 applications, the Utilities shall categorize measures as “resource” or “non-resource” based on the measure’s ability to provide energy savings; The Utilities shall apply the two proposed new cost-effectiveness tests, the Energy Savings Assistance Cost-Effectiveness Test (ESACET) and the Total Resource Cost (TRC) 	<ul style="list-style-type: none"> D.14-08-030 at 3, 65, 66, OPs 34, 37, 38, 39, 43, 44, 45 See: <i>Comments of the NRDC on ALJ’s Ruling Seeking Comments on Final Working Group Reports and ALJ Questions</i> (10/17/2013) at 5-7. See: <i>Comments of the NRDC on the Phase II Decision on the Large Investor-owned Utilities’ 2014 ESA Program and CARE Program Applications</i> (6/2/2014), at 4-5. See: <i>Reply Comments of the NRDC on the Phase II Decision on the Large IOUs’ 2012-2014 ESA Program and CARE Applications</i> (6/9/2014), at 5. See: <i>Comments of NCLC, CHPC, NHLP, and NRDC on the Phase II Alternate Proposed Decision of Commissioner Florio</i> (7/17/2014), at 10-13. See: <i>Reply Comments on the Alternate Proposed Decision of Commissioner Florio</i> (7/22/2014), at 2, 3. See: <i>NRDC Testimony</i> (11/18/11), at 8-13. 	<p>See CPUC Disallowances and Adjustments, Item 5.</p> <p>We also note that Ordering Paragraph 34 of D.14-08-030 cited regarding Cost-Effectiveness issues, pertains only to the adoption of the Low-Income Needs Assessment Study (2013 LINA Study), the updated Impact Evaluation Report (2013 Evaluation Report), the Multifamily Segment Study, and the Energy Education Study, Phase 1 Report.</p>

<p>test, replacing the existing tests; and</p> <p>4. During the 2015-2017 cycle, for informational purposes, the Utilities shall conduct a preliminary, qualitative Equity Evaluation, with opportunity for party comment on the preliminary results.</p>		
<p>2. ESA Program Measures</p> <p>The Commission resolved the cost effectiveness issues around high efficiency forced air units and ordered PG&E to add Smart power strips to its 2012-2014 portfolio.</p>	<ul style="list-style-type: none"> • D. 14-08-030, at 45, 50, OPs 24, 54 • See: <i>Comments of the NRDC on ALJ’s Ruling Seeking Comments on Final Working Group Reports and ALJ Questions</i> (10/17/2013) at 4. • Note: in NRDC’s Intervenor Comp. Claim for Phase I, (see D. 14-03-016, p. 6), the CPUC only granted compensation in part and deferred the remainder to when the CPUC might adopt NRDC’s recommendations around smart strips. Below we site to our work that has yet to be compensated • See: <i>NRDC Testimony</i> (11/18/11), at 15. • See: <i>NRDC Reply Testimony</i> (12/9/11), at 7. 	<p>Accepted.</p>
<p>3. Multifamily – Whole Building and Common Area Measures</p> <p>The Commission ordered the utilities to propose new, cost-effective common area and central heating, cooling, and hot water system measures for the multifamily sector and to propose a budget and coordination plan for these new measures.</p>	<ul style="list-style-type: none"> • D.14-08-030, at 64, 103 OPs 24, 41, 42 • See: <i>Joint Comments on the Energy Savings Assistance Program Multifamily Segment Study report</i> (11/20/2013) at 4, 5. • See: <i>Reply Comments of the NRDC on the Phase II Decision on the Large IOUs’ 2012-2014 ESA Program and CARE Applications</i> (6/9/2014), at 6. • See: <i>Comments of NCLC, CHPC, NHLP, and NRDC on the Phase II Alternate Proposed Decision of Commissioner Florio</i> (7/17/2014), at 9. 	<p>Verified; but we note NRDC put forth arguments that were duplicative of other parties on this issue. This demonstrates the parties failed to adequately coordinate on this issue, resulting in duplicative efforts.²</p> <p>See CPUC Disallowances and</p>

² See Pub. Util. Code §1801.3(f) (stating that intervenor compensation program articles “shall be administered in a manner that avoids unproductive or unnecessary participation that duplicates the participation of similar interests otherwise adequately represented or participation that is not necessary for a fair determination of the proceeding.”); See also Decision (D.) 15-05-016.

		Adjustments, Item 5.
<p>4. Multifamily – Program Administration, Coordination, and other Program Elements</p> <p>The Commission adopted the Multifamily Segment Study and ordered utilities to incorporate the findings and recommendations in future cycles. The Commission ordered the utilities to implement 6 specific recommendations related to coordination, enrollment, and outreach. In the attached guidance document, it also ordered utilities to provide an analysis of the costs and benefits of requiring mandatory whole-building benchmarking for multifamily property participation in the ESA Program.</p> <p>The six recommendations referenced above are as follows:</p> <ol style="list-style-type: none"> 1. The Utilities serving multifamily properties shall work directly with property owners where this approach reduces barriers to participation; 2. The Commission’s “80/20” rule is modified so that a utility may treat the entire multifamily building, whether or not a particular unit is occupied or income qualified, if at least 80% of the building’s units are income-qualified; 3. Housing subsidies are not counted as income; 4. The Utilities shall propose an expedited enrollment process for the United States Department of Housing and Urban Development assisted multifamily housing wherein at least 80% of the tenants have incomes at or below 	<ul style="list-style-type: none"> • D.14-08-030, at 3, 62, 63, 64, OPs 34, 35, 36, 40 • See: <i>Comments of the NRDC on ALJ’s Ruling Seeking Comments on Final Working Group Reports and ALJ Questions</i> (10/17/2013) at 4. • See: <i>Joint Comments on the Energy Savings Assistance Program Multifamily Segment Study report</i> (11/20/2013) at 1-3. • See: <i>Comments of NCLC, CHPC, NHLP, and NRDC on the February 25, 2014 “Assigned Commissioner’s Ruling Concerning Categorical Eligibility and Enrollment and Definition of Income.”</i> (2/28/2014). • See <i>Reply Comments of NCLC, CHPC, NHLP, and NRDC Regarding “Assigned Commissioner’s Ruling Concerning Categorical Eligibility Enrollment and Definition of Income.”</i> (3/17/2014) • See: <i>Reply Comments of the NRDC on the Phase II Decision on the Large IOUs’ 2012-2014 ESA Program and CARE Applications</i> (6/9/2014), at 6-7. • See: <i>Comments of NCLC, CHPC, NHLP, and NRDC on the Phase II Alternate Proposed Decision of Commissioner Florio</i> (7/17/2014), at 3, 4, 6, 7, 8. • Note: in NRDC’s Intervenor Comp. Claim for Phase I, (see D. 14-03-016, p. 6), the CPUC only granted compensation in part and deferred the remainder to when the CPUC might adopt NRDC’s recommendations on expedited enrollment, eliminating counting housing subsidies as income, and improving coordination beyond a single point of contact. We therefore include claims for some of our Phase I work on this topic that has yet to be compensated in this filing. 	<p>See CPUC Disallowances and Adjustments, Item 5</p>

<p>200% of federal poverty level (FPL);</p> <p>5. The Utilities shall appoint a single point of contact for the Energy Savings Assistance Program, as is already the case for the Energy Upgrade California program; and</p> <p>6. The Utilities shall coordinate among Energy Savings Assistance, California Alternate Rates for Energy and Energy Upgrade California, including any potential pooling of funds among programs where such pooling maximizes energy efficiency treatment of multifamily housing and ensures that more potential eligible customers are enrolled.</p>	<ul style="list-style-type: none"> • See: <i>NRDC Response to IOU Applications</i> (08/20/11), at 11-13. • See: <i>NRDC Reply Testimony</i> (12/09/11), at 10-12. 	
<p>5. Bridge Funding and Application Filing Date</p> <p>The Commission granted joint parties’ motion (including NRDC), extending the utilities application filing dates to 90 days of issuance of the Phase II Decision and granting a 12 month bridge funding period for the utilities.</p>	<ul style="list-style-type: none"> • D.14-08-030, at 4, 90, 91, OP 2 • See: <i>SCE Joint Motion for an Extension of Time to file the ESA and CARE Programs and Budgets Applications for the 2015-2017 Program Cycle and for Bridge Funding</i> (3/28/2014). • See: <i>Comments of the NRDC on the Phase II Decision on the Large Investor-owned Utilities’ 2014 ESA Program and CARE Program Applications</i> (6/2/2014), at 6. • See: <i>Reply Comments of the NRDC on the Phase II Decision on the Large IOUs’ 2012-2014 ESA Program and CARE Applications</i> (6/9/2014), at 3. • See: <i>Comments of NCLC, CHPC, NHLP, and NRDC on the Phase II Alternate Proposed Decision of Commissioner Florio</i> (7/17/2014), at 12. • See: <i>Reply Comments on the Alternate Proposed Decision of Commissioner Florio</i> (7/22/2014), at 1, 2. 	<p>Accepted.</p>
<p>6. Mid Cycle Working Group and Low Income Needs Assessment Study</p>	<ul style="list-style-type: none"> • D. 14-08-030, at 3, 57, 67, 68 OP 34, 35, 36, 37: • See: <i>Comments of the NRDC on the</i> 	<p>Accepted.</p>

<p>The Commission adopted the Mid-cycle Working Group and Low Income Needs Assessment Report and ordered the utilities to incorporate the findings and recommendations in their 2015-2017 applications.</p>	<p><i>Phase II Decision on the Large Investor-owned Utilities' 2014 ESA Program and CARE Program Applications</i> (6/2/2014), at 3.</p> <ul style="list-style-type: none"> • See: <i>Reply Comments of the NRDC on the Phase II Decision on the Large IOUs' 2012-2014 ESA Program and CARE Applications</i> (6/9/2014), at 4. • See: <i>Comments of NCLC, CHPC, NHLP, and NRDC on the Phase II Alternate Proposed Decision of Commissioner Florio</i> (7/17/2014), at 2. 	
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B. Duplication of Effort (§ 1801.3(f) and § 1802.5):

	Intervenor's Assertion	CPUC Discussion
<p>a. Was the Office of Ratepayer Advocates (ORA) a party to the proceeding?³</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: Numerous other parties participated in this proceeding and to some extent had positions similar to ours. These include: the four IOUs, the California Housing Partnership Corporation, The Utility Reform Network, the National Consumer Law Center, and the National Housing Law Partnership.</p>		<p>Verified.</p>
<p>d. Intervenor's claim of non-duplication:</p> <p>NRDC worked closely with ORA and other stakeholders throughout this proceeding to avoid redundancy, find common ground, and put forth joint compromise positions that resolved issues before reaching the formal Commission process. This was in accordance with general Commission direction for the parties to work together to advocate as effectively and efficiently as possible in the proceeding. NRDC worked cooperatively with other parties to ensure no duplication in our separate comments and NRDC developed unique recommendations for consideration in the proceeding. NRDC claims no hours for work coordinating with other parties and only claims for time writing actual comments and reviewing parties' opening comments.</p> <p>NRDC initiated and participated in coordination calls with groups that</p>		<p>We reduced hours claimed by 20% on issues which had duplication.</p> <p>See CPUC Disallowances and Adjustments.</p>

³ 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.

have similar interests on numerous occasions to ensure that parties were not duplicating work. Little time is claimed for these coordinating calls even though they substantially contributed to reduced duplication among the parties.

NRDC met with and checked in frequently with ORA and TURN in particular to craft joint positions around cost effectiveness, avoid duplication of effort, and find common areas of support. This reduced NRDC's time in responding to certain issues that were discussed and determined another party would take the lead on.

NRDC also worked closely with CHPC/NCLC/NHLP on the MF recommendations their coalitions advanced. This effort reduced time NRDC otherwise would have spent presenting proposals, and shaped the recommendations on the multifamily sector regarding enrollment, coordination, common areas and whole-building measures, among others. Among CHPC, NCLC, and NHLP, NHLP played a limited role and won't be submitting an intervenor compensation claim. Further, among CHPC, NCLC, and NRDC, a clear lead was always selected on comments and issue areas, significantly reducing the amount of time spent by each organization overall. NRDC was the lead on cost effectiveness.

NRDC worked closely with representatives from all the IOUs, especially in crafting the joint motion for extension of the application filing date and for a year's worth of bridge funding, which was ultimately adopted in this Phase II Decision. Yet NRDC claims only minimal time spent on coordinating calls and meetings.

NRDC's advocacy was primarily spearheaded by one representative – Alex Jackson in 2011 and 2012 and Maria Stamas in 2013 and 2014 - eliminating internal duplication. Relatively minimal hours are claimed for other staff members who contributed substantial work in this proceeding.

NRDC offers supplemental as well as complementary participation as we are the main environmentally-focused organization in this proceeding, and the sole one that participates in all aspects of energy efficiency at the Commission (e.g. program planning, policy foundation, procurement planning, etc.). In addition, NRDC is a national organization and brings the expertise on energy efficiency best practices from other states, regions, administrators, implementers, and think tanks to support the strong foundation in California and improve policies and programs where necessary.

PART III: REASONABLENESS OF REQUESTED COMPENSATION

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

a. Intervenor’s claim of cost reasonableness:	CPUC Discussion
<p>NRDC consistently advocates for policies to maximize cost-effective energy efficiency, ensure that the benefits of energy efficiency are properly accounted for, ensure that the benefits of energy efficiency are available to all customers, regardless of income, and that policies and goals align to enable the utilities to use efficiency as their first energy resource choice (as required by California law).</p> <p>NRDC’s continued focus in this and other proceedings is on policies that ensure a reliable, affordable, and environmentally sustainable energy resource portfolio that should have lasting benefits to billpayers at all income levels.</p> <p>NRDC contributed substantially to the “historic” examination of a number of issues now addressed in D. 12-08-030 - Phase 2 of this proceeding. As a result of our recommendations on cost effectiveness and the multifamily sector, utilities programs will save vastly more energy at lower overall cost in the next application cycle. Therefore, moving forward utilities can be expected to exceed the goals set in the 2012-2014 cycle: 289 Gigawatthours, 14.8 million therms, representing a reduction in demand by over 70 megawatts⁴ – equivalent to avoiding the annual CO2 emissions from over 27,000 cars.⁵</p> <p>Not only will utility programs provide bill relief and/or improved comfort and health for low-income families, these savings are an important contribution to meeting the state’s 2020 greenhouse gas emissions limit required by Assembly Bill 32, the Global Warming Solutions Act of 2006. These benefits vastly exceed the cost of NRDC’s participation in this proceeding.</p>	<p>Accepted.</p>
<p>b. Reasonableness of hours claimed:</p> <p><i>NRDC’s Claims are Reasonable and Conservative</i></p> <p>Maria Stamas led NRDC’s efforts in this proceeding and worked closely with Alex Jackson to produce comments and motions. In turn, Ms. Stamas</p>	<p><i>See CPUC Allowances and Adjustments.</i></p>

⁴ Data compiled from Utility Applications Attachment A-2, “Energy Savings Assistance Program Planning Assumptions.”

⁵ Calculation using estimates from the California Air Resources Board. *See* CARB, Climate Change Scoping Plan Appendices, Vol 2: Analysis and Documentation at I-23 (December 2008), available at: http://www.arb.ca.gov/cc/scopingplan/document/appendices_volume2.pdf; and CARB, Conversion of 1MMTCO2 to Familiar Equivalents, October 2007, available at: <http://www.arb.ca.gov/cc/factsheets/1mmtconversion.pdf>.

and Mr. Jackson worked closely with multiple NRDC staff who consulted regularly on the issues at stake in the proceeding, provided substantive work, technical support, and/or guidance particular to their area of expertise. However, minimal hours claimed are from time spent by staff other than Ms. Stamas, we claim no time spent coordinating between Ms. Stamas and Mr. Jackson, and we claim zero hours for the substantive input from multiple other NRDC staff members. Additionally, wherever Ms. Stamas and Mr. Jackson both attended a PUC event, hours are claimed for only one person.

The rates requested by NRDC are purposefully conservative and low on the ranges approved by the Commission, even though the levels of expertise would justify higher rates. NRDC maintained detailed time records indicating the number of hours that were devoted to proceeding activities. All hours represent substantive work related to this proceeding.

The amounts claimed are further conservative for the following reasons: (1) No time is claimed for internal coordination, only for substantive policy development; (2) although NRDC spent time developing and coordinating positions with other stakeholders, we claim very few hours for this coordination over the entire proceeding; (3) we do not claim time for substantive review by NRDC staff other than the active staff noted above, even though their expertise was critical to ensuring productive recommendations; (4) we do not claim time for regulatory requirements associated with our advocacy (e.g., time spent writing ex parte notices for the proceeding or filing other comments); (5) we claim no time for travel, and (6) no time was claimed for advocacy blogs to influence the outcome of the Commission's final decision, even though they were used as advocacy similar to comment writing in the formal proceeding.

In addition, we do not claim all the time needed to prepare for this claim. D.14-08-030 reached more than 120 pages, all of which Ms. Stamas reviewed to determine which substantial contributions were integrated into the final decision. We also do not claim for ongoing timekeeping or maintenance related to intervenor compensation, even though it is extremely time consuming.

The amount requested preparing this claim is also conservative because NRDC is primarily only claiming time spent by Ms. Stamas - who was the main author of the claim - even though others helped compile various sections of the claim.

In sum, NRDC made numerous and significant contributions on behalf of environmental and customer interests, all of which required extensive research and analysis. We took every effort to coordinate with other stakeholders to reduce duplication and increase the overall efficiency of the proceeding. Since our work was efficient, hours extremely conservative, and billing rates low, NRDC's request for compensation should be granted in full.

c. Allocation of hours by issue:				<i>See comments III.A.b.</i>
		Total Hrs	Total %	
A	Cost Effectiveness	32.17	25.8%	
B	ESA Program Measures	5.75	4.6%	
C	Multifamily	53.67	43.0%	
D	Bridge Funding and Application Filing Date	18.67	15.0%	
E	Mid Cycle Working Group and Low Income Needs Assessment Study	10.00	8.0%	
F	All Issues (e.g., review of comments, decisions, etc.)	4.50	3.6%	
Total		124.75	100.0%	

B. Specific Claim:*

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
A. Jackson	2011	8.50	\$185	D.14-03-016, Intervenor Comp Claim for D. 12-08-044, Phase I Decision in A.11-05-017 et al.	\$1,572.50	6.63	\$185	\$1,226.55
A. Jackson	2012	5.00	\$205	D.14-03-016, Intervenor Comp Claim for D. 12-08-044, Phase I Decision in A.11-05-017 et al.	\$1,025.00	2.5	\$205	\$512.50
A. Jackson	2013	2.00	\$220.50	Resolution ALJ - 287 D.08-04-010	\$441.00	2	\$220	\$440.00
A. Jackson	2014	32.75	\$290	Resolution ALJ - 287 D.08-04-010	\$9,497.50	28.70	\$300	\$8,610.00
M. Stamas	2013	32.50	\$135	Resolution ALJ - 287 D.08-04-010	\$4,387.50	28.3	\$135	\$3,820.50
M. Stamas	2014	44.00	\$145	Resolution ALJ - 287 D.08-04-010	\$6,380.58	37.04	\$165	\$6,111.60
Subtotal: \$23,304.08						Subtotal: \$20,721.15		

OTHER FEES								
Describe here what OTHER HOURLY FEES you are Claiming (paralegal, travel **, etc.):								
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate	Total \$
Maria Stamas	2014	10	\$72.50	½ of lowest billable rate	\$725.00	10	\$82.50	\$825.00
Subtotal: \$725.00						Subtotal: \$825.00		
TOTAL REQUEST: \$24,029.08						TOTAL AWARD: \$21,546.15		
<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. Intervenors' records should identify specific issues for which it seeks compensation, the actual time spent by each employee or consultant, the applicable hourly rates, fees paid to consultants and any other costs for which compensation was claimed. The records pertaining to an award of compensation shall be retained for at least three years from the date of the final decision making the award.</p> <p>**Travel and Reasonable Claim preparation time typically compensated at ½ of preparer's normal hourly rate</p>								
ATTORNEY INFORMATION								
Attorney	Date Admitted to CA BAR ⁶	Member Number	Actions Affecting Eligibility (Yes/No?) If "Yes", attach explanation					
Alex Jackson	December 4, 2009	267099	No					
Maria Stamas	October 17, 2014	298522	No					

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

Attachment or Comment #	Description/Comment
1	Certificate of Service
Attachment A	Staff time records and allocation of time by issue area
Comment 1	<p>Rationale for Maria Stamas' rate</p> <p>2013 Rationale: Although Maria Stamas is a first year attorney and passed the BAR, she has not yet been assigned a member number. Therefore, we request an hourly rate of \$135, which is the low end of 2013 rates published for experts in Resolution ALJ-287 (April 29, 2013).</p> <p>2014 Rationale: Per D.08-04-010 (p.8), we apply the first of two allowable 5% step increases within "any given level of experience." Per Resolution ALJ -287, we also apply 2.2% for COLA. This results in a 2014 rate request of \$145. ($\\$135 \times 1.05 = \\$141.75$; $\\$141.75 \times 1.022 = \\144.86, rounded to \$145)</p>

⁶ This information may be obtained through the State Bar of California's website at <http://members.calbar.ca.gov/fal/MemberSearch/QuickSearch> .

	<p>Maria Stamas is an attorney with expertise in energy policy and analysis and holds a joint M.A. in Energy and Resources and J.D. degree from the University of California, Berkeley. She also has passed the California Bar Exam. Ms. Stamas has over five years of experience working on energy policy and analysis.</p>
<p>Comment 2</p>	<p>Rationale for Alex Jackson’s rate</p> <p>2014 Rationale: In 2014, Alex Jackson is a 5th year attorney. Per D.08-04-010 and ALJ Resolution 287, we request \$290, the lowest amount for lawyers with 5 years of experience.</p> <p>2013 Rationale: In 2013, Alex Jackson had 4 years of experience. We request a rate of 220.5. We use \$210 as the base, as that is the lowest amount for lawyers with 3-4 years of experience per ALJ Resolution 287. We then request one of the two allowed 5% steps per D.08-04-010 (p.8). Therefore $\\$210 * 1.05 = \\220.5</p> <p>2012 Rationale: See D.14-03-016, Intervenor Comp Claim for D. 12-08-044, Phase I Decision in A.11-05-017 et al. The Commission approved Alex Jackson’s rate of \$205 in 2012.</p> <p>2011 Rationale: D.14-03-016, Intervenor Comp Claim for D. 12-08-044, Phase I Decision in A.11-05-017 et al. The Commission approved Alex Jackson’s rate of \$185 in 2011.</p> <p>Mr. Jackson represents NRDC at state proceedings to promote carbon mitigation strategies in support of AB 32 and to promote cost-effective energy efficiency.</p>

D. CPUC Disallowances and Adjustments:

Item	Reason
<p>1. Maria Stamas’ 2013 Hourly Rate</p>	<p>Maria Stamas did not become a member of the California Bar until October 2014; as such we adopt the hourly rate of an expert for Stamas’ work in 2013. We adopt the hourly rate of \$135 for 2013 for Stamas, following the hourly rate range of \$135-195, for Experts with 0-6 years of experience in Resolution ALJ-287.</p>
<p>2. Maria Stamas’ 2014 Hourly Rate</p>	<p>Resolution ALJ-303 sets attorney rates with 0-2 years of experience at \$165-\$220 per hour for 2014. As Stamas was admitted to the California Bar in October of 2014, we adopt the rate of \$165 per hour for her work in this proceeding in 2014.</p>
<p>3. Alex Jackson’s 2013 Rate</p>	<p>We authorize a 2013 rate of \$220, which applies a 2% COLA pursuant to Resolution ALJ-287 and the 5% step increase requested by NRDC.</p>
<p>4. Alex Jackson’s 2014 Rate</p>	<p>NRDC requests a new rate of \$290 pursuant to D.08-04-010, to reflect a higher experience rate level of five years of experience. Pursuant to Resolution ALJ-303, the 2014 rate range for 5-7 years of experience is \$300-320 per hour. We therefore adopt an hourly rate of \$300, the bottom of the range for Jackson’s 2014 rate.</p>
<p>5. Reduction of Hours due to Duplication</p>	<p>Duplication with other parties occurred when preparing work on the following issues: Cost Effectiveness (A) and MultiFamily allocation (C) categories. NRDC’s recommendations in these issues shared the same position as other</p>

	parties, and in some instances, cited other parties' work in making their arguments. For this duplication, the Commission has reduced the number of hours associated with these categories by 20%.
6. Reduction of 2011 and 2012 hours to reflect only work on issues held over to Phase 2	We adjust hours claimed for Multi-family issues in 2011 and 2012 by 50%, to reflect only work on issues held over to Phase 2.

PART IV: OPPOSITIONS AND COMMENTS

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

FINDINGS OF FACT

1. NRDC has made a substantial contribution to Decision 14-08-030.
2. The requested hourly rates for NRDC'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 \$21,546.15.

CONCLUSION OF LAW

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

ORDER

1. Natural Resources Defense Council shall be awarded \$21,546.15.
2. Within 30 days of the effective date of this decision, Pacific Gas and Electric Company, Southern California Edison Company, Southern California Gas Company and San Diego Gas & Electric Company shall pay Natural Resources Defense Council their respective shares of the award, based on their California-

jurisdictional electric revenues for the 2014 calendar year, to reflect the year in which the proceeding was primarily litigated. Payment of the award shall include compound interest at the rate earned on prime, three-month non-financial commercial paper as reported in Federal Reserve Statistical Release H.15, beginning January 3, 2015, the 75th day after the filing of Natural Resources Defense Council's request, and continuing until full payment is made.

3. The comment period for today's decision is waived.

This decision is effective today.

Dated _____, 2015, at San Francisco, California.

APPENDIX

Compensation Decision Summary Information

Compensation Decision:		Modifies Decision?	No
Contribution Decision(s):	D1408030		
Proceeding(s):	A1105017		
Author:	ALJ Kimberly Kim		
Payer(s):	Pacific Gas and Electric Company, Southern California Edison Company, Southern California Gas Company and San Diego Gas & Electric Company		

Intervenor Information

Intervenor	Claim Date	Amount Requested	Amount Awarded	Multiplier?	Reason Change/Disallowance
Natural Resources Defense Council	10/20/2014	\$23,304.00	\$21,546.15	N/A	Adjustments in hourly rates; disallowance for duplication of efforts.

Advocate Information

First Name	Last Name	Type	Intervenor	Hourly Fee Requested	Year Hourly Fee Requested	Hourly Fee Adopted
Alex	Jackson	Attorney	NRDC	\$185	2011	\$185
Alex	Jackson	Attorney	NRDC	\$205	2012	\$205
Alex	Jackson	Attorney	NRDC	\$220.50	2013	\$220
Alex	Jackson	Attorney	NRDC	\$290	2014	\$300
Maria	Stamas	Attorney	NRDC	\$135	2013	\$135
Maria	Stamas	Attorney	NRDC	\$145	2014	\$165

(END OF APPENDIX)