

Decision \_\_\_\_\_

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Order Instituting Rulemaking to Continue Implementation and Administration of California Renewables Portfolio Standard Program.	Rulemaking 11-05-005 (May 5, 2011)
---	---------------------------------------

**DECISION GRANTING COMPENSATION TO GREEN POWER INSTITUTE  
FOR SUBSTANTIAL CONTRIBUTION TO DECISION (D.) 12-11-016,  
D.13-05-034, D.13-11-024, D.14-11-042,  
D.14-12-023, AND D.14-12-081.**

<b>Intervenor: Green Power Institute</b>	<b>For contribution to Decision (D.) 12-11-016, D.13-05-034, D.13-11-024, D.14-11-042, D.14-12-023, and D.14-12-081.</b>
<b>Claimed: \$191,573.00</b>	<b>Awarded: \$191,571.50 (reduced .07%)</b>
<b>Assigned Commissioner: Carla J. Peterman</b>	<b>Assigned ALJ: Anne E. Simon</b>

**PART I: PROCEDURAL ISSUES**

<b>A. Brief description of Decisions:</b>	Decision D.12-11-016 conditionally accepts 2012 RPS procurement plans. Decision D.13-05-034 adopts standard PPA for FiT program and grants in part PFM of D.12-05-035. Decision D.13-11-024 conditionally accepts 2013 RPS procurement plans. Decision D.14-11-042 conditionally accepts 2014 RPS procurement plans. Decision D.14-12-023 sets enforcement rules for the RPS program, implements AB 2187, and denies PFMs. Decision D.14-12-081 implements SB 1122.
---	--

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

	<b>Intervenor</b>	<b>CPUC Verified</b>
<b>Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):</b>		
1. Date of Prehearing Conference (PHC):	June 13, 2011	Verified

2. Other specified date for NOI:		
3. Date NOI filed:	July 11, 2011	Verified
4. Was the NOI timely filed?		
<b>Showing of customer or customer-related status (§ 1802(b)):</b>		
5. Based on ALJ ruling issued in proceeding number:		R.11-03-012
6. Date of ALJ ruling:		December 1, 2011
7. Based on another CPUC determination (specify):	D.13-10-12 in R.11-05-005	
8. Has the Intervenor demonstrated customer or customer-related status?		Yes
<b>Showing of “significant financial hardship” (§ 1802(g)):</b>		
9. Based on ALJ ruling issued in proceeding number:		R. 11-03-012
10. Date of ALJ ruling:		December 1, 2011
11. Based on another CPUC determination (specify):	D.13-10-12 in R.11-05-005	
12. Has the Intervenor demonstrated significant financial hardship?		Yes
<b>Timely request for compensation (§ 1804(c)):</b>		
13. Identify Final Decision:	D.14-12-081	Verified
14. Date of issuance of Final Order or Decision:	December 26, 2014	Verified
15. File date of compensation request:	January 28, 2015	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
<b>D.12-11-016, Decision conditionally accepting 2012 RPS procurement plans.</b>	(Please note that Attachment 2 includes a list issue areas, and of GPI Pleadings relevant to this Claim.)	
<b>1. RNS Methodology</b> The development of the RNS methodology has been an ongoing endeavor of the Commission’s RPS	<b>Decision</b> The assigned ALJ issued another ruling on August 2, 2012 to enter the final RNS methodology into the record and direct the use of the final RNS	Yes

<p>proceedings over the past decade, and the GPI has been an active contributor throughout. With respect to D.12-11-016, the GPI made substantial contributions to the RNS methodology that was adopted for the 2012 solicitations by participating in the PUC workshop, and advocating for and proposing an alternative RNS methodology based entirely on publicly-available information. The GPI supported having the utilities perform Method 1-type RNS determinations based on their own confidential information, and then using the publicly-accessible determinations to cross-check the RNS results produced by the utilities using Method 1. While the GPI RNS methodology was not adopted by the Decision, it enriched the record that the Commission relied on in making their determination. Moreover, more recent revisions of the RNS methodology (see discussion below under D.14-11-042) have become increasingly transparent, reflecting the influence of our ongoing contributions.</p>	<p>methodology in the August 15, 2012 updates to the 2012 RPS Procurement Plans. This decision also clarifies the scope of the August 2, 2012 ruling. ... As clarified here, we adopt the August 2, 2012 ruling in today’s decision. [Decision D.12-11-016, pgs. 8-9.]</p> <p>On July 18, 2012, ten parties (including GPI) filed comments on the amended RNS methodology. In response to comments, Staff updated the final RNS methodology to incorporate some of the recommendations made by parties. [Attachment A, pg. 2, to ALJ’s August 2, 2012, Ruling, which is adopted in D.12-11-016 (see above).]</p> <p><b>Pleadings</b></p> <p>GPI supports having the utilities perform their own calculations of their RNS, using confidential information, and proposes an alternate methodology for the calculation of the RNS based entirely on publicly-available data, which can be used to cross-check the RNS calculations performed by the utilities using Method 1. [see GPI Comments on the RNS, 7/18/12, pg. 1.]</p> <p>GPI expresses concerns about the utilities’ probable underestimation of their RNSs, and presents data showing some of the ways in which the RNSs are underestimated. [see GPI Comments on the PD, 10/29/12, pgs. 2-5.]</p>	
<p><b>2. TOD Factors</b></p> <p>The development of TOD factors for use in evaluating bids in RPS solicitations, and for purposes of calculating payments for energy delivered over the life of a PPA, has also</p>	<p><b>Decision</b></p> <p>In the final 2012 RPS Procurement Plans to be filed with the Commission pursuant to the schedule adopted herein, bids shortlisted by PG&amp;E and SDG&amp;E are authorized to use in their 2012 RPS solicitation two sets of TOD Factors to</p>	<p>Yes</p>

<p>been an ongoing endeavor of the Commission’s RPS proceedings over the past decade, and, as in the case of the development of the RNS methodology, the GPI has been an active contributor throughout. With respect to D.12-11-016, the GPI made substantial contributions to the TOD factors that were adopted for the 2012 solicitations by supporting the use of two sets of TOD factors, in order to correspond to lower-valued energy-only offers, and premium-valued firm-capacity offers, and by clarifying for the record some of the terminology used in describing the different sets of TOD factors.</p>	<p>reflect energy-only and fully deliverable status. This authorization only applies to the 2012 solicitation. [Decision D.12-11-016, pg. 39.]</p> <p><b>Pleadings</b></p> <p>GPI expresses support for utilities to use two sets of TOD factors in their 2012 solicitations, and provides clarification of the terminology. [see GPI Comments on the PD, 10/29/12, pg. 2.]</p>	
<p><b>D.13-05-034, Decision adopts standard PPA for FiT program</b></p>		
<p><b>1. Adoption of Standard FiT Contracts</b></p> <p>The GPI made substantial contributions to D.13-05-034 by advocating for the adoption of standard FiT contracts, and for simplicity in the contracts. In response to a proposal to change STC no. 2 on green attributes, the GPI expressed openness to improving the term, but cautioned against losing the important content of the term in the process, or moving forward based on an incomplete record. The Decision adopts standard FiT contracts, and retains the current language for STC no.</p>	<p><b>Decision</b></p> <p>This decision orders Pacific Gas and Electric Company (PG&amp;E), Southern California Edison Company (SCE), and San Diego Gas &amp; Electric Company (SDG&amp;E) to revise their Feed-in Tariff (FiT) programs to include a new streamlined standard contract and revised tariffs. [Decision D.13-05-034, pg. 2.]</p> <p>Review of this “non-modifiable” standard term and condition will take place during our overall review of the RPS procurement process in this proceeding. We anticipate that we will address and, perhaps, revise this term at that time. [Decision D.13-05-034, pg. 44.]</p>	<p>Yes</p>

<p>2, pending possible later revision during an expected future review of the RPS procurement process.</p>	<p><b>Pleadings</b></p> <p>GPI expresses concerns about the complexity of the standard contract being adopted in the Decision. [see GPI Comments on the PD, 4/8/13, pgs. 1-2.]</p> <p>GPI discusses the desirability of amending the STC on green attributes (STC no. 2), while ensuring that the essential components and protections of the current STC are not altered or lost. [see GPI Comments on the Procurement Reform Proposals, 11/20/12, pgs. 5-7, GPI Reply Comments on the Procurement Reform Proposals, 12/12/12, pg. 2.]</p>	
<p><b>D.13-11-024, Decision conditionally accepting 2013 RPS procurement plans.</b></p>		
<p><b>2. TOD Factors</b></p> <p>The development of TOD factors for use in evaluating bids in RPS solicitations, and for purposes of calculating payments for energy delivered over the life of a PPA, has been an ongoing endeavor of the Commission’s RPS proceedings over the past decade, and the GPI has been an active contributor throughout. With respect to D.13-11-024, the GPI made substantial contributions to the TOD factors that were adopted for the 2013 solicitations by advocating for a long-term overhaul of the system currently in use, and for the use in the future of more granular TOD factors. The Decision states that the Commission is receptive to examining</p>	<p><b>Decision</b></p> <p>In this decision, we accept the requests by PG&amp;E, SCE, and SDG&amp;E to update their Time-of-Delivery (TOD) factors and the TOD period definitions for the 2013 solicitation. [Decision D.13-11-024, pg. 34.]</p> <p>However, as we stated in D.12-11-016 and in an effort to respond to concerns expressed by LSA and IEP, we continue to be receptive to examining the methodologies used to derive the TOD factors in a subsequent part of this proceeding. [Decision D.13-11-024, pg. 36.]</p> <p><b>Pleadings</b></p> <p>We agree with IEP that any adjustments in TOU factors should be developed in a proper public process, and we agree with Calpine that TOU factors need to accurately reflect market signals. The GPI has long called for improving the TOU profiling of energy prices, as a part</p>	<p>Yes</p>

<p>methodologies used to derive the TOD factors in a subsequent phase of the proceeding.</p>	<p>of the process of improving the overall least-cost / best-fit (LCBF) bid-ranking process used in the RPS program. [GPI Reply Comments on the 2013 RPS Procurement Plans, 7/22/13, pg. 2.]</p> <p>The GPI has long advocated for the Commission to perform an overhaul of the TOD factors currently used in the RPS program. ... The PD notes that the LSA, among other parties, has advocated for including TOD profiling among the issues to be addressed in the coming LCBF overhaul, and we strongly support this suggestion. TOD profiling should be examined in an open, public process. [GPI Comments on the PD, 11/4/13, pg. 3.]</p>	
<p><b>3. Integration Adders</b></p> <p>The GPI made a substantial contribution to D.13-11-024 by advocating strongly for the further development of methodologies to determine integration-cost adders for use in RPS solicitations, and stressed the need for near-term adoption of integration-cost adders, preferably in time for the 2014 RPS solicitation cycle. The Decision declines to adopt non-zero integration-cost adders for use in the 2013 solicitations, but pledges to move forward quickly with the development of integration-cost adders for future solicitations. In fact (see discussion below under D.14-11-042), an interim integration adder was approved for the first time for the 2014 solicitation cycle.</p>	<p><b>Decision</b></p> <p>In this decision, we decline to accept the use non-zero integration cost adders as part of the LCBF evaluation of bids and contracts in the 2013 RPS Procurement Plans. ... It is clear from party comments and the statements by SCE and PG&amp;E in their 2013 draft RPS procurement Plans that the Commission should move forward as soon as possible on this issue. [Decision D.13-11-024, pgs. 26-27.]</p> <p><b>Pleadings</b></p> <p>GPI provides a detailed discussion of the renewables integration issue in our Reply Comments on the PD, and stresses the need to move forward on the issue, cautiously. [see GPI Reply Comments on the PD, 11/12/13, entire document.]</p>	<p>Yes</p>
<p><b>4. RPS supply and resource</b></p>	<p><b>Decision</b></p>	<p>Yes</p>

<p><b>diversity</b></p> <p>Resource diversity has been one of the guiding principles underlying the RPS program since its inception. Guiding principle notwithstanding, the fact is that resource diversity is disappearing from the RPS portfolios of California’s electricity providers. The GPI made a substantial contribution to D.13-11-024 by providing detailed analytical analysis of the loss of resource diversity in California’s renewable resource mix, and advocating for the utilities to include resource diversity among the stated preferences in their RPS solicitation protocols.</p>	<p>In today’s decision, and similar to the outcome in D.12-11-016, we accept the proposals by PG&amp;E, SCE, and SDG&amp;E to include the varying preferences set forth in their 2013 draft RPS Procurement Plans. [Decision D.13-11-024, pg. 41.]</p> <p><b>Pleadings</b></p> <p>GPI provides an updated and detailed quantitative analysis of the utilities’ projections of future need for, and supply of renewable energy, and discusses the implications for their future RPS procurement needs as they approach the landmark goal of 33-percent renewable by 2020. [see GPI Comments on the 2013 RPS Compliance Reports, 9/18/13, entire document.]</p> <p>Resource and technology diversity has been an explicit guiding principle of the California RPS program since its inception. Nevertheless, as our September 18, 2013, Comments on the August 2013 IOU RPS Compliance Reports (filed in this proceeding) demonstrate, resource and technology diversity is rapidly disappearing from the RPS program. [GPI Comments on the PD, 11/4/13, pg. 4; see detailed discussion of resource preferences on pgs. 4-6.]</p>	
<p><b>5. Green Attributes</b></p> <p>The development of contract terms defining and allocating the environmental attributes of renewable energy production has been an ongoing endeavor of the Commission’s RPS proceedings over the past decade, and the GPI has been an active contributor</p>	<p><b>Decision</b></p> <p>Fortunately, it is not necessary to parse through the existing STC 2 and undertake more “fixes” in order to make STC 2 more useful. The use of RECs as the measure of RPS compliance means that the new STCs REC-1, REC-2, and REC-3 adopted in D.10-03-021, completely describe the attributes (i.e., RECs) that must be conveyed in a</p>	<p>Yes</p>

<p>throughout. With respect to D.13-11-024, the GPI made substantial contributions by arguing that the then existing STC no. 2 was too convoluted to facilitate easy understanding, and that the content of the three REC STCs was sufficient to provide the desired allocation of rights with respect to green attributes. The Decision discontinues STC 2, and relies on the three REC STCs.</p>	<p>contract to be used for RPS compliance. STC 2, as it now stands, is superfluous for RPS compliance, and, therefore, should no longer be required in RPS contracts. [Decision D.13-11-024, pg. 23.]</p> <p><b>Pleadings</b></p> <p>The Proposed Decision (PD) makes major changes with respect to how the environmental attributes of renewable energy are to be treated in future RPS power contracts by deleting mandatory and non-negotiable STC 2, which includes a confusing and outdated definition of green attributes. As far as we can tell the effect of deleting STC 2, and instead relying on STC REC-1, is to reinforce the treatment of environmental attributes that has been in place since the beginning of the RPS program in California. The GPI supports the proposed changes. [GPI Comments on the PD, 11/4/13, pg. 1; see detailed discussion of green attributes on pgs. 1-3.]</p>	
<p><b>D.14-11-042, Decision conditionally accepting 2014 RPS procurement plans.</b></p>		
<p><b>1. RNS Methodology</b> The GPI made significant contributions to D.14-11-042 by advocating for some important improvements to the Commission’s RNS-determination methodology. The RNS methodology adopted for use in the 2014 RPS procurement plans incorporates many of the improvements that the GPI advocated for, particularly with respect to the treatment of project-development risk, and</p>	<p><b>Decision</b></p> <p>For the 2014 RPS Procurement Plans, the ALJ issued a ruling on May 21, 2014 with a revised RNS to reflect changes recommended by the Energy Division, after receipt of comments. The May 21, 2014 ruling requested the utilities and ESPs to use the revised RNS methodology for calculating the RNS for purposes of their 2014 RPS Procurement Plans. [Decision D.14-11-042, pgs. 8-9.]</p> <p><b>Pleadings</b></p> <p>GPI provided a detailed analysis,</p>	<p>Yes</p>

<p>represents a significant improvement over the methodology used in 2013.</p>	<p>including a quantitative analysis of the changes that were proposed for the 2014 RNS methodology. [see GPI Comments on Revising the RNS, 3/12/14, entire document, and UCS/GPI Reply Comments on Revising the RNS, 3/26/14, entire document.]</p>	
<p><b>3. Integration Adders</b></p> <p>The GPI has long been an advocate of the adoption of sound integration-cost adders for use in the LCBF bid-ranking process, as well as for use in other Commission applications. With respect to both the 2013 and 2014 RPS procurement plans, GPI made a significant contribution by arguing that integration costs have been under study for a considerable period of time, and while the cost-determination methodology deserves additional effort, there is an urgent need for the implementation of the adder, and sufficient work has been completed to allow interim values to be adopted pending additional work on more permanent values. For the first time, D.14-11-042 approves the use of an interim integration-cost adder, and specifies that a permanent methodology for its determination will be pursued during 2015.</p>	<p><b>Decision</b></p> <p>Today’s decision adopts an interim renewable integration cost adder for the utilities to employ until the Commission adopts a more comprehensive approach, expected in 2015. More detailed work must be accomplished by the Commission and by the parties before a final valuation methodology is adopted. [Decision D.14-11-042, pg. 53.]</p> <p><b>Pleadings</b></p> <p>In order to include an integration-cost adder in the 2014 solicitations, time is very much of the essence. We join many parties in suggesting that the Commission needs to develop a set of interim adders for 2014, while embarking on a more deliberative process to develop a more accurate and enduring methodology to be used in future solicitations. [GPI/CBEA Reply Comments on the AC’s Ruling, 7/30/14, pg. 6; entire document presents detailed discussion of integration cost adders.]</p>	<p>Yes</p>
<p><b>4. RPS supply and resource diversity</b></p>	<p><b>Decision</b></p> <p>The 2014 draft RPS Procurement Plans</p>	<p>Yes</p>

<p>One of the primary functions of the annual preparation and review of the IOU RPS Procurement Plans is for the Commission to acquire a sound overall understanding about the performances of the IOUs in meeting their RPS obligations over the course of current phase of the California RPS program, which runs from 2011 – 2020, and is mandated to culminate with the IOUs procuring 33 percent of their energy supply from RPS-qualifying energy. The IOUs are required to file annual reports in August on their RPS procurement performance over the past year (2013 performance reported in the August 2014 reports) and projected through to 2020, which serve as an important source of information for the Commission. The GPI made a substantial contribution to D.14-11-042 by providing an additional perspective on the IOUs’ RPS procurement performance and prospects, thus bolstering the record upon which the Commission conditionally accepts the IOU procurement plans.</p>	<p>filed by PG&amp;E, SCE, and SDG&amp;E include a number of components. The Public Utilities Code requires that specific matters be addressed in an electric corporation’s RPS procurement plan, including: (1) assessment of RPS portfolio supply and demand. [Decision D.14-11-042, pg. 10.]</p> <p><b>Pleadings</b>                  GPI provided a detailed analysis, including a quantitative analysis of the future supply and demand for RPS energy for each of the IOUs, based on data that were presented in the August 2014 IOU RPS compliance reports. [see GPI Comments on RPS Compliance Reports, 9/30/14, entire document.]</p>	
<p><b>6. RPS Procurement Rules</b></p> <p>The GPI made significant contributions to D.14-11-042 by urging the Commission to make modifications to its procurement-reform proposals, which were originally proposed in 2012, and later</p>	<p><b>Decision</b></p> <p>With regard to the environmental data adequacy requirements, we agree with the Energy Division’s concerns of due diligence and project viability. We also agree with parties that environmental aspects of projects are vetted by existing laws. Therefore, we refrain from</p>	<p>Yes</p>

<p>modified in 2014. The GPI advocated against the imposition of unnecessary and intrusive environmental-information requirements for projects to be listed on short lists, for more streamlined standards of review for RPS-solicitation short lists, and for the institution of a date-certain for the submission and approval of contracts for short-listed projects. The Decision incorporates many of the GPI's suggestions in modifying the procurement-reform proposals it adopts for 2014 and the future.</p>	<p>adopting the proposed environmental data adequacy requirements. [Decision D.14-11-042, pg. 68.]</p> <p>For example, one party [GPI is referenced in footnote] offers support for the concept but not the quantity of information being requested. ... We find that the Tier 2 Advice Letter process provides the appropriate level of oversight and that increasing the review process to, instead include a Tier 3 Advice Letter process contradicts to our goal of streamlining the RPS procurement review process. The Tier 2 Advice Letter process will remain in its current format, no additional information is required. [Decision D.14-11-042, pgs. 70-71.]</p> <p>In this decision, we adopt the Energy Division's proposal to establish a date certain before which the utilities must file advice letters or other appropriate filing seeking Commission approval of executed RPS contracts. [Decision D.14-11-042, pg. 72.]</p> <p><b>Pleadings</b></p> <p>The GPI supports establishing data-adequacy standards for all information submitted to the Commission by an IOU to facilitate timely and efficient review. However, we are concerned about the amount of information that is requested in the Staff Proposal, particularly in the section on the description of a project's permitting plan and due diligence. We acknowledge the Commission's interest in following the project's permitting progress on a high level, however the staff proposal borders on making the Commission a virtual party to the project's permitting program. It is important to make sure that these proposals are not overly intrusive, and</p>	
---	---	--

	<p>do not interfere with the developer’s ability to move a project from the stage of power-contract holder to operating generator. [GPI Comments on Procurement Reform, 5/7/14, pg. 1; see following discussion pgs. 1-2.]</p> <p>The GPI supports the proposal to establish a date certain for contract execution and submission for Commission approval, for the reasons stated in the Staff Proposal. [GPI Comments on Procurement Reform, 5/7/14, pg. 4.]</p>	
<p><b>D.14-12-023 Decision Adopting RPS Compliance and Enforcement Rules</b></p>		
<p><b>8. Waiver of Procurement Quantity Requirements</b></p> <p>The GPI made substantial contributions to D.14-12-023 in the area of formulation of rules for requests of waivers of procurement quantity requirements, by advocating strongly for the establishment of formal filing requirements and party comment rights for all requests for waivers, and for rules requiring that all available RECs be applied to a compliance obligation before a waiver request can be considered. The Decision adopts our position on all of these issues, and acknowledges our contributions.</p>	<p><b>Decision</b></p> <p>Moreover, the waiver request is of obvious importance both to the retail seller—which may be subject to a penalty if its waiver request is unsuccessful -and to the administration of the RPS program. This importance reinforces the direction of the statutory language, and leads to the conclusion that the waiver request process should be a formal process, on the record, with a decision made by the Commission, as many parties suggest (footnote notes that GPI and others supported formal filing). [Decision D.14-12-023, pg. 12.]</p> <p>Because of the significance of a request for a waiver to the goals and administration of the RPS program, parties to the RPS proceeding should be notified and allowed to file comments on the waiver request, as urged by GPI, PG&amp;E, SDG&amp;E, San Francisco, and UCS. [Decision D.14-12-023, pg. 13.]</p> <p>In order for a waiver request to be considered, the retail seller requesting a waiver must demonstrate that it has</p>	<p>Yes</p>

	<p>applied all available RECs retired for RPS compliance to the PQR obligation for which it seeks the waiver (footnote notes that GPI and others supported this position). [Decision D.14-12-023, pg. 15.]</p> <p><b>Pleadings</b>                  GPI provides a detailed analysis of the circumstances that should properly qualify for allowing a waiver of quantity requirements, and a reduction of portfolio-balance requirements for a regulated entity’s RPS procurement obligations. [see GPI Comments on Compliance &amp; Enforcement, 10/25/13, pgs. 4-7.]</p> <p>GPI reinforced its arguments that waiver requests should be filed and served, that all available RECs must be applied, and that a waiver request is separate and distinct from the PEL process. [see GPI Comments on the PD, 11/5/14, pg. 1.]</p>	
<p><b>9. Reduction of Portfolio Balance Requirements</b></p> <p>The GPI made substantial contributions to D.14-12-023 in the area of reduction of portfolio balance requirements by advocating for, similar to the case for waivers, the establishment of formal filing requirements and party comment rights for all requests for category reductions, and by pointing out that provisions for unavoidable circumstances that come under the category of “acts-of-God” are already provided for elsewhere. The Decision adopts our position on these issues, and acknowledges our contributions.</p>	<p><b>Decision</b></p> <p>Almost all circumstances that legitimately prevent compliance, including GPI’s catch-all “act of God,” will present themselves as one of the conditions listed in the statute, even if they arise from a unique circumstance. [Decision D.14-12-023, pg. 36.]</p> <p><b>Pleadings</b>                  GPI provides a detailed analysis of the circumstances that should properly qualify for allowing a waiver of quantity requirements, and a reduction of portfolio-balance requirements for a regulated entity’s RPS procurement obligations. [see GPI Comments on Compliance &amp; Enforcement, 10/25/13, pgs. 4-7.]</p>	<p>Yes</p>

<p><b>10. Penalties</b>                  The GPI made substantial contributions to D.14-12-023 in the area of formulation of penalty rules for the RPS program for procurement deficiencies, including both procurement quantity deficiencies, and failure to meet portfolio balance requirements. We advocated strongly that the annual penalty cap that was used in the first phase of the California RPS program should continue to be treated as an annual cap for the current phase, rather than being treated as the cap amount for multiyear compliance periods. We also advocated for proportional caps for smaller LSEs, and against the institution of an alternative compliance mechanism. All of these positions are adopted in the Decision. The GPI also proposed a mechanism for dealing with deficiencies of both quantity requirements and balance requirements that was embraced in the Proposed Decision but ultimately dropped from the final Decision, a demonstration that while not ultimately adopted, the proposal enriched the record of the proceeding, and thus made a substantial contribution to the Decision.</p>	<p><b>Decision</b>                  Most commenters urge the Commission to set a penalty cap that is proportional in some way to retail sales (footnote notes that GPI and others supported the use of a proportional cap). They argue that the current cap is a relatively small proportion of the RPS obligation of the large IOUs, while it is either a large proportion of the RPS obligation of the largest other retail sellers, or larger than the entire RPS obligation of most other retail sellers. ... The argument that a “cap” that is larger than the largest possible actual penalty exposure of a retail seller is unfair (and ineffective) is persuasive. For retail sellers other than the three large IOUs, the penalty cap should be set as a percentage of their total RPS procurement obligation for the compliance period at issue. [Decision D.14-12-023, pgs. 44-46.]                  Noble Solutions and GPI assert that, unless the \$25 million/year is multiplied by the number of years in the compliance periods established by SB 2 (1X), the cap will effectively be reduced by a large percentage in the multi-year compliance periods. It is more reasonable to set the penalty cap for the three large IOUs by multiplying \$25 million by the number of years in the compliance period than to keep the cap at \$25 million no matter how long the compliance period is. [Decision D.14-12-023, pgs. 47-48.]                  Parties are divided on whether the Commission has the authority to create an alternative compliance mechanism (footnote notes that “GPI asserts that alternative compliance payments are contrary to the plan of the RPS program.”). ... After considering the</p>	<p>Yes</p>
--	--	------------

	<p>thoughtful contributions of the parties on this topic, it is apparent that the purposes of the alternative compliance mechanisms used in other states are already addressed through California’s comprehensive approach to the development of renewable energy resources. ... Moreover, as GPI points out, the Commission is still in the process of implementing the complex changes to the RPS program made by SB 2 (1X). There is no reason to add a new and potentially complex mechanism to RPS enforcement to do a job that is already being done by so many other programs. [Decision D.14-12-023, pgs. 50-51.]</p> <p><b>Pleadings</b>  GPI provides a detailed analysis of the penalty structures used in the prior phase of the RPS program, and how to structure equivalent penalties within the context of the current phase of the program with its multiyear compliance periods. The GPI also provides a proposal for how to structure penalties for failures to meet portfolio-balance requirements relative to failures to meet quantity requirements. We also discuss alternative compliance mechanisms. [see GPI Comments on Compliance &amp; Enforcement, 10/25/13, pgs. 7-10.]</p> <p>GPI reinforced its argument that the annual penalty cap that was in effect in the first phase of the California RPS program should remain an annual cap, and thus needs to be multiplied by the number of years in a multiyear compliance period in order to be applied to the compliance period. [see GPI Reply Comments on Compliance &amp; Enforcement, 11/12/13, pgs. 3-4.]</p> <p>GPI reinforced its arguments that category deficiencies should be valued</p>	
--	--	--

	<p>as one-half of a quantity deficiency, that annual caps need to be multiplied by the number of years, and that an alternative compliance mechanism is not needed. [see GPI Comments on the PD, 11/5/14, pgs. 1-2.]</p>	
<p><b>11. Reporting Requirements</b>                  The GPI made substantial contributions to D.14-12-023 in the area of formulation of reporting requirements for regulated entities under the RPS program. For the first time, due in large part to our sustained efforts over the past several years, IOUs will be required to formally file their end-of-compliance-period RPS compliance reports, so that they will become part of the record of the then-current RPS proceeding, and parties will be invited to file comments on the compliance reports. There can be no question that our filing, on our own initiative, of comments on the RPS Compliance Reports over the past years has enriched the record of the RPS proceedings, and contributed to a better understanding of the effectiveness of the RPS program. We are proud that our ongoing efforts in this area have borne fruit.</p>	<p><b>Decision</b></p> <p>Parties generally support some form of continued reporting of the calculated potential penalty, with most commenting parties proposing that the “presumptive” penalty calculation be made in the final report for the compliance period (footnote to GPI and others). ... It is reasonable to continue the practice of retail sellers calculating and reporting a potential penalty in their final compliance report for a compliance period. [Decision D.14-12-023, pg. 52.]</p> <p>Parties may comment on the final compliance reports submitted by retail sellers, as well as on any updated compliance reports submitted after the CEC Verification Report for the compliance period, as proposed by GPI and San Francisco. [Decision D.14-12-023, pg. 54.]</p> <p><b>Pleadings</b></p> <p>GPI strongly supported requiring the IOUs to formally file, as well as serve, their end-of-compliance-period RPS compliance reports, and to invite formal comments from the parties in response to the filed compliance reports. [see GPI Comments on Compliance &amp; Enforcement, 10/25/13, pgs. 3-4.]</p> <p>GPI reinforced its argument that the end-of-compliance-period RPS compliance reports should be filed as well as served, and that comments from the parties on these reports should be invited. [see GPI Reply Comments on</p>	<p>Yes</p>

	<p>Compliance &amp; Enforcement, 11/12/13, pgs. 1-2.]</p> <p>GPI reinforced its arguments that parties should be invited to file comments on the RPS compliance reports. [see GPI Comments on the PD, 11/5/14, pg. 2.]</p>	
<p><b>D.14-12-081 Decision Implements SB 1122</b></p>		
<p><b>12. Bioenergy Resource Categories</b>                  The GPI made substantial contributions to Decision D.14-12-081 by providing a rationale for distinguishing between the price of dairy biogas projects and other agricultural projects in category two, and by helping to steer the Commission away from imposing unnecessary restrictions on forest fuels that are qualified for use in SB 1122 facilities, and away from getting bogged down in the area of forestry regulation. The GPI also argued against the premature imposition of a requirement for expensive third-party fuel verification. The Decision adopts our argument to separate the adjusting price of dairy-manure projects and other-agricultural-residue projects, adopts specifications for forest fuels that are consistent with our suggestions, and declines to impose third-party, fuel-verification requirements.</p>	<p><b>Decision</b></p> <p>Although, as GPI points out, it might have been possible simply to use the bioenergy technology categories “biogas” and “biomass,” SB 1122 does not do so. Rather, the statute uses the three categories set out in Section 399.20(f)(2)(A), which make rough groupings of the source from which the bioenergy is derived. [Decision D.14-12-081, pg. 17.]</p> <p>It is not necessary for this Commission to resolve the issues raised by the CAL FIRE staff white paper definition and the comments on it. The Commission does not need to wade into what is revealed by the record in this proceeding to be a longstanding, complex, and highly technical discussion about how to define the concept of “sustainable forest management.” For purposes of implementing SB 1122, it is sufficient to be able to identify, clearly enough to allow compliance with the criteria and meaningful verification of compliance, those activities whose byproducts meet the SB 1122 criterion of “byproducts of sustainable forest management.” [Decision D.14-12-081, pg. 25.]</p> <p>No party opposes the concept of monitoring fuel usage, but parties have differing views of the appropriate process. AECA, GPI, and SCE support the Staff Proposal. Some parties</p>	<p>Yes</p>

	<p>consider the Staff Proposal duplicative of the existing RPS fuel usage verification process of the CEC (reference to GPI and others). Some parties assert that any monitoring of ongoing fuel usage should be done by a state agency or other third party, not the IOU. ... The Staff Proposal for annual monitoring of fuel usage is sensible and is adopted. The generator should provide an attestation that identifies the fuel used in the preceding year, including overall percentages of each fuel type, so that the IOU can easily ascertain whether the requirements of this decision for fuel category eligibility are being met. [Decision D.14-12-081, pgs. 33-34.]</p> <p><b>Pleadings</b>          The biggest problem with the categorization specified in the legislation is that there is no rational reason for putting dairy manure projects and solid-fuel ag-residue projects into the same category. [GPI Comments on the Staff Proposal on SB 1122 Implementation, 12/20/13, pg. 3.]</p> <p>We are also concerned that an overly restrictive interpretation of the statute has the potential to put the Commission in the position of having to regulate forestry practices, a position that, we believe, is outside of both its jurisdiction and areas of expertise. In the opinion of the GPI, the language in SB 1122 does not imply a desire for the establishment of restrictive specifications for fuel that limits fuel sources to only a subset of the potential sources of fuel that are produced by forestry activities conducted in accordance with all applicable state and federal environmental laws and regulations. It simply calls for fuels that are derived from activities that are conducted in</p>	
--	---	--

	<p>accordance with sustainable forest-management practices. We believe that the Forest Practices Act already provides for that. [GPI Comments on the CalFire White Paper, 6/20/14, pg. 2; see detailed discussion of the definition of sustainable forest management, entire document, and Reply Comments, 7/2/14, entire document.]</p> <p>We ask parties to keep in mind that the supply of at-risk forests in the state is bountiful, and that putting unnecessary stumbling blocks in the way of reducing the fire risks in California’s forests dooms the forests to suffer serious and avoidable catastrophic fire damage at some point in the future. The spirit and intent of the inclusion of the 50 MW allocation of capacity to forest fuel projects is to support forest-improvement projects across the state, and the needed definitions should be crafted in order to support that goal. [GPI Reply Comments on the Staff Proposal on SB 1122 Implementation, 1/16/14, pg. 4.]</p> <p>In our view, the PD does a masterful job of declining to broadly define sustainable-forest management, instead concentrating on constructing specifications that determine what kinds of fuels qualify for the program. We strongly support this section of the PD, and urge the Commission to resist any suggestions to re-litigate the issues. [GPI Comments on the PD, 12/8/14, pgs. 1-2.]</p>	
<p><b>13. Allocation of MW Targets</b></p> <p>The GPI argued in favor of basing the MW allocations of capacity called for in SB 1122</p>	<p><b>Decision</b></p> <p>For the other technology types, GPI proposes that the targets by technology type should not be allocated to individual IOUs, but that the bioenergy</p>	<p>Yes</p>

<p>among the IOUs based on their energy sales, rather than their peak capacity needs, and in favor of allowing the marketplace to allocate the mix of project types among the utilities, rather than assigning hard allocations. In both cases the Decision acknowledges the desirability of adopting our approach, but declines to do so due to restrictive language in the statute. While our proposals on allocations were not adopted in D.14-12-081, there is no question that they enriched the record underlying the Decision and were given serious consideration, and thereby represent substantial contributions to the Decision.</p>	<p>market should be allowed to determine which technology types are built in which locations. ... While the GPI proposal is consistent with the overall market-based approach to RPS procurement, it is not consistent with SB 1122's particular prescriptive approach to the bioenergy segment of the RPS market. [Decision D.14-12-081, pg. 38.]</p> <p><b>Pleadings</b></p> <p>As a basic principle we remind the Commission that biomass resources are low-grade fuels whose transportation is expensive. Indeed, one of the rationales for supporting small-scale biomass generators is that, compared to utility-scale facilities, their fuel can come from nearby sources, thereby minimizing the cost of its transportation. While biomass generators have considerably greater flexibility than other renewables with respect to project siting, that does not change the overarching fact that biomass generators need to be located in reasonable proximity to the resource base in order to be successful. Thus, whatever method of allocation is used for splitting up the 250 MW of SB 1122 capacity, it must be sensitive to the spatial distribution of the resource base if it is going to be successful. [GPI Comments on the B&amp;V Draft Report, 4/24/13, pg. 4.]</p> <p>We are not in agreement with the additional sub-allocation of each IOU's mandate among the three biomass categories. In our opinion, in view of the difficult economics faced by all of these systems, one of the things that the Commission can do to keep program costs at a minimum is to build maximum flexibility into the program. We note that the staff proposal prices systems in each fuel category on a</p>	
---	--	--

	<p>statewide basis. In our opinion that is a step in the right direction (see below, Staff Proposal on Pricing). We would like to see a similar statewide approach taken in distributing the allocation of the 250 MW among the three bioenergy categories, as specified in the legislation. Rather than setting rigid allocations in each bioenergy category for each IOU, we would prefer to let project proponents determine the optimal statewide distribution of where projects in each category should be located, and impose only overall MW mandates on the utilities, to be filled-in by category as project proposals dictate. [GPI Comments on the Staff Proposal on SB 1122 Implementation, 12/20/13, pg. 4.]</p>	
<p><b>14. Location of Generation Facility</b></p> <p>The GPI made substantial contributions to D.14-12-081 by advocating in general against imposing unnecessary restrictions on SB 1122 facilities, and specifically in favor of allowing category-two SB 1122 facilities to procure fuel from sources that are offsite from the premises of the generating facility, and by specifying that only the generating facility, not its fuel-shed, needs to be located in the service territory of the purchasing utility. The Decision adopts all of our proposals in this area.</p>	<p><b>Decision</b></p> <p>Allowing the "other agricultural" feedstock to be obtained from complying agricultural sources that are not necessarily on the same premises as the bioenergy generation facility will maximize the opportunities to use "other agricultural" fuel sources in the same general area as feedstock for one facility. [Decision D.14-12-081, pg. 20.]</p> <p>To the extent that trucking the large mass of material necessary for bioenergy facilities is an issue, it is likely that the costs of moving feedstock long distances will act as an economic deterrent to long-haul trucking. This is especially likely in the SB 1122 context because, as GPI points out, SB 1122 is directed to small generation facilities that are not likely to be able to support extra fuel expense. The suggestion to restrict the location of fuel sources is rejected. [Decision D.14-12-081,</p>	<p>Yes</p>

	<p>pgs. 45-46.]</p> <p><b>Pleadings</b>                  Section 2.5.2.1 of the PD makes the determination that the requirement in §399.20(b) that an eligible project be located in the service territory of the IOU purchasing the power does not extend to the boundaries of the fuel-shed from which a project procures its fuel. Imposing unnecessary restrictions on SB 1122 projects that go beyond the requirements in the legislation would have the inevitable effect of increasing program costs, without producing any additional benefits. The GPI supports this determination. [GPI Comments on the PD, 12/8/14, pg. 2.]</p>	
<p><b>15. Starting Price and Price Cap</b></p> <p>The GPI made a number of substantial contributions to D.14-12-081 in the area of setting the starting price and price caps for SB 1122 projects. The GPI pointed out that the legislation does not include a cost-control mechanism specific to the program, which the Decision acknowledges and confirms. We concluded that a firm price cap on SB 1122 projects was inappropriate. The Decision agreed with our position and declined to impose a cap, deciding instead to trigger reasonableness reviews when prices move beyond a predetermined point. We also argued that the starting price proposed in the Staff Proposal was inadequate for some of the categories of projects included</p>	<p><b>Decision</b></p> <p>A number of parties argue for a separate treatment of the pricing of dairy projects (reference to GPI and others). They assert that bioenergy from dairy waste is known to be more costly than bioenergy from other agricultural fuel resources; thus, without some mechanism to separate dairy from “other agricultural” bids, effectively no dairy projects will be able to use the bioenergy FiT, because the category will be fully subscribed by “other agricultural” projects. ... By allowing the price of each type of project to adjust separately, the Commission can maximize the opportunities for both types of projects to contribute to the attainment of the Legislature’s goals. The separate price adjustment for each type that we adopt here does not, however, change anything about the overall allocation of the “dairy and other bioenergy” MW targets. [Decision D.14-12-081, pgs. 56-57.]</p> <p>The proposal of a firm price cap is</p>	<p>Yes</p>

<p>in the program, and requested a higher starting price for these categories. The Decision did not adopt our proposal on this point, but our argument enriched the record underlying the Decision and was given serious consideration, and thereby represents a substantial contribution to the Decision.</p>	<p>opposed by AECA, BAC, GPI, and Sustainable Conservation. GPI points out that SB 1122 does not include any direction to the Commission to create a price control mechanism. ... GPI notes that “in order to successfully implement SB 1122, the utilities will almost surely have to procure some very expensive power...” Nevertheless, the Legislature mandated procurement pursuant to SB 1122 as part of the RPS program. ... Imposing a firm price cap on the bioenergy FiT is premature, and may ultimately be unnecessary. [Decision D.14-12-081, pgs. 60-62.]</p> <p><b>Pleadings</b></p> <p>As a preliminary matter, we wish to make the observation that in order to successfully implement SB 1122, the utilities will almost surely have to procure some very expensive power, particularly for projects using fuels in categories two (dairy and ag) and three (forest), as specified in the legislation. [GPI Comments on the Staff Proposal on SB 1122 Implementation, 12/20/13, pg. 1.]</p> <p>The ReMAT process is designed to serve technologies that have already achieved commercial status. It is not designed to provide the above-market funding that is needed to achieve that status. [GPI Comments on the B&amp;V Draft Report, 4/24/13, pg. 6.]</p> <p>Our understanding of the legislation is that SB 1122 creates mandates without providing cost-based off ramps, so unless and until the statute is changed, the Commission’s job is to implement it. If parties disagree with the statute, the place for redress is the legislature, not the Public Utilities Commission. The Commission’s challenge is to make</p>	
--	---	--

	<p>enough resources available to implement the program, while keeping programmatic costs under control. [GPI Reply Comments on the Staff Proposal on SB 1122 Implementation, 1/16/14, pg. 1.]</p> <p>The GPI strongly supports the Staff Proposal's proposal to limit the ReMAT tariff differentiation into single, statewide prices for each statutorily-determined category of bioenergy. The most fundamental reason is that in order to function efficiently, the ReMAT mechanism needs multiple projects, and there is every reason to believe that in at least some of these categories if the Staff Proposal's opening tariff rate is used there will be at most a handful of projects, even on a statewide basis. [GPI Comments on the Staff Proposal on SB 1122 Implementation, 12/20/13, pg. 6.]</p> <p>Many of the parties who want to control SB 1122 costs by, for example, limiting the starting ReMAT auction price, also want to impose rigid controls on some key technical aspects of the projects, such as the mix of fuels they are able to use. As we argued in our Opening Comments, the most effective way to control programmatic costs is to build flexibility into the program rules to the maximum extent possible, in order to allow operators to seek ways to minimize their operating costs. [GPI Reply Comments on the Staff Proposal on SB 1122 Implementation, 1/16/14, pg. 2.]</p> <p>GPI provides a detailed discussion about the utilities' and others' concerns about costs and gaming in the SB 1122 program, and urges the Commission to resist making any changes to the PD that would impose unnecessary and costly restrictions on the program. [see GPI</p>	
--	--	--

	Reply Comments on the PD, 12/15/14, entire document.]	
--	--	--

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

	<b>Intervenor's Assertion</b>	<b>CPUC Discussion</b>
<b>a. Was the Office of Ratepayer Advocates<sup>1</sup>(ORA) a party to the proceeding?</b>	Yes	Verified
<b>b. Were there other parties to the proceeding with positions similar to yours?</b>	Yes	Verified
<b>c. If so, provide name of other parties:</b> DRA, TURN, CEERT, UCS, NRDC, Nature Conservancy, LSSA, CalWEA, Agricultural Energy Consumers, Bioenergy Association, Sustainable Conservation, Placer Co. APCD, CBD, and the three large electric IOUs.		Verified
<b>d. Intervenor's claim of non-duplication:</b> This proceeding covers a wide variety of topics related to the state's multifaceted RPS program. The Green Power Institute has been an active participant in the Commission's RPS proceedings since the inception of the program, and is continuing these efforts in the present proceeding (R.11-05-005). The Green Power Institute coordinated its efforts in this proceeding with other parties in order to avoid duplication of effort, joined other parties for joint filings, and added significantly to the outcome of the Commission's deliberations through our own unique perspective. Some amount of duplication has occurred in this proceeding on all sides of contentious issues, but Green Power avoided duplication to the extent possible, and tried to minimize it where it was unavoidable.		Verified

**PART III: REASONABLENESS OF REQUESTED COMPENSATION****A. General Claim of Reasonableness (§ 1801 and § 1806):**

<b>a. Intervenor's claim of cost reasonableness:</b>	<b>CPUC Discussion</b>
<p>The GPI is providing, in Attachment 2, a listing of all of the pleadings we provided in this Proceeding, R.11-03-012, that are relevant to matters covered by this Claim, and a detailed breakdown of GPI staff time spent for work performed that was directly related to our substantial contributions to Decisions D.12-11-016, D.13-05-034, D.13-11-024, D.14-11-042, D.14-12-023 and D.14-12-081.</p> <p>The hours claimed herein in support of Decisions D.12-11-016, D.13-05-034,</p>	Verified

<sup>1</sup> 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), which was approved by the Governor on September 26, 2013.

<p>D.13-11-024, D.14-11-042, D.14-12-023 and D.14-12-081 are reasonable given the scope of the Proceeding, and the strong participation by the GPI. GPI staff maintained detailed contemporaneous time records indicating the number of hours devoted to the matters settled by these Decisions in this case. In preparing Attachment 2, Dr. Morris reviewed all of the recorded hours devoted to this proceeding, and included only those that were reasonable and contributory to the underlying tasks. As a result, the GPI submits that all of the hours included in the attachment are reasonable, and should be compensated in full.</p> <p>Dr. Morris is a renewable energy analyst and consultant with more than thirty years of diversified experience and accomplishments in the energy and environmental fields. He is a nationally recognized expert on biomass and renewable energy, climate change and greenhouse-gas emissions analysis, integrated resources planning, and analysis of the environmental impacts of electric power generation. Dr. Morris holds a BA in Natural Science from the University of Pennsylvania, an MSc in Biochemistry from the University of Toronto, and a PhD in Energy and Resources from the University of California, Berkeley.</p> <p>Dr. Morris has been actively involved in electric utility restructuring in California throughout the past two decades. He served as editor and facilitator for the Renewables Working Group to the California Public Utilities Commission in 1996 during the original restructuring effort, consultant to the CEC Renewables Program Committee, consultant to the Governor’s Office of Planning and Research on renewable energy policy during the energy crisis years, and has provided expert testimony in a variety of regulatory and legislative proceedings, as well as in civil litigation.</p> <p>Ms. Whiddon is a highly capable energy-policy analyst. Ms. Whiddon has a Masters from Towson University, and has been working in the renewable energy field for almost a decade. Ms. Whiddon worked for 5 years for Washington Counsel / Ernst and Young, a Washington, D.C. based consulting and lobbying firm, and is now working on her own, including as an associate of the Green Power Institute.</p> <p>Decision D.98-04-059 states, on pgs. 33-34, “Participation must be productive in the sense that the costs of participation should bear a reasonable relationship to the benefits realized through such participation. ... At a minimum, when the benefits are intangible, the customer should present information sufficient to justify a Commission finding that the overall benefits of a customer’s participation will exceed a customer’s costs.” This proceeding is concerned with both the development and management of the state’s RPS program. The ongoing efforts in the various RPS proceedings have overseen the implementation of the one of the state’s major environmental programs at minimal cost to ratepayers, saving millions of dollars annually in terms of reduced costs of compliance with state RPS and AB 32 compliance costs, and reduced pollution from fossil-fuel burning power plants. These cost reductions and environmental benefits overwhelm the cost of our participation in this proceeding.</p>	
<p><b>b. Reasonableness of hours claimed:</b></p>	<p>Verified</p>

<p>The GPI made Significant Contributions to Decisions D.12-11-016, D.13-05-034, D.13-11-024, D.14-11-042, D.14-12-023 and D.14-12-081, by participating in working groups, and providing a series of Commission filings on the various topics that were under consideration in the Proceeding, and are covered by this Claim. Attachment 2 provides a detailed breakdown of the hours that were expended in making our Contributions. The hourly rates and costs claimed are reasonable and consistent with awards to other intervenors with comparable experience and expertise. The Commission should grant the GPI’s claim in its entirety.</p>																															
<p><b>c. Allocation of hours by issue:</b></p> <p>RPS Procurement Plans (D.12-11-016, D.13-11-024, D.14-11-042)</p> <table border="0"> <tr> <td>1. RNS Methodology</td> <td>9.0%</td> </tr> <tr> <td>2. TOD Factors</td> <td>6.5%</td> </tr> <tr> <td>3. Integration Adders</td> <td>11.5%</td> </tr> <tr> <td>4. RPS Supply and Resource Diversity</td> <td>16.0%</td> </tr> <tr> <td>5. Green Attributes</td> <td>7.0%</td> </tr> <tr> <td>6. RPS Procurement Rules</td> <td>5.0%</td> </tr> </table> <p>Standard FiT Contracts (D.13-05-034)</p> <table border="0"> <tr> <td>7. Adoption of Standard FiT Contracts</td> <td>5.0%</td> </tr> </table> <p>RPS Compliance and Enforcement (D.14-12-023)</p> <table border="0"> <tr> <td>8. Waiver of Procurement Quantity Requirements</td> <td>3.5%</td> </tr> <tr> <td>9. Reduction of Portfolio Balance Requirements</td> <td>2.5%</td> </tr> <tr> <td>10. Penalties</td> <td>6.0%</td> </tr> <tr> <td>11. Reporting Requirements</td> <td>3.0%</td> </tr> </table> <p>SB 1122 Implementation (D.14-12-081)</p> <table border="0"> <tr> <td>12. Bioenergy Resource Categories</td> <td>7.5%</td> </tr> <tr> <td>13. Allocation of MW Targets</td> <td>5.0%</td> </tr> <tr> <td>14. Location of Generation Facility</td> <td>5.0%</td> </tr> <tr> <td>15. Starting Price and Price Cap</td> <td>7.5%</td> </tr> </table>	1. RNS Methodology	9.0%	2. TOD Factors	6.5%	3. Integration Adders	11.5%	4. RPS Supply and Resource Diversity	16.0%	5. Green Attributes	7.0%	6. RPS Procurement Rules	5.0%	7. Adoption of Standard FiT Contracts	5.0%	8. Waiver of Procurement Quantity Requirements	3.5%	9. Reduction of Portfolio Balance Requirements	2.5%	10. Penalties	6.0%	11. Reporting Requirements	3.0%	12. Bioenergy Resource Categories	7.5%	13. Allocation of MW Targets	5.0%	14. Location of Generation Facility	5.0%	15. Starting Price and Price Cap	7.5%	<p>Verified</p>
1. RNS Methodology	9.0%																														
2. TOD Factors	6.5%																														
3. Integration Adders	11.5%																														
4. RPS Supply and Resource Diversity	16.0%																														
5. Green Attributes	7.0%																														
6. RPS Procurement Rules	5.0%																														
7. Adoption of Standard FiT Contracts	5.0%																														
8. Waiver of Procurement Quantity Requirements	3.5%																														
9. Reduction of Portfolio Balance Requirements	2.5%																														
10. Penalties	6.0%																														
11. Reporting Requirements	3.0%																														
12. Bioenergy Resource Categories	7.5%																														
13. Allocation of MW Targets	5.0%																														
14. Location of Generation Facility	5.0%																														
15. Starting Price and Price Cap	7.5%																														

**B. Specific Claim:\***

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
G. Morris	2012	143.5	\$245	D.13-05-009	\$35,158	143.5	\$245.00 <sup>2</sup>	\$35,157.50
G. Morris	2013	311.5	\$250	2012 w/2%	\$77,875	311.5	\$250.00 <sup>3</sup>	\$77,875.00
G. Morris	2014	255.5	\$270	See Comment 1	\$68,985	255.5	\$270.00 <sup>4</sup>	\$68,985.00
V. Whiddon	2012	6.0	\$70	D.13-10-012	\$420	6.0	\$70.00 <sup>5</sup>	\$420.00
V. Whiddon	2013	42.0	\$75	See Comment 2	\$3,150	42	\$75.00 <sup>6</sup>	\$3,150.00
V. Whiddon	2014	33.5	\$75	See Comment 2	\$2,513	33.5	\$75.00	\$2,512.50
<b>Subtotal: \$188,101</b>						<b>Subtotal: \$188,100.00</b>		
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate	Total \$
G. Morris	2014	24	\$135	½ rate for 2014	\$3,240	24	\$135.00	\$3,240.00
<b>Subtotal: \$3,240.00</b>						<b>Subtotal: \$3,240.00</b>		
COSTS								
#	Item	Detail			Amount	Amount		
	Postage	Postage for serving documents (see Attachment 2 for detail)			\$232	\$231.50		
<b>TOTAL REQUEST: \$191,573</b>						<b>TOTAL AWARD: \$191,571.50</b>		
<p>*We remind all intervenors that Commission staff may audit their records related to the award and that intervenors must make and retain adequate accounting and other documentation to support all claims for intervenor compensation. Intervenor's records should identify specific issues for which it seeks compensation, the actual time spent by each employee or consultant, the applicable hourly rates, fees paid to consultants and any other costs for which compensation was claimed. The records pertaining to an award of compensation shall be retained for at least three years from the date of the final decision making the award.</p> <p>**Travel and Reasonable Claim preparation time typically compensated at ½ of preparer's normal hourly rate</p>								

<sup>2</sup> Approved in D.15-03-034.

<sup>3</sup> Approved in D. 15-03-034.

<sup>4</sup> Approved in D. 15-06-058.

<sup>5</sup> Approved in D. 13-10-012

<sup>6</sup> Approved in D. 15-03-034.

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

<b>Attachment or Comment #</b>	<b>Description/Comment</b>
Comment 1	<p>Dr. Morris' approved rate for 2012 is \$245/hr (D.13-05-009). We have previously applied for a 2013 rate for Dr. Morris of \$250, which is the 2012 rate with the 2013 COLA of 2% (Res. ALJ-287), with rounding. Res. ALJ-303 provides for a 2014 COLA of 2.58% over 2013 rates. In addition, we are asking for a 5% step increase for Dr. Morris, resulting in a 2014 rate of \$270/hr (<math>250 * 1.0258 * 1.05</math>, rounded to the nearest five, per D.13-05-009). Dr. Morris has been actively practicing before the Commission since 2003. This is only the second time that we are requesting a step increase for Dr. Morris. This request is consistent with D.07-01-009 and D.08-04-010.</p> <p>Dr. Morris has been representing the GPI before the Commission since the beginning of 2003, and thus has accumulated more than a decade of experience. He was already a senior-level renewable-energy expert before beginning his work at the Commission. During his almost 12 years of practice before the Commission, Dr. Morris has received one step increase in rate from PUC, in 2009. During his years of practice before the Commission, Dr. Morris has become a respected authority on matters relating to renewable-energy policy issues and greenhouse-gas emissions policy issues, and has made many important contributions to the Commission's deliberations. Dr. Morris deserves a step increase in his approved PUC rate. The requested rate of \$270 for 2014 leaves Dr. Morris well within the range approved for his experience level. We use this rate in this Request for Award.</p>
Comment 2	<p>Ms. Whiddon's approved rate for both 2011 and 2012 is \$70/hr (D.13-10-012). Res. ALJ-281 provides for a 2012 COLA of 2.2%, and Res. ALJ-287 provides for a 2013 COLA of 2.0%. Applying the 2.2% factor and rounding for 2012 left the rate at \$70/hr for 2012. Applying the factors for both 2012 and 2013 to the 2011 rate results in a 2013 rate of \$75/hr (<math>70 * 1.022 * 1.02</math>, rounded to the nearest five, per D.13-05-009). Applying the 2014 COLA and rounding to the requested 2013 rate of \$75/hr results in no change. We use \$75/hr as the rate for Ms. Whiddon for both 2013 and 2014 in this Request for Award.</p>
Attachment 1	<b>Certificate of Service</b>
Attachment 2	<b>Allocation of effort by issue, list of pleadings, breakdown of hourly efforts</b>

**PART IV: OPPOSITIONS AND COMMENTS**

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

**FINDINGS OF FACT**

1. Green Power Institute has made a substantial contribution to Decisions D.12-11-016, D.13.05-034, D.13-11-024, D.14-11-042, D.14-12-023, and D.14-12-081.
2. The requested hourly rates for Green Power Institute'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 \$191,571.50.

**CONCLUSION OF LAW**

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

**ORDER**

1. Green Power Institute shall be awarded \$191,571.50.
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 shall pay Green Power Institute their respective shares of the award, based on their California-jurisdictional electric and gas 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 April 13, 2015, the 75<sup>th</sup> day after the filing of Green Power Institute's request, and continuing until full payment is made.

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

4. This decision is effective today.

Dated \_\_\_\_\_, at San Francisco, California.

**APPENDIX****Compensation Decision Summary Information**

<b>Compensation Decision:</b>		<b>Modifies Decision?</b>	No
<b>Contribution Decision(s):</b>	D.12-11-016, D.13.05-034, D.13-11-024, D.14-11-042, D.14-12-023, and D.14-12-081.		
<b>Proceeding(s):</b>	R1105005		
<b>Author:</b>	ALJ Simon		
<b>Payer(s):</b>	Pacific Gas and Electric Company, Southern California Edison Company, San Diego Gas & Electric Company		

**Intervenor Information**

<b>Intervenor</b>	<b>Claim Date</b>	<b>Amount Requested</b>	<b>Amount Awarded</b>	<b>Multiplier?</b>	<b>Reason Change/Disallowance</b>
Green Power Institute	January 28, 2015	\$191,573.00	\$191,571.50	N/A	Reductions for rounding

**Advocate Information**

<b>First Name</b>	<b>Last Name</b>	<b>Type</b>	<b>Intervenor</b>	<b>Hourly Fee Requested</b>	<b>Year Hourly Fee Requested</b>	<b>Hourly Fee Adopted</b>
Gregg	Morris	Expert	Green Power Institute	\$245.00	2012	\$245.00
Gregg	Morris	Expert	Green Power Institute	\$250.00	2013	\$250.00
Gregg	Morris	Expert	Green Power Institute	\$270.00	2014	\$270.00
Venessia	Whiddon	Expert	Green Power Institute	\$70.00	2012	\$70.00
Venessia	Whiddon	Expert	Green Power Institute	\$75.00	2013	\$75.00
Venessia	Whiddon	Expert	Green Power Institute	\$75.00	2014	\$75.00

**(END OF APPENDIX)**