

Decision \_\_\_\_\_

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

Application of San Diego Gas & Electric Company (U902E) for Authority to Implement Optional Pilot Program to Increase Customer Access to Solar Generated Electricity.

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And Related Matters.

Application 12-01-008  
(Filed January 17, 2012)

Application 12-04-020  
Application 14-01-007

**DECISION GRANTING INTERVENOR COMPENSATION TO THE CALIFORNIA ENVIRONMENTAL JUSTICE ALLIANCE FOR SUBSTANTIAL CONTRIBUTION TO DECISION 15-01-051**

<b>Intervenor: California Environmental Justice Alliance</b>	<b>For contribution to Decision (D.) 15-01-051</b>
<b>Claimed: \$83,439.00</b>	<b>Awarded: \$75,975.25 (reduced 8.94%)</b>
<b>Assigned Commissioner: Michael Picker</b>	<b>Assigned ALJ: Regina M. DeAngelis</b>

**PART I: PROCEDURAL ISSUES**

<b>A. Brief description of Decision:</b>	D.15-01-051 decides how to begin implementing Senate Bill (SB) 43 (Stats. 2013, ch 413 (Wolk)), which requires that the three large electrical utilities implement the Green Tariff Shared Renewables (GTSR) Program. D.15-01-051 addresses Phase I, II, and III of the proceeding, setting forth the steps for PG&E, SDG&E, and SCE to develop and begin to administer the Green Tariff Option (Green Tariff) and Enhanced Community Renewables (ECR) components of the GTSR Program.
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**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):	10/2/2013	Verified.

2. Other specified date for NOI:	Motion to late-file granted 12/18/2014	Verified, <i>see</i> comment below.
3. Date NOI filed:	12/20/2013	Verified.
4. Was the NOI timely filed? Yes.		Yes.
<b>Showing of customer or customer-related status (§ 1802(b)):</b>		
5. Based on ALJ ruling issued in proceeding number:	A.13-06-015	Verified.
6. Date of ALJ ruling:	10/17/2013	Verified.
7. Based on another CPUC determination (specify):		
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:	A.13-06-015	Verified.
10. Date of ALJ ruling:	10/17/2013	Verified.
11. Based on another CPUC determination (specify):		
12. Has the Intervenor demonstrated significant financial hardship?		Yes.
<b>Timely request for compensation (§ 1804(c)):</b>		
13. Identify Final Decision:	D.15-01-051	Verified.
14. Date of issuance of Final Order or Decision:	02/02/2015	Verified.
15. File date of compensation request:	04/02/2015	Verified.
16. Was the request for compensation timely?		Yes.

**C. Additional Comments on Part I:**

#	Intervenor’s Comment(s)	CPUC Discussion
1	<p>California Environmental Justice Alliance</p> <p>The California Environmental Justice Alliance (CEJA) is an alliance of six grassroots environmental justice organizations that are situated throughout the state of California. CEJA is an unincorporated organization that is fiscally sponsored by the Environmental Health Coalition. All of the members of</p>	

	<p>CEJA are non-profit public interest entities. Together, the six member organizations of CEJA work to achieve environmental justice for low-income communities and communities of color throughout the state of California. In particular, CEJA pushes for policies at the federal, state, regional and local levels that protect public health and the environment. CEJA also works to ensure that California enacts statewide climate change policies that protect low-income communities and communities of color.</p> <p>CEJA, its member organizations, and their community members distinguish their interests from Commission staff and other California ratepayers participating in this matter. CEJA has worked in communities throughout the state on its Green Zones Initiative, whose goal is to transform overburdened neighborhoods into healthy, thriving “Green Zones.” CEJA has worked with researchers from UC Berkeley, Occidental College, USC, and the CalEPA to map out area of high cumulative pollution impacts using an environmental justice screening methodology. To transform the environmental justice communities into Green Zones, CEJA works to reduce existing pollution levels, institute community based land-use planning, support green community based development, and build community capacity and power. <i>Central</i> to this mission is ensuring renewable energy access and development in these overburdened communities.</p>	
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2		<p>In an e-mail dated December 18, 2015, Administrative Law Judge Richard Clark granted CEJA’s December 3, 2013 Motion for Party Status and granted CEJA’s Motion to Late-File Notice of Intent to Claim Intervenor Compensation.</p>
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**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
<p>The Commission examined and/or adopted many of CEJA’s recommendations regarding SB 43’s mandates to make renewable energy affordable and expand access to renewable energy to low-income and minority communities.</p> <p>To the extent some issues have been deferred to Phase IV, note that in A.06-11-007, the Commission recognized that it may benefit from an intervenor’s participation even where the Commission did not adopt <i>any</i> of the intervenor’s positions or recommendations. The Commission held that an intervenor’s opposition can provide important information regarding all issues that needed to be considered in deciding whether to approve a particular application. Such opposition allows the Commission to properly and thoroughly analyze all aspects leading to a decision/consider the consequences of adopting or rejecting applications.</p> <p>Here, even though the Commission deferred some</p>		

<p>issues, such as the minimum size of projects, EJ Reservation implementation, and others to Phase IV, the Commission noted that for many of these issues, it would not have thought to explore them at all had CEJA not raised them. (See., e.g., D.15-01-051, p. 54, noting that CEJA’s suggestion that IOUs work with CalEPA to including race and ethnicity in identifying EJ project locations is a “novel” idea to be explored in Phase IV.) The fact that they are being explored further is thus a substantial contribution by CEJA.</p> <p>CBE therefore requests that the Commission find a substantial contribution warranting an award of intervenor compensation for the reasonable costs and expenses incurred by CBE as follows:</p>		
<p>1. <u>Need to implement program quickly, including Phase IV.</u></p> <p>CBE noted the importance of proceeding quickly in implementing this program, due to the end of ITC credit in 2016.</p> <p>Further, because many aspects of the EJ Reservation part of SB 43 were deferred to Phase IV, to ensure that the EJ Reservation be fully and adequately implemented according to the requirement of SB 43, CBE advocated that Phase IV begin promptly as well.</p> <p>The Commission agreed with both points.</p>	<p>CEJA Reply Comments (12/20/13), p. 6 (tax credit)</p> <p>CEJA Phase I Opening Brief (3/21/14), p. 28 (tax credit)</p> <p>CEJA Comments on Proposed Decision, p. 9 (tax credit)</p> <p>CEJA Comments on Proposed Decision (1/15/15), pp. 4-5 (Phase IV start must be prompt)</p> <p>CEJA Reply Comments on Proposed Decision (1/26/15), p. 1 (Phase IV start must be prompt)</p> <p>D.15-01-051, p. 32, Findings of Fact 24-27 (re: importance of implementing program quickly because ITC credit ends in 2016)</p> <p>D.15-01-051, pp. 7, 56, 158 (setting PHC for Phase IV in 3 weeks, scheduling Phase IV to start in February 2015 and to examine</p>	<p>Yes.</p>

	strategies to implement EJ program, ensuring prompt start to Phase IV)	
<p>2. <u>Minimum Project Size</u></p> <p>CEJA argued that there should not be a minimum project size, in part because projects fulfilling the EJ Reservation could likely be smaller than 500 kW, and requiring larger projects could discourage EJ procurement.</p> <p>Though the Commission held the minimum projects size should be 500 kW, it agreed that projects under 500 kW would be good EJ Reservation projects, and agreed to explore changes in the minimum projects size for this reason in Phase IV.</p>	<p>CEJA Comments on Exh-05 PG&amp;E's ELCR Program (3/7/14), pp. 8-9</p> <p>CEJA Phase I Opening Brief (3/21/14), pp. iv, 12-13.</p> <p>CEJA Comments on SCE ECR (4/11/14), p. 8</p> <p>CEJA Phase II Opening Brief (5/2/14), p. 6</p> <p>CEJA Opening Brief on PG&amp;E ECR (5/5/14), p. 2</p> <p>CEJA Comments on Proposed Decision (1/15/15), p. 8</p> <p>CEJA Reply Comments on Proposed Decision (1/26/15), p. 2</p> <p>D.15-01-051, pp. 36, 37, 55, 56, Conclusion of Law 18: Inclusion of sub-500 kW projects in the GTSR Program should be examined in Phase IV of this proceeding.</p>	Yes.
<p>3. <u>Working with communities &amp; community organizations in marketing, outreach, enrollment &amp; implementation</u></p> <p>CEJA argued throughout this proceeding about the importance of working with community organizations in order to expand access to renewable energy to low-income and minority communities.</p> <p>CEJA urged that coordination with communities must be prompt and continuous, and that community groups needed resources to participate on a continuous basis. CEJA also argued that this means providing marketing and enrollment</p>	<p>CEJA Reply Comments (12/20/13), p. 13 (work with community orgs to ensure low-income and minority communities are fully informed about GTSR and given opportunities to participate and enroll)</p> <p>CEJA Comments on Exh-05 PG&amp;E's ELCR Program (3/7/14), p. 8 (work with community orgs, offer varied enrollment channels, including non-web-based)</p> <p>CEJA Phase I Opening Brief (3/21/14), pp. iv, 5-6, 20-22 (work with community orgs, provide materials in dominant language in communities, provide varied enrollment channels)</p> <p>CEJA Phase II Opening Brief (5/2/14), p. 12 (work with community orgs, offer</p>	Yes.

<p>materials in the dominant languages of the communities, and providing various channels of outreach and enrollment.</p> <p>CEJA made recommendations in reference to the following phases of the program: outreach and marketing, enrollment, and implementation of the program.</p> <p>The Commission agreed with CEJA on the importance of the IOUs working with communities in all of these phases, and continually seeking input from communities. The Commission also agreed that marketing can be done through a variety of media, and allowed groups that participate in community advisory groups/networks access to resources (intervenor compensation) for the duration of the proceeding.</p>	<p>varied enrollment channels)</p> <p>CEJA Opening Brief on PG&amp;E ECR (5/5/14), p. 2 (must provide non-web-based enrollment options)</p> <p>CEJA Comments on Proposed Decision (1/15/15), pp. 13-14 (work with community orgs to actively market program)</p> <p>D.15-01-051, Findings of Fact 48, 87, 88: Outreach to community groups provides valuable input and feedback for GTSR program</p> <p>D.15-01-051, Conclusion of Law 38: IOUs should actively seek input from community advisors, such as local stakeholders and community groups.</p> <p>D.15-01-051, Findings of Fact 118, 119: Marketing must include outreach to low-income and minority communities and customers and can be accomplished through a variety of media.</p> <p>D.15-01-051, pp. 35, 56, 60, 64, 84-85 (IOUs must have annual forums where community members can raise concerns; IOUs should develop innovative mechanisms to further community involvement; importance of working with communities in bringing community projects online and getting feedback.)</p> <p>D.15-01-051, pp. 86, 88, Conclusions of Law 39, 42: Advisory Groups/Networks—must start meeting promptly, providing quarterly reports, and if not working, Commission can adjust.</p> <p>D.15-01-051, pp. 88-89, Conclusion of Law 43: Resources—Community groups that participate in advisory groups/networks can receive intervenor compensation for the duration of this proceeding.</p>	
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	D.15-01-051, pp. 136, 138: IOUs must look at dominant language issue, non-digital marketing channels in diverse cultural communities, roles of community in outreach, outreach to low-income and vulnerable customers, use of non-digital enrollment, etc. in MIALs.	
<p>4. <u>Affordability is a key aspect of the GTSR Program, including ECR</u></p> <p>CEJA argued extensively throughout the proceeding that affordability is a key aspect of the GTSR/ECR Program in order to make it accessible to <i>all</i> customers, including low-income communities. CBE noted several ways of making it more affordable to customers, including, among others:</p> <ul style="list-style-type: none"> <li>• Flexibility/variability in subscription terms and levels (subscription amount, length of term, portability of subscriptions, etc.)</li> <li>• Bill credits for avoided transmission/generation costs</li> <li>• Maintaining CARE discounts</li> </ul> <p>The Commission agreed with CEJA on the critical importance affordability, and agreed with CEJA on the issues of flexibility and variability in subscription levels and terms, as well as included bill credits for avoided costs. The Commission also agreed with CEJA that the CARE discount is important, and to explore the intersection with the CARE discount in a simultaneous proceeding and Phase IV.</p>	<p>CEJA Reply Comments (12/20/13), pp. 11, 12 (importance of affordable pricing, preserve CARE discount)</p> <p>CEJA Comments on Exh-05 PG&amp;E's ELCR Program (3/7/14), pp. 5-7 (PG&amp;E must make ECLR affordable, provide credit for avoided costs, preserve CARE discount)</p> <p>CEJA Phase I Opening Brief (3/21/14), pp. iv, 2-4, 7, 9-12 (affordability is critical; must preserve CARE discount; bill credit for avoided costs must provide variable subscription levels and flexibility in terms to ensure affordability)</p> <p>CEJA Phase I Reply Brief (4/9/14), p. 2 (variable subscriptions)</p> <p>CEJA Comments on SCE ECR (4/11/14), pp. 3, 7-8 (variable subscription levels, bill credit for avoided costs, preserve CARE discount, need to seek out further affordability mechanisms)</p> <p>CEJA Phase II Opening Brief (5/2/14), pp. 3-5 (variable subscription levels, preserve CARE discount, seek out further affordability mechanisms, bill credit for avoided costs)</p> <p>CEJA Opening Brief on PG&amp;E ECR (5/5/14), p. 2 (affordability, CARE discount, variable/flexible subscription options)</p> <p>CEJA Comments on Proposed Decision (1/15/15), pp. 2, 9-10, 14, 15</p>	Yes.

	<p>(noting SB 43 mandates bill credit for avoided generation costs, affordability, variable/flexible subscriptions, CARE discount)</p> <p>CEJA Reply Comments on Proposed Decision (1/26/15), p. 2 (affordability)</p> <p>D.15-01-051, p. 95, Findings of Fact 50, 94: Affordability--Affordable GTSR Program is important, and will encourage participation by different customer groups; Phase IV should explore options to expand GTSR Program affordability.</p> <p>D.15-01-051, pp. 58-59, 69, 91, 95, Findings of Fact 51, 73, 91, Conclusion of Law 27: Variable/Flexible Subscriptions--Agree with CEJA that variable subscription levels and flexible subscriptions (portability) will increase affordability of GTSR &amp; ECR projects, and directing IOUs to implement in various ways.</p> <p>D.15-01-051, pp. 65, 121, 126: Bill Credit--customers should receive credit for avoided generation, and locational benefits will continue to be explored in other proceeding and Tier 2 advice letters.</p> <p>D.15-01-051, pp. 131-132, 158: CARE communities/discount--critical because GTSR must be accessible to low-income communities, and will be explored further in other proceeding and Phase IV</p>	
<p>5. <u>Environmental Justice is a critical component of the GTSR Program &amp; the reservation is a mandate</u></p> <p>CEJA argued extensively that environmental justice (EJ) is a critical component, and in fact, a main motivating factor behind SB 43. This means that one intent of</p>	<p>CEJA Reply Comments (12/20/13), pp. 1-2</p> <p>CEJA Comments on Exh-05 PG&amp;E's ELCR Program (3/7/14), p. 2</p> <p>CEJA Phase I Opening Brief (3/21/14), pp. 1-2, 16</p> <p>CEJA Comments on SCE ECR (4/11/14), p. 2</p>	<p>Yes.</p>

<p>SB 43 is to remedy past discrimination of siting polluting facilities in low-income and minority communities while excluding them from participation in related decisions, and from the benefits of an emerging green economy. The implementation of SB 43 must strive toward improving the environment and health of these communities, as well as providing economic benefits of having access to local, renewable energy. Thus, the EJ reservation is not discretionary; it is a mandate.</p> <p>The Commission agrees with CEJA.</p>	<p>CEJA Phase II Opening Brief (5/2/14), pp. 1-2</p> <p>CEJA Opening Brief on PG&amp;E ECR (5/5/14), p. 1</p> <p>CEJA Comments on Proposed Decision (1/15/15), pp. 2-5, 13</p> <p>D.15-01-051, pp. 51-52: EJ reservation is a mandate</p> <p>D.15-01-051, p. 156, Finding of Fact 144: Intent of SB 43 is to bring renewable energy to areas disproportionately impacted by pollution, and doing so will improve health, safety, and environment of Californians.</p>	
<p>6. <u>SB 43 requires actively marketing and prioritizing procurement in EJ/Disadvantaged Communities</u></p> <p>In noting that the EJ reservation is a mandate, CEJA has repeatedly argued that it is important for the IOUs to actively market and prioritize procurement in EJ communities, rather than committing to a “wait-and-see” approach, whereby the IOUs wait to see if an appropriate project “materializes.” This is important for outreach and enrollment, and for sending clear signals to the market of where the utilities intend to procure, and how much they intend to procure in those areas. The Commission should require IOUs to preferentially procure in EJ communities, and require a minimum procurement capacity per a specified amount of time. Otherwise, CEJA argues, it is unlikely the 100 MW mandate</p>	<p>CEJA Reply Comments (12/20/13), pp. 3-4, 7-8</p> <p>CEJA Comments on Exh-05 PG&amp;E’s ELCR Program (3/7/14), p. 3</p> <p>CEJA Phase I Opening Brief (3/21/14), pp. v, 24-25</p> <p>CEJA Phase I Reply Brief (4/9/14), pp. 4-5 (PG&amp;E)</p> <p>CEJA Comments on SCE ECR (4/11/14), p. 6</p> <p>CEJA Phase II Opening Brief (5/2/14), pp. 9-10, 14-15 (SCE)</p> <p>CEJA Opening Brief on PG&amp;E ECR (5/5/14), pp. 2, 4 (PG&amp;E)</p> <p>CEJA Comments on Proposed Decision (1/15/15), 14</p> <p>D.15-01-051, p. 56, Conclusion of Law 23: parties point out that to make EJ Reservation meaningful, there must be additional proactive steps, so Commission directs IOUs to propose plans for prioritizing EJ projects as part of Phase IV, and require IOUs to have annual forum at which developers and</p>	<p>Yes.</p>

<p>will be fulfilled in a timely manner.</p> <p>The Commission agrees with the importance of actively marketing and prioritizing procurement in EJ communities, and agreed to explore ways of prioritizing EJ procurement in Phase IV.</p>	<p>community members can raise concerns about program obstacles. (Also, starting Phase IV quickly.)</p>	
<p>7. <u>Use of CalEnviroScreen to identify EJ/Disadvantaged Communities</u></p> <p>SB 43 reserves 100 MW for “disadvantaged” communities, and CEJA argued through this proceeding that CalEnviroScreen is the best tool for this, because it is developed by CalEPA, and is specifically intended to identify communities overburdened by pollution and more vulnerable to its impacts because of socioeconomic factors. In addition, CalEPA is committed to continually updating it. CEJA also made further suggests that race and ethnicity be added on as a factor, and that the top 20% be calculated as the top 20% in the service territory, not statewide.</p> <p>The Commission agreed that CalEnviroScreen 2.0 is the appropriate tool, and noted that CEJA’s argument re: inclusion of race and ethnicity (given previous versions of CES) was a novel idea to be explored further in Phase IV. The Commission also agreed that the 20% should be calculated within the service area.</p>	<p>CEJA Reply Comments (12/20/13), pp. 2-3</p> <p>CEJA Phase I Opening Brief (3/21/14), pp. iv, 16</p> <p>CEJA Phase II Opening Brief (5/2/14), pp. 8-9</p> <p>CEJA Comments on Proposed Decision (1/15/15), pp. 5-7</p> <p>D.15-01-051, p. 54-55, Finding of Fact 65, Conclusion of Law 21: The current version of CalEnviroScreen should be used to identify areas for EJ Reservation. (Defer issue of race and ethnicity to Phase IV.) Eligible census tracts should be determined on a service territory basis rather than a state-wide basis.</p>	<p>Yes.</p>
<p>8. <u>ECR--Program Design, Procurement, and Customer Protections</u></p> <p>With respect to the ECR program</p>	<p><u>Direct Relationships</u></p> <p>CEJA Phase I Opening Brief (3/21/14), p. v (direct relationships between customers and developers)</p>	<p>Yes.</p>

<p>specifically, CEJA made numerous comments regarding the program design, procurement, and customer protections.</p> <p>First, CEJA argued that the program should allow direct relationships between the developer and the customer. The Commission agrees.</p> <p>Second, CEJA argued that, given these direct relationships, the IOUs must ensure the customers are protected via a) contract terms and b) clear bill statements showing added costs. The Commission agrees.</p> <p>Third, CEJA argued that because these are small projects, ReMAT/FiT is a better fit for procurement than RAM. The Commission agrees with respect to &lt; 3 MW projects, but would look at RAM as a possibility in Phase IV.</p>	<p>D.15-01-051, pp. 58-60, 64: IOUs should enable/facilitate direct relationships between customers and developers for ECR projects</p> <p><u>Procurement</u></p> <p>CEJA Reply Comments (12/20/13), pp. 4-5 (auction mechanism creates too many market barriers to procurement of small projects so should use FiT or ReMAT)</p> <p>CEJA Phase I Reply Brief (4/9/14), pp. 3-4 (SDG&amp;E needs to clarify ECR for EJ projects because unclear if using RAM or ReMAT/FiT for EJ projects, even though EJ projects can only be less than 1 MW)</p> <p>CEJA Comments on Proposed Decision (1/15/15), 9 (RAM won't work for small projects, but ReMAT could)</p> <p>CEJA Reply Comments on Proposed Decision (1/26/15), p. 2 (reiterating concern re: RAM)</p> <p>D.15-01-051, p. 61: ReMAT most appropriate for ECR projects (smaller than 3 MW), but will consider RAM in Phase IV.</p> <p><u>Customer Protections</u></p> <p>CEJA Comments on Exh-05 PG&amp;E's ELCR Program (3/7/14), p. 7 (bill increases must be disclosed)</p> <p>CEJA Phase I Opening Brief (3/21/14), pp. 5, 11-12 (bill increases/impacts must be clear to all customers)</p> <p>CEJA Phase I Reply Brief (4/9/14), 5 (bill impacts must be clear for all types of enrollment)</p> <p>CEJA Comments on SCE ECR (4/11/14) p. 3 (SCE must provide minimum customer protections, including pricing disclosures, in</p>	
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	<p>customer-developer agreements and disclosures)</p> <p>CEJA Phase II Opening Brief (5/2/14), p. 13 (CEJA supports SCE developing standardized agreements for ECR customers, but pricing details must be included)</p> <p>D.15-01-051, pp. 58-59, 62, 64, 65-67, 74, Finding of Fact 85, Conclusion of Law 28: IOUs must take steps in ECR component to ensure that customers are fully-informed and protected when entering into ECR transactions, including ensuring that bills are clear.</p>	
<p><u>9. Definition of “Community”</u></p> <p>Throughout this proceeding, CEJA has asserted the environmental, health, and economic benefits of <i>local</i> renewable energy. This is in order to both fulfill the Governor’s mandate of 12,000 MW of DG, but also to provide access to low-income and minority communities to local DG.</p> <p>The Commission agreed that local, community DG has significant benefits for the community. While CEJA argued for “community” or “local” to constitute 5 miles from demand, the IOUs argued for the entire service area. The Commission, importantly, did limit “community” to within 10 miles of demand or same municipality. It also left open the question of whether other definitions (such as 5 miles) might be more appropriate in certain circumstances (e.g., EJ Reservation), agreeing to explore this issue in Phase IV.</p>	<p>CEJA Reply Comments (12/20/13), pp. 6-7 (must be close to where people live)</p> <p>CEJA Phase I Opening Brief (3/21/14), pp. 26-27</p> <p>CEJA Comments on SCE ECR (4/11/14), p. 4</p> <p>CEJA Phase II Opening Brief (5/2/14), pp. 13-14</p> <p>CEJA Comments on Proposed Decision (1/15/15), pp. 11-12</p> <p>D.15-01-051, p. 67, Finding of Fact 31: “Community” is within municipality or county, or within 10 miles</p> <p>D.15-01-051, Findings of Fact 11, 30, Conclusion of Law 13: Locating GTSR project close to participating customers is believed to encourage participation, the Program prioritizes resources (and project should be located) in reasonable proximity to enrolled participants.</p> <p>D.15-01-051, pp. 67, 157, 159: The definition of “community” was revised from proposed decision, and given that different definitions might be appropriate for different aspects of the GTSR Program (e.g., EJ Reservation, ECR), additional consideration of the</p>	<p>Yes.</p>

	definition of “community” for ECR and other projects is slated for Phase IV.	
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**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 (ORA) a party to the proceeding?<sup>1</sup></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> Sustainable Economies Law Center (SELC), Clean Coalition, Vote Solar, Sierra Club.		Verified.
<b>d. Intervenor’s claim of non-duplication:</b> In order to avoid duplication of arguments, CEJA consulted with the Sierra Club, SELC, Clean Coalition and Vote Solar throughout Phases I-III of this proceeding. CEJA maintained such cooperation in all three phases of this proceeding, drawing on CEJA’s experience as an environmental justice movement building coalition and interactions with legislators during the drafting of SB 43. For instance, CEJA members care very much about renewables procurement and live in environmental justice communities; the outcome of this proceeding has clear and foreseeable impacts in their goals to achieve a reliable, just distributed generation system in their own communities. CEJA ensured that these concerns, underlying and integral to the success of SB 43, were conveyed adequately to both allies and ultimately the Commission. We did this as efficiently as possible, collaborating early in our involvement with this proceeding with the Sierra Club, and even scheduling joint ex parte meetings with Clean Coalition and SELC, the Commissioners and their advisors. During the briefing stages of Phases I-III of the proceeding, CEJA similarly coordinated with these organizations in order to provide analysis that highlighted our own arguments, central to our members, but that also augmented other common arguments. For instance, CEJA acknowledged one of Vote Solar’s suggested methods of maintaining affordability of the GTSR program. CEJA’s inclusion of such references not only contributes a specific example to support that allies’ suggestion, but also at the same time, highlights how the same issue more specifically relates to the environmental justice community. Overall, CEJA’s coordination with		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: public resources), which was approved by the Governor on September 26, 2013.

<p>allies has ensured non-duplication of issues and supplemented and contributed to those other parties’ similar interests.</p>	
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**PART III: REASONABLENESS OF REQUESTED COMPENSATION**

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

<p><b>a. Intervenor’s claim of cost reasonableness:</b></p>	<p><b>CPUC Discussion</b></p>
<p>This proceeding was to determine IOUs’ compliance with SB 43, which was passed, in part, to provide the very communities CEJA serves access to renewable energy. As a result, CEJA played an active part in shaping this proceeding and decision, as described above. CEJA’s role was to provide a critical environmental justice voice and understanding to many of the central issues in this proceeding, particularly the importance of implementing the EJ Reservation and the ECR component of the GTSR Program, as well as emphasizing the importance of community involvement in marketing, outreach, and implementing the Program. CEJA emphasized the need to actively market and procure resources for the EJ Reservation and ECR components, rather than the IOUs taking a more passive approach. These points are essential to carrying out the goals of SB 43 to provide access to local renewable to all Californians.</p> <p>Indeed, now recognizing the importance of these matters, the Commission created Phase IV of the proceeding to further explore these critical issues.</p> <p>CEJA provides a unique, but necessary perspective on these issues, given the goals and intent of SB 43. This Commission should therefore recognize CEJA’s substantial contribution and participation as reasonable. CEJA looks forward to participating in Phase IV.</p>	<p>Verified.</p>
<p><b>b. Reasonableness of hours claimed:</b></p> <p>CEJA’s attorneys’ hours were extremely reasonably spent, divided into categories as shown in the attached timesheets (Attachments 2 on).</p> <p>CEJA has excluded all time for all internal communications among attorneys and with our expert in order to avoid duplication of time or duplication of issues. CEJA also excluded a significant amount of time on procedural matters, as well as administrative time.</p> <p>The rates requested for these tasks are at the low end of the ranges authorized by the CPUC for attorneys. In addition, despite listing CEJA’s expert in its NOI, CEJA is not requesting compensation for his time. In addition, CEJA is excluding compensation for any associated costs from its request.</p>	<p>Verified.</p>
<p><b>c. Allocation of hours by issue:</b></p> <p>CBE divided issues so as not to duplicate work. The issues and division of work are reflected in the attached timesheets (Attachments 2-5).</p>	<p>Verified.</p>

**B. Specific Claim:\***

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
Heather Lewis	2013	28.9				28.9 <sup>[B]</sup>	\$160.00 <sup>2</sup> [C]	\$4,624.00
Heather Lewis	2014	252.6	165	Resolution ALJ-303, Table 1 (12/9/14)	46,447	240.6 <sup>[A]</sup> [B]	\$165.00 <sup>3</sup>	\$39,699.00
Maya Golden-Krasner	2013	8.7				8.7 <sup>[B]</sup>	\$235.00 [C]	\$2,044.50
Maya Golden-Krasner	2014	22.2	320	Resolution ALJ-303, Table 1 (12/9/14)	11,456	22.2 <sup>[B]</sup>	\$240.00 <sup>4</sup> [C]	\$5,328.00
Maya Golden-Krasner	2015	4.9				4.9 <sup>[B]</sup>	\$240.00	\$1,176.00
Roger Lin	2013	10.3				10.3 <sup>[B]</sup>	\$290.00 <sup>5</sup> [C]	\$2,987.00
Roger Lin	2014	33.1	320	Resolution ALJ-303, Table 1 (12/9/14)	21,312	33.1 <sup>[B]</sup>	\$300.00 <sup>6</sup> [C]	\$9,930.00
Roger Lin	2015	23.2				23.2 <sup>[B]</sup>	\$300.00	\$6,960.00
<b>Subtotal: \$79,215</b>						<b>Subtotal: \$72,748.50</b>		
INTERVENOR COMPENSATION CLAIM PREPARATION**								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate	Total \$
Maya Golden-Krasner	2013	0.3				0.3 <sup>[B]</sup>	\$117.50	\$32.25
Maya Golden-Krasner	2014	24.0	160	½ requested 2014 rate	3,888	24.0 <sup>[B]</sup>	\$120.00	\$2,880.00
Roger Lin	2013	0.7				0.7 <sup>[B]</sup>	\$145.00	\$101.50

<sup>2</sup> Approved in D.15-06-020.

<sup>3</sup> Application of 2.58% Cost of Living increase approved in Res. ALJ-303.

<sup>4</sup> Approved in D.15-07-031.

<sup>5</sup> Application of 2.0% Cost of Living increase approved in Res. ALJ-287.

<sup>6</sup> Approved in D.15-07-031.

Roger Lin	2014	2.1	160	½ requested 2014 rate	336	1.4 <sup>[B]</sup>	\$150.00	\$210.00
<b>Subtotal: \$4,224</b>						<b>Subtotal: \$3,226.75</b>		
<b>TOTAL REQUEST: \$83,439</b>						<b>TOTAL AWARD: \$75,975.25</b>		

\*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.

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

<b>ATTORNEY INFORMATION</b>			
<b>Attorney</b>	<b>Date Admitted to CA BAR<sup>7</sup></b>	<b>Member Number</b>	<b>Actions Affecting Eligibility (Yes/No?) If "Yes", attach explanation</b>
Heather Lewis	December 2013	291933	No
Maya Golden-Krasner	December 2001	217557	No
Roger Lin	January 2007	248144	No

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

<b>Attachment or Comment #</b>	<b>Description/Comment</b>
1	<b>Certificate of Service</b>
2	<b>Attorney Time (and attached detailed timesheets)</b>

### D. CPUC Disallowances and Adjustments:

<b>Item</b>	<b>Reason</b>
A	Reductions to Lewis's time for non-compensable administrative tasks and travel time. Clerical or administrative tasks such as filing are non-compensable ( <i>see</i> , for example, D.98-11-049 or D.08-09-034). Travel and travel time within a radius of 120 miles or less is non-compensable ( <i>see</i> , D.10-11-032).
B	CEJA's submitted claim did not break hours down by year. These hours were generated from the timesheets submitted by CEJA. In the future, reductions may be taken from CEJA's awards for failure to submit accurate claims.
C	Most of the deductions in the award were due to attorney rates granted lower than that requested by CEJA.

<sup>7</sup> This information may be obtained through the State Bar of California's website at <http://members.calbar.ca.gov/fal/MemberSearch/QuickSearch>.

**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. CEJA has made a substantial contribution to D.15-01-051.
2. The requested hourly rates for CEJA'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 \$75,975.25.

**CONCLUSION OF LAW**

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

**ORDER**

1. California Environmental Justice Alliance shall be awarded \$75,975.25.
2. Within 30 days of the effective date of this decision, Pacific Gas and Electric Company, San Diego Gas & Electric Company, and Southern California Edison Company shall pay California Environmental Justice Alliance 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 July 16, 2015, the 75<sup>th</sup> day after the filing of California Environmental Justice Alliance'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 \_\_\_\_\_, 2015, at San Francisco, California.

## APPENDIX

## Compensation Decision Summary Information

<b>Compensation Decision:</b>		<b>Modifies Decision?</b>	No
<b>Contribution Decision(s):</b>	D1501051		
<b>Proceeding(s):</b>	A1201008; A1204020; A1401007		
<b>Author:</b>	ALJ DeAngelis		
<b>Payer(s):</b>	Pacific Gas and Electric Company, San Diego Gas & Electric Company, Southern California Edison Company		

## Intervenor Information

Intervenor	Claim Date	Amount Requested	Amount Awarded	Multiplier?	Reason Change/Disallowance
California Environmental Justice Alliance (CEJA)	04/02/15	\$83,439.99	\$75,975.25	N/A	Reductions for administrative costs, non-compensable travel, and lower than requested attorney rates.

## Advocate Information

First Name	Last Name	Type	Intervenor	Hourly Fee Requested	Year Hourly Fee Requested	Hourly Fee Adopted
Heather	Lewis	Attorney	CEJA	N/A	2013	\$160.00
Heather	Lewis	Attorney	CEJA	\$165.00	2014	\$165.00
Maya	Golden-Krasner	Attorney	CEJA	N/A	2013	\$235.00
Maya	Golden-Krasner	Attorney	CEJA	\$320.00	2014	\$240.00
Maya	Golden-Krasner	Attorney	CEJA	N/A	2015	\$240.00
Roger	Lin	Attorney	CEJA	N/A	2013	\$290.00
Roger	Lin	Attorney	CEJA	\$320.00	2014	\$300.00
Roger	Lin	Attorney	CEJA	N/A	2015	\$300.00

(END OF APPENDIX)