

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking on the Commission's Own Motion into Addressing the Commission's Water Action Plan Objective of Setting Rates that Balance Investment, Conservation, and Affordability for Class A and Class B Water Utilities.

Rulemaking 11-11-008
(Filed November 10, 2011)

DECISION GRANTING COMPENSATION TO THE UTILITY REFORM NETWORK FOR SUBSTANTIAL CONTRIBUTION TO DECISION 14-10-047

Intervenor: The Utility Reform Network	For contribution to Decision (D.) 14-10-047
Claimed: \$65,594.00	Awarded: \$56,005.84 (14.6% reduction)
Assigned Commissioner: Sandoval	Assigned Administrative Law Judge (ALJ): ALJ Weatherford

PART I: PROCEDURAL ISSUES

A. Brief description of Decision:	This decision provides guidance on rate balancing issues for Commission regulated multi-district water utilities to be applied in each company's next general rate case. The decision directs companies, intervenors, and staff to work together in general rate case proceedings to identify areas of the state where high cost and affordability concerns threaten the statutory and policy goals of the Commission and to propose rate mechanisms to address those concerns.
B. Change in Phase II Caption and Respondents	Decision 15-05-046 changed the caption for and respondents to Phase II of this proceeding. Only respondents to Phase I of this proceeding are responsible for payment of this award.

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

	Intervenor	CPUC Verified
Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):		
1. Date of Prehearing Conference (PHC):	N/A	
2. Other specified date for NOI:	December 19, 2011	Verified.
3. Date NOI filed:	December 19, 2011	Verified.
4. Was the NOI timely filed?		
Showing of customer or customer-related status (§ 1802(b)):		
5. Based on ALJ ruling issued in proceeding number:	R.11-11-008	Verified.
6. Date of ALJ ruling:	January 3, 2012	Verified.
7. Based on another CPUC determination (specify):		
8. Has the Intervenor demonstrated customer or customer-related status?		
Showing of “significant financial hardship” (§ 1802(g)):		
9. Based on ALJ ruling issued in proceeding number:	R.11-11-008	Verified.
10. Date of ALJ ruling:	January 3, 2012	Verified.
11. Based on another CPUC determination (specify):		
12. Has the Intervenor demonstrated significant financial hardship?		
Timely request for compensation (§ 1804(c)):		
13. Identify Final Decision:	D.14-10-047	Verified.
14. Date of issuance of Final Order or Decision:	October 22, 2014	Verified.
15. File date of compensation request:	December 19, 2014	Verified.
16. Was the request for compensation timely?		

C. Additional Comments on Part I:

#	Intervenor’s Comment(s)	CPUC Discussion
B.2.	The OIR specified that the NOIs in this docket should be filed 30 days from the issuance of the OIR. The OIR was issued November 18, 2011, thus making the due date for the NOI December 19, 2011.	The Commission accepts this assertion.

B.9.	TURN made its annual showing of significant financial hardship in this docket with its December 19, 2011 NOI. On January 3, 2012, ALJ Weatherford issued a Ruling accepting TURN’s demonstration of its significant financial hardship.	The Commission accepts this assertion.
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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>1. The OIR and Scoping Ruling in this docket set a broad scope to identify and address water affordability concerns and to consider high cost and affordability mechanisms that may mitigate affordability issues. Some parties, including intervenors like TURN and the National Consumer Law Center (NCLC), took a similarly broad approach in many of its comments, urging the Commission to maintain a “toolbox” of policies and mechanisms to ensure affordable water service including consolidation mechanisms and cross subsidy programs. TURN also recommended changes and updates to many of the mechanisms discussed in the docket, and recommended including additional mechanisms like expanded LIRA programs and bill protections. TURN did not recommend elimination of current mechanisms nor did it</p>	<p>TURN/NCLC Opening Comments, March 1, 2012, p. 16.</p> <p>TURN Comments on ALJ Ruling, December 5, 2012, p. 3.</p> <p>TURN/NCLC Opening Comments on Draft Staff Report, August 23, 2013, p. 1-2.</p> <p>TURN/NCLC Reply Comments on Draft Staff Report, September 13, 2013, 15-22.</p> <p>Final Decision at p. 7, 10-11</p>	<p>Accepted.</p>

<p>recommend picking a “winner” among the mechanisms.</p> <p>TURN’s positions contrast with those of some of the utilities that urged the Commission to favor consolidation, and limit cross subsidy mechanisms, and, in some cases, eliminate the Consolidation Guidelines.</p> <p>The Final Decision notes that, “the record does not compel a choice” among various high cost or affordability mechanisms discussed in the docket, and that the record supports “several, non-exclusive options.” As TURN and NCLC urged throughout the proceeding, the Commission kept all options on the table for further specific review using the guidance and criteria developed in this docket with TURN’s input.</p>		
<p>2. During the workshops, parties and staff devoted a significant amount of time discussing proposed criteria and frameworks that could be used to identify serving areas that may be struggling with high costs or with affordability issues. TURN’s comments, including those with NCLC, contributed to the record on this issue in several ways.</p> <p>In multiple comments, TURN and NCLC consistently raised the importance of identifying and investigating the needs of</p>	<p>TURN/NCLC Opening Comments, March 1, 2012 p.3-5</p> <p>TURN/NCLC Comments on Draft Workshop Report, August 23, 2013, p.11-14, 28, 30.</p> <p>TURN Opening Comments on ALJ Ruling Post-Workshop, December 5, 2012, p. 2-4, 11</p> <p>ORA Opening Comments on ALJ Ruling Post Workshop, December 5, 2012, p. 1.</p> <p>ORA Reply Comments on Draft Staff Report, September 13, 2013 at p. 2.</p> <p>Workshop Report at p. 10-11, Appendix A</p>	<p>Accepted.</p>

<p>low income, working poor, and struggling communities to ensure affordable water service and to avoid disconnections.</p> <p>Further, TURN and NCLC supported the Staff’s work to create a framework as a consistent and fair way of analyzing district-specific characteristics of both high cost and unaffordability. TURN, among other parties, argued for a broad, multi-level framework to capture affordability concerns throughout the state. Other parties were skeptical about the use of a framework. For example, ORA’s post-workshop comments and comments on the Staff Report clearly stated that they opposed the framework.</p> <p>TURN, alone among the parties in December 2012, proposed that any Class A, multi-district utility requesting a 20% or higher rate increase in a GRC should be required to conduct an analysis to identify high cost or affordability issues, present a proposal for a high cost or affordability mechanism to address those concerns or show why such a plan isn’t needed.</p> <p>Finally, TURN and NCLC in comments on the Staff Report advocated that the screening mechanism must allow for a unified analysis of both high cost and low income indicators in a single district.</p> <p>The Final Decision requires</p>	<p>TURN Comments on the Proposed Decision, June 16, 2014, at p. 3 Final Decision at p. 9-10, O.P. 1.</p>	
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<p>utilities to investigate and present affordability or high cost mitigation proposals for each district in their GRCs or demonstrate why one is not needed. The Final Decision includes the Staff’s screening mechanism as a possible tool for the utilities to use in this process and clarifies that it must look at high cost and low income together.</p> <p>The Final Decision’s requirement of the utility report and use of the screening mechanism is strikingly similar to TURN’s proposal for a GRC filing requirement by the utilities. Further, while Staff did not make all of the changes to the screening mechanism included in the Staff Report that TURN requested, the use of this mechanism is now memorialized by the Final Decision and provides guidance and consistency among the utilities.</p>		
<p>3. In the OIR, the Commission asked for comments about the efficacy of the 1992 Consolidation Guidelines for use in analyzing future utility consolidation proposals.</p> <p>Throughout their filings, TURN and NCLC supported keeping the Guidelines in place but advocated for significant changes and additions to the</p>	<p>TURN/NCLC Opening Comments, March 1, 2012 at p. 16-19</p> <p>TURN Opening Comments on ALJ Ruling Post-Workshop, December 5, 2012, p. 4-5.</p> <p>ORA Opening Comments, March 1, 2012 at p.</p> <p>ORA Reply Comments on Draft Staff Report, September 13, 2013 at p. 1</p>	<p>Accepted.</p>

<p>Guidelines to ensure they were relevant and useful to the review of a utility proposal. Other parties argued to keep the Guidelines with no revisions (ORA), others agreed with TURN that changes were necessary, and still others advocated elimination of the Guidelines (GSWC).</p> <p>The initial Proposed Decision of Commissioner Sandoval maintained the 1992 Guidelines as recommended by TURN and other parties, as a tool for analysis of consolidation proposals but did not make major changes to the guidelines. Commissioner Peevey issued an Alternate Proposed Decision that eliminated the Guidelines.</p> <p>The Final Decision agrees with TURN that the 1992 Guidelines are “outdated and no longer useful.” However, instead of revising them, as recommended by TURN, it eliminates the Guidelines, possibly in response to the Peevey Alternate Decision urging consolidation and elimination of the Guidelines.</p> <p>Importantly, however, the Final Decision does not abandon the Guidelines, but instead <i>requires</i> utilities to address the four “broad categories” that existed in the Guidelines in their proposals and also recommends further criteria that utilities may include in their proposals or, presumably, that the Commission staff or ALJs</p>	<p>Golden State Water Opening Comments, March 1, 2012, at p. 8-9; Golden State Comments on Sandoval PD, June 16, 2014, p. 5-6.</p> <p>CalAm Opening Comments on Sandoval PD, June 16, 2014 at p. 2.</p> <p>Staff Report, Final Decision Appendix A, p. 19</p> <p>Proposed Decision, May 27, 2014, p. 7-8</p> <p>Final Decision at p. 8</p>	
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<p>could request be addressed utility consolidation proposal. While the additional criteria are not exactly as proposed by TURN and NCLC, the Final Decision results in a similar outcome to TURN and NCLC’s advocacy to update the Guidelines and the Final Decision includes additional “public interest” criteria similar to those proposed by TURN, such as affordability and infrastructure concerns.</p>		
<p>4, Separate from the Guidelines, parties, including TURN, spent significant time discussing the value of consolidation as a mechanism for addressing high cost and affordability concerns.</p> <p>In the workshops, parties agreed that consolidation proposals continue to merit consideration as an affordability mechanism in high cost districts. However, the utilities urged the Commission to not only consider consolidation among a menu of options, but to encourage and promote consolidation as a policy matter. On the other hand NRDC and ORA emphasized the risks of consolidation to conservation efforts by eliminating proper “price signals.”</p> <p>TURN and NCLC took a different approach by urging that the Commission allow utilities to propose</p>	<p>TURN/NCLC Opening Comments, March 1, 2012, p. 13-16, 20</p> <p>TURN/NCLC Comments on Workshop Report, August 23, 2013, at p. 19-22.</p> <p>ORA comments on workshop report, August 23, 2013 at p. 2.</p> <p>NRDC Opening Comments on Draft Workshop Report, August 23, 2013 at p. 3.</p> <p>CalAm Water Opening Comments on Draft Staff Report, August 23, 2013, p.</p> <p>Golden State Comments on Draft Staff Report, August 23, 2013, p. 4, 8-9 and Attachment A; Golden State Comments on Sandoval PD, June 16, 2014, p. 5-6.</p> <p>Alternate Proposed Decision of Commissioner Peevey, August 11, 2014, p. 8-9.</p> <p>Final Decision at p. 8-9.</p>	<p>Accepted.</p>

<p>consolidation, and to consider those proposals on a case-by-case basis, while acknowledging the risks with consolidation and urging the Commission to consider other forms of consolidation rather than just rate consolidation.</p> <p>In response to the Proposed Decision by Commissioner Sandoval that maintained the consolidation Guidelines discussed above and expressed muted support for consolidation, Commissioner Peevey’s Alternate Proposed Decision included language not only supporting consolidation but essentially promoting and favoring consolidation over other mechanisms. The utilities supported the Peevey Alternate.</p> <p>TURN opposed the Peevey Alternate and worked with other intervenors to conduct ex parte meetings to urge rejection of the Peevey AD as well as propose small changes to the Sandoval PD that would obviate the need for the Peevey Alternate while still not expressing preference for consolidation.</p> <p>Rejecting the Peevey Alternate, the Final Decision makes clear that the record does not favor any single mechanism to the exclusion of others and includes consolidation as just one of many options for the Commission to consider.</p>		
<p>5. The Final Decision calls for a Phase 2 to discuss, “issues</p>	<p>TURN/NCLC Opening Comments, March 1, 2012 at p. 5.</p>	<p>Accepted.</p>

<p>regarding affordability and rates” that were not included in Phase 1. Specifically, the Final Decision anticipates issues regarding “affordability and rate design.”</p> <p>During the proceeding TURN urged the Commission to strengthen and expand carrier LIRA proposals. TURN supported the Draft Staff Report’s recommendation to adopt additional affordability mechanisms to avoid rate shock. TURN also urged significant clarification and changes to the Draft Staff Report’s discussion of modifying Tier 1 rates to more closely reflect “actual water consumption.” Finally, in post-workshop comments TURN noted the need to review the impact that WRAM pricing has on affordability and the efficient use of water.</p> <p>The Final Decision does not substantively address these issues, but acknowledges their importance and carries them over into a Phase 2 to further discuss affordability and rate design.</p>	<p>TURN Comments on ALJ Ruling, December 5, 2012, p. 10.</p> <p>TURN/NCLC Comments on Workshop Report, August 23, 2013, p. 17</p> <p>TURN/NCLC Reply Comments on Workshop Report, September 13, 2013 at p. 20-23</p> <p>Draft Staff Report, p. 2, 30</p> <p>Final Decision at p. 11.</p>	
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B. Duplication of Effort (§ 1801.3(f) and § 1802.5):

	Intervenor's Assertion	CPUC Discussion
a. Was the Office of Ratepayer Advocates (ORA) a party to the proceeding?¹	Yes	Verified.
b. Were there other parties to the proceeding with positions similar to yours?	Yes	Verified.
c. If so, provide name of other parties: National Consumer Law Center (NCLC), Natural Resources Defense Council (NRDC), Jeffery Young, City of Visalia, County of Lake,		Verified.
d. Intervenor's claim of non-duplication: TURN worked with all of the intervenors to coordinate work effort and avoid unnecessary duplication of effort. Of the intervenors in this docket, TURN worked most closely with NCLC. TURN and NCLC filed several joint pleadings and coordinated their efforts in this docket to share and save resources. Except for items such as workshop attendance (NCLC was always via phone bridge), TURN and NCLC diligently shared responsibilities and divided issues to cover in pleadings to avoid overlap and duplication. Even in pleadings where the two organizations filed separately, such as the Prehearing Conference Statements or comments on the Proposed Decision, they coordinated their efforts and emphasized different issues or different arguments relating to a particular issue. This effort allowed both parties to cover all of the major issues in this broad and multi-faceted docket while still conserving resources. There also was limited duplication of effort with other intervenors, not only because TURN also coordinated with those parties, but also because TURN took different positions from ORA and NRDC on several issues. For example, TURN disagreed with ORA and NRDC on the relative value of consolidation, the need to revise or update the consolidation guidelines and the staff proposal for a high cost/affordability screening mechanism. <i>See, ORA Opening Comments, March 1, 2012, p. 6, 15-16; ORA Comments on ALJ Ruling, December 5, 2012 at p.2; ORA Reply Comments on Draft Staff Report, September 13, 2013 at p. 1-3; NRDC Comments on ALJ Ruling, December 5, 2012, p. 4; NRDC Comments on Draft Staff Report, August 23, 2013, p. 2.</i> Other intervenors, such as the City of Visalia, County of Lake, and Jeffrey Young, represented a narrower set of interests in the docket that were mostly focused on the geographic and demographic population of their respective		We agree with this assertion. However, TURN spent an excessive amount of time coordinating with other parties (<i>See III.A.b.</i>)

¹ The Division of Ratepayer Advocates was renamed the Office of Ratepayer Advocates effective September 26, 2013, pursuant to Senate Bill No. 96 (Budget Act of 2013: public resources), which was approved by the Governor on September 26, 2013.

<p>service territories. Further, Visalia and Lake County intervened in the case 18 months after the docket was open. Later in the docket, TURN coordinated outreach and ex pare efforts with the City of Visalia and ORA regarding the Proposed and Alternate Proposed Decisions to ensure maximum impact and to conserve resources.</p>	
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C. Additional Comments on Part II:

#	Intervenor’s Comment	CPUC Discussion
<p>II.A. #3</p>	<p>The Commission has previously held that the contribution to a Proposed Decision is evidence of substantial contribution even if the Commission does not adopt the Proposed Decision’s recommendations. For example, in D.11-05-044 the Commission awarded TURN compensation for its work in the SoCalGas automated meter infrastructure case despite the fact that the Final Decision rejected TURN’s opposition to the proposals in the case. Yet, in that case, the Commission agreed that TURN made a substantial contribution because their work “ensured a thorough analysis on this issue” even if it was reflected in the Proposed Decision, not the Final Decision. The Commission issued a similar ruling in D.14-06-027 where it awarded TURN almost all of its requested compensation despite rejection of TURN’s opposition to a request for undergrounding.</p>	<p>The Commission agrees with this assertion. An intervenor can provide substantial contribution, even if the Commission does not adopt a policy or procedural recommendation proposed by the intervenor. A substantial contribution can be made “where an unsuccessful intervener has provided a unique perspective adding to the PUC’s understanding of a complex proceeding. . .the critical factor. . .is whether the intervenor has assisted the PUC in carrying out its statutory mandate to regulate public utilities in the public interest.”²</p>

PART III: REASONABLENESS OF REQUESTED COMPENSATION

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

<p>a. Intervenor’s claim of cost reasonableness:</p> <p>TURN’s substantial contribution in this docket resulted in significant</p>	<p>CPUC Discussion</p> <p>Verified.</p>
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² The Utility Reform Network v. Public Utilities Com., 166 Cal. App. 4th 522, 535.

benefits for ratepayers of multi-district water utilities and therefore supports the requested amount of \$65,594 in compensation. The record in this docket was large, consisting of hours of workshop discussions, hundreds of pages of filings, review and revisions to detailed Staff Reports and a Proposed Decision and Alternate Decision. TURN was an active participant during the entire proceeding, representing a broad range of consumer interests across the state, thus making TURN's request for compensation reasonable.

This quasi-legislative docket tackled broad policy issues on critical consumer issues of affordability and cross-subsidy. While the outcome of this docket could not affect specific water rates, thus making quantification of TURN's impact difficult, the Commission emphasized the importance of this docket to ratepayers by noting that, in some areas charging the full cost of providing water service could result in rates that, are unaffordable to many customers ... or in rate shock where the price increases by a large amount." *OIR at p. 3*. Moreover, in 2012 the California Legislature adopted a human right to water and recognized that, "every human has the right to safe, clean, affordable, and accessible water adequate for human consumption..." *California Water Code Section 106.3*. Therefore, it is critical that ratepayers had strong representation as the Commission addressed concerns of high cost and affordability in multi-district water utilities' territories.

TURN's work in this docket not only represented the interests of the ratepayers in high cost areas throughout California, but also the interests of those ratepayers who may be asked to support high cost or low income areas of the state through higher rates. Through its advocacy that the Commission take a multi-faceted approach to water affordability and its opposition to proposals to favor one affordability mechanism over the other, TURN ensured that the Commission has the tools it needs to address individual circumstances within small water districts across the state, thus protecting the interest of those ratepayers in those districts as well as ratepayers in other districts of the specific utility.

Further, TURN's contribution ensured that all water ratepayer interests were given balanced consideration through the structure created by the Final Decision for use in the utilities' general rate cases. By recommending that water utility be required to investigate affordability concerns, using a staff proposed screening mechanism and principles relating to consolidation of districts, TURN's work, along with the other intervenors, ensured that the general rate case review of these issues would be fair and consistent across utilities.

The Final Decision represents a clear but incremental step in the Commission's work to balance conservation, investment and affordability

<p>and, just as importantly, to ensure “safe, clean, affordable, and accessible water” for the ratepayers that it protects. TURN’s work in this docket, in coordination with the other intervenors, brought the interests and voices of ratepayers throughout the state to this critical debate.</p>	
<p>b. Reasonableness of hours claimed:</p> <p>Ms. Mailloux was TURN’s lead advocate in this docket. As the attached attorney hours demonstrate, Ms. Mailloux performed the vast majority of TURN’s 157 hours. In only very specific circumstances did Ms. Mailloux rely on the assistance of other TURN advocates. For example, Ms. Suetake attended a pre-hearing conference so that Ms. Mailloux did not have to travel, thus conserving TURN resources. Ms. Costa had a small amount of time in this docket to help on a project while Ms. Mailloux was away on vacation and Mr. Finkelstein’s hours relate solely to a compensation matter and is billed at half his hourly rate.</p> <p>One significant factor in Ms. Mailloux’s ability to work alone on a multi-year, multi-faceted, large policy docket such as this is her close coordination of effort with advocates from the National Consumer Law Center. Ms. Mailloux’s time records include discussions with Ms. Wong from NCLC and indicate that they shared work on almost every pleading. Far from being duplicative, this close level of communication and coordination meant that each party conserved resources by focusing on only certain issues when drafting pleadings thus making TURN’s hours in this docket reasonable.</p> <p>Further, Ms. Mailloux’s time records also show coordination calls with other parties such as ORA and Mr. Young. While TURN did not work as closely with these parties, as her time records reflect, it was critical for these groups communicate, in part, because they were taking different positions on some but not all of the issues in the case.</p> <p>This docket included four days of workshops where the discussions included a broad range of issues pending in the docket. Every active party had a representative at the workshop. The Final Decision notes that the workshops and resulting staff report are an important part of the record in this docket. <i>Final Decision at p. 7.</i> TURN and other intervenors participated in these workshops and drafted post-workshop comments that demonstrated the variety and complexity to the intervenor positions. For example, ORA and NRDC repeatedly raised conservation policy and regulatory efficiency concerns while TURN and NCLC focused more closely on affordability. These workshops required Ms. Mailloux to travel and record time entries for her time at the Commission. However, in light of the critical role these workshops played in the proceeding and the role TURN played during the discussions, TURN submits that these hours and</p>	<p>We reduce regular work hours claimed by 13.25 hours, as excessive and inefficient. We also disallow the travel hours and expenses by Mailloux.</p> <p>D.07-05-050 stated, “[t]he Commission reimburses the reasonable costs of necessary travel. It does not reimburse the costs of an employee’s commute to and from the Bay Area, which is TURN’s place of business and the location of the Commission’s main offices. “</p> <p>In addition to hours claimed for work on five issue categories (AFF, HCF, GDL, CON, FRM), TURN also includes for a category designated by “#” for combined work on all of the above issues, accounting for 25% of work hours.</p> <p>The work in this category comprises of review, coordination, and case management, similar to those claimed in another category, general preparation (GP).</p>

<p>resulting expenses are reasonable.</p> <p>Compensation Request Preparation Time: TURN is requesting compensation of 8.75 hours devoted to compensation-related matters, primarily preparation of this request for compensation. This is a reasonable number of hours for preparing a compensation request of this scope, especially with attorney hours spanning over four years and the multiple number of pleadings and other filings. The Commission should find it a reasonable figure.</p> <p>Hourly Rates of TURN Staff</p> <p>Ms. Mailloux’s hourly rates for her work performed in 2011, 2012, and 2013 have all been approved by the Commission. For her small amount of time in 2014, TURN requests approval of a Cost of Living increase as set forth in Resolution ALJ-303. Ms. Mailloux’s rate for 2014 with the COLA increase would be \$440.</p> <p>Ms. Costa, Ms. Suetake and Mr. Finkelstein all have approved rates for the years that they worked on this docket. Below, TURN cites to the relevant decisions as support for their requested hourly rates.</p> <p>Reasonableness of Expenses</p> <p>TURN requests that the Commission approve its expenses associated with its participation in this case. The limited amount of expenses are directly attributable to TURN’s work on the issues covered in this compensation request. As discussed above, TURN incurred travel expenses for Ms. Mailloux’s participation in four days of workshops during July and November 2012. In addition, TURN incurred a small amount of photocopying and postage to provide hard copies of the multiple filings in this docket to the ALJ and Assigned Commissioner. TURN has been cautious when incurring expenses in this docket and, therefore, the Commission should find TURN’s direct expenses reasonable.</p>	<p>TURN claims large amounts of time for each round of comments, as TURN claims time for each of the five issue categories, and then claims additional time for all five categories in a combined category (“#”), in addition to a General Preparation (“GP”) category. TURN claimed hours for iterative rounds of review, edits, and coordination. Some of the hours claimed are excessive or inefficient, given some of the work categories and descriptions duplicate each other.</p> <p>Additionally, the time spent on coordinating parties was inefficient and excessive. 17.5 hours were spent coordinating with other parties, or about 12.3% of TURN’s claim for regular work time.</p> <p>We reduce excessive hours claimed by TURN for the above-stated reasons.</p>														
<p>c. Allocation of hours by issue:</p> <table border="1" data-bbox="237 1591 1203 1898"> <tr> <td data-bbox="237 1591 380 1665">GP</td> <td data-bbox="380 1591 1203 1665">General Preparation- Work that generally does not vary with the number of issues that TURN addresses in the case</td> </tr> <tr> <td data-bbox="237 1665 380 1797">AFF</td> <td data-bbox="380 1665 1203 1797">Affordability Criteria- TURN work in pleadings and workshops to address general issues of affordability, existing mechanisms including LIRA programs, research on affordability statistics and policy issues on water affordability</td> </tr> <tr> <td data-bbox="237 1797 380 1898">HCF</td> <td data-bbox="380 1797 1203 1898">High Cost Fund Mechanisms- drafting pleadings, review of pleadings, workshop participation and review Staff Report on high cost mechanisms including state-wide mechanisms,</td> </tr> </table>	GP	General Preparation- Work that generally does not vary with the number of issues that TURN addresses in the case	AFF	Affordability Criteria- TURN work in pleadings and workshops to address general issues of affordability, existing mechanisms including LIRA programs, research on affordability statistics and policy issues on water affordability	HCF	High Cost Fund Mechanisms- drafting pleadings, review of pleadings, workshop participation and review Staff Report on high cost mechanisms including state-wide mechanisms,	<p>The allocation of work time by issue, as requested by TURN, is as follows:</p> <table data-bbox="1222 1692 1406 1881"> <tr> <td>GP</td> <td>5.6%</td> </tr> <tr> <td>AFF</td> <td>9.2%</td> </tr> <tr> <td>HCF</td> <td>9.8%</td> </tr> <tr> <td>GDL</td> <td>11.1%</td> </tr> </table>	GP	5.6%	AFF	9.2%	HCF	9.8%	GDL	11.1%
GP	General Preparation- Work that generally does not vary with the number of issues that TURN addresses in the case														
AFF	Affordability Criteria- TURN work in pleadings and workshops to address general issues of affordability, existing mechanisms including LIRA programs, research on affordability statistics and policy issues on water affordability														
HCF	High Cost Fund Mechanisms- drafting pleadings, review of pleadings, workshop participation and review Staff Report on high cost mechanisms including state-wide mechanisms,														
GP	5.6%														
AFF	9.2%														
HCF	9.8%														
GDL	11.1%														

	intra-utility programs and existing Rate Support Fund	
GDL	Consolidation Guidelines- TURN work to review and comment on use and relevance of 1992 Consolidation Guidelines, including proposals for revisions to Guidelines, in pleadings, workshops and comments on Staff Report	CON 14.0%
CON	Consolidation Mechanisms- Work in pleadings, workshops and Staff Report on consolidation mechanisms including current and historical practices, impact of consolidation on conservation, criteria for analysis, different types of consolidation, and use in screening mechanism	FRM 11.8%
FRM	Screening Framework – pre-workshop review, workshop discussion, pleadings and comments on Staff Report regarding design and implementation of a screening framework and general principles to gauge high cost and unaffordable serving districts	# 25.2%
#	Combined Issues- Use of the pound sign indicates a time entry that includes work on multiple issues that are difficult to separate out including policy issues, general discussion within pleadings or during workshop discussions. If this code must be allocated among specific issues, a rough allocation could be: CON- 25%; HCF- 20%; GDL- 20%; AFF- 20% and FRM-15%	TRV 7.9%
TRV	Travel- Time billed by Ms. Mailloux to attend workshops, billed at half her hourly rate	COMP 5.3%
Comp	Compensation- Time spend on compensation matters including the NOI and drafting compensation request, billed at half the advocate's hourly rate	

B. Specific Claim:*

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
Christine Mailloux	2011	1.5	\$390	D.12-03-053	\$585	1	\$390	\$390.00
Christine Mailloux	2012	80.75	\$420	D.13-11-020	\$33,915	73.28	\$420	\$30,777.60
Christine Mailloux	2013	39.0	\$430	D.14-04-021	\$16,770	34.23	\$430	\$14,718.90
Christine Mailloux	2014	15.0	\$440	Resolution ALJ-303	\$6,600	14.75	\$440 ³	\$6,490.00

³ Application of the 2.58% Cost of Living Adjustment (COLA) for 2014 (ALJ-303).

Nina Suetake	2012	2.25	\$315	D.13-08-022	\$709	2.25	\$315	\$708.75
Regina Costa	2013	3.50	\$290	D.14-04-021	\$1,015	3.0	\$290	\$870.00
Subtotal: \$59,594.00					Subtotal: \$ 53,955.25			
OTHER FEES								
Describe here what OTHER HOURLY FEES you are Claiming (paralegal, travel **, etc.):								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate	Total \$
Christine Mailloux	2012	13	\$210	Half approved hourly rate	\$2,730.00	0	\$210	\$0.00
Subtotal: \$2,730.00					Subtotal: \$0.00			
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate	Total \$
Christine Mailloux	2011	1.5	\$195		\$292	1.5	\$195	\$292.50
Bob Finkelstein	2011	.75	\$235		\$176	.75	\$235	\$176.25
Christine Mailloux	2014	6.5	\$220		\$1,430	6.5	\$220	\$1,430.00
Subtotal: \$ 1,898.00					Subtotal: \$1,898.75			
COSTS								
#	Item	Detail	Amount		Amount			
	Postage/Fed Ex	Mailing copies of pleadings to the Commission or anyone on service list without an email or a defunct email and internal document distribution	\$90.44		\$90.44			
	Copies	Hard copies to the Commission or anyone on service list without an email or a defunct email	\$61.40		\$61.40			
	Attorney Travel	Workshop Attendance	\$1,220.89		\$0			
Subtotal: \$ 1,372.00					Subtotal: \$151.84			
TOTAL REQUEST: \$ 65,594.00					TOTAL AWARD: \$56,005.84			
**We remind all intervenors that Commission staff may audit their records related to the award and that intervenors must make and retain adequate accounting and other documentation to support all claims								

for intervenor compensation. Intervenor's records should identify specific issues for which it seeks compensation, the actual time spent by each employee or consultant, the applicable hourly rates, fees paid to consultants and any other costs for which compensation was claimed. The records pertaining to an award of compensation shall be retained for at least three years from the date of the final decision making the award.

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

ATTORNEY INFORMATION			
Attorney	Date Admitted to CA BAR⁴	Member Number	Actions Affecting Eligibility (Yes/No?) If "Yes", attach explanation
Christine Mailloux	December 10,1993	167918	No
Nina Suetake	December 14, 2004	234769	No
Robert Finkelstein	June 13,1990	146391	No

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

Attachment or Comment #	Description/Comment
1	Certificate of Service
2	Attorney Time Sheet Detail
3	Expense Detail
4	TURN hours allocated by issue

D. CPUC Disallowances and Adjustments:

Item	Reason
Reduction for excessive hours	<p><i>See</i> discussion in III.A.b.</p> <p>TURN spent large amounts of time as they claimed hours for multiple allotments specific to the five categories of issues (AFF, HCF, GDL, CON, FRM), in addition to two general categories of work ("GP" and "#") which accounted for 30.84% of the claim). We reduced the claim, where multiple allotments and excessive amounts of time were claimed in an allocation category, in the preparation of any particular round of comments.</p> <p>Large amounts of time were also claimed, which involved mainly</p>

⁴ This information may be obtained through the State Bar of California's website at <http://members.calbar.ca.gov/fal/MemberSearch/QuickSearch>.

	<p>coordination with other parties regarding workshop comments, which TURN filed jointly with NCLC. TURN spent 17.5 hours coordinating with other parties, or about 12.3% of TURN’s claim for regular work time.</p> <p>We reduce 13.25 hours total from TURN’s claim.</p>
<p>Reduction of travel time and expenses (Mailloux)</p>	<p>We disallow the travel hours and expenses for Mailloux. In D.07-05-050, the Commission stated, “The Commission reimburses the reasonable costs of necessary travel. It does not reimburse the costs of an employee’s commute to and from the Bay Area, which is TURN’s place of business and the location of the Commission’s main offices... we disallow all expenses for Mailloux’s travel from her home in San Diego to San Francisco.”</p> <p>See also D.07-05-043, which disallowed individuals’ time and expenses to commute from their homes to attend Commission hearings.</p>

PART IV: OPPOSITIONS AND COMMENTS

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

FINDINGS OF FACT

1. The Utility Reform Network has made a substantial contribution to D.14-10-047.
2. The requested hourly rates for The Utility Reform Network’s representatives are comparable to market rates paid to experts and advocates having comparable training and experience and offering similar services.
3. The claimed costs and expenses, as adjusted herein, are reasonable and commensurate with the work performed.
4. The total of reasonable compensation is \$56,005.84.

CONCLUSION OF LAW

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

ORDER

1. The Utility Reform Network shall be awarded \$56,005.84.
2. Within 30 days of the effective date of this decision, California-American Water Company, California Water Service Company, Del Oro Water Company, Inc, Golden State Water Company, and San Gabriel Valley Water Company shall pay The Utility Reform Network their respective shares of the award, based on their California-jurisdictional water revenues for the 2012 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 March 4, 2015, the 75th day after the filing of The Utility Reform Network's request, and continuing until full payment is made.
3. The comment period for today's decision is waived.

This decision is effective today.

Dated _____, at San Francisco, California.

APPENDIX**Compensation Decision Summary Information**

Compensation Decision:		Modifies Decision?	No
Contribution Decision(s):	D1410047		
Proceeding(s):	R1111008		
Author:	ALJ Weatherford		
Payer(s):	California-American Water Company, California Water Service Company, Del Oro Water Company, Inc., Golden State Water Company, and San Gabriel Valley Water Company		

Intervenor Information

Intervenor	Claim Date	Amount Requested	Amount Awarded	Multiplier ?	Reason Change/Disallowance
The Utility Reform Network (TURN)	12/19/14	\$65,594.00	\$56,005.84	N/A	Disallowances of expenses and hours claimed for travel. Reduction of hours for excessive hours claimed for coordination with other parties and inefficient work.

Advocate Information

First Name	Last Name	Type	Intervenor	Hourly Fee Requested	Year Hourly Fee Requested	Hourly Fee Adopted
Christine	Mailloux	Attorney	TURN	\$390	2011	\$390
Christine	Mailloux	Attorney	TURN	\$420	2012	\$420
Christine	Mailloux	Attorney	TURN	\$430	2013	\$430
Christine	Mailloux	Attorney	TURN	\$440	2014	\$440
Nina	Suetake	Attorney	TURN	\$315	2012	\$315
Regina	Costa	Attorney	TURN	\$290	2013	\$290

(END OF APPENDIX)