

Decision \_\_\_\_\_

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

Application of Southern California Edison Company  
(U338-E) for Approval of its Charge Ready and Market  
Education Programs.

Application 14-10-014  
(Filed October 30, 2014)

**DECISION GRANTING COMPENSATION TO THE GREEN POWER  
INSTITUTE FOR SUBSTANTIAL CONTRIBUTION TO DECISION 16-01-023**

|   |  |
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| <b>Intervenor: The Green Power Institute</b>    | <b>For contribution to Decision (D.) 16-01-023</b> |
| <b>Claimed: \$43,155.00</b>                     | <b>Awarded: \$43,155.00</b>                        |
| <b>Assigned Commissioner: Carla J. Peterman</b> | <b>Assigned ALJs: Darwin Farrar</b>                |

**PART I: PROCEDURAL ISSUES**

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| <b>A. Brief description of Decision:</b> | Decision 16-01-023 approves SCE's charge ready EV pilot program and market education programs. |
|--|--|

**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):   | February 2, 2015  | February 2, 2015     |
| 2. Other specified date for NOI:  |                   |                      |
| 3. Date NOI filed:  | March 3, 2015     | March 3, 2015        |
| 4. Was the NOI timely filed?  |                   | Yes.                 |
| <b>Showing of customer or customer-related status (§ 1802(b)):</b>                |                   |                      |
| 5. Based on ALJ ruling issued in proceeding number:                               |                   | R.14-02-001          |
| 6. Date of ALJ ruling:  |                   | 10/23/14             |
| 7. Based on another CPUC determination (specify):                                 | D.15-10-018       |                      |

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| 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.14-02-001      |
| 10. Date of ALJ ruling:   |                  | 10/23/14         |
| 11. Based on another CPUC determination (specify):                      | D.15-10-018      |                  |
| 12. Has the Intervenor demonstrated significant financial hardship?     |                  | Yes.             |
| <b>Timely request for compensation (§ 1804(c)):</b>                     |                  |                  |
| 13. Identify Final Decision:  | D.16-01-023      | D.16-01-023      |
| 14. Date of issuance of Final Order or Decision:                        | January 25, 2016 | January 25, 2016 |
| 15. File date of compensation request:                                  | March 22, 2016   | March 22, 2016   |
| 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).

B.

| Intervenor’s Claimed Contribution(s)   | Specific References to Intervenor’s Claimed Contribution(s)  | CPUC Discussion |
|--|--|-----------------|
| <b>Decision D.16-01-023 approves SCE’s charge ready EV pilot program and market education programs.</b>  | (Please note that Attachment 2 includes a list of issue areas, and of GPI Pleadings relevant to this Claim.)   | Accepted.       |
| <b>Opposition to the settlement:</b><br>GPI opposed the proposed settlement because it did not include a sufficient focus on education and outreach (E&O). This has been the main issue GPI has highlighted, because of our increasing concern that with declining sales of EVs in 2015 a larger focus on E&O is warranted and necessary. Unfortunately, SCE was unwilling to modify the proposed settlement in line with our recommendations on | The Decision notes our opposition and discusses our concerns at pp. 46-49. Ultimately, the Decision disagreed with our concerns about E&O based on the fact that the Decision only approved Phase 1 of the pilot, and Phase 2 would be re-designed based on the experience with Phase 1. The Decision also noted that it agreed with SCE that \$3 million for E&O was sufficient for Phase 1.<br><br>GPI explained its position further in its reply comments on the PD. We note that in order to buttress our desire for increased E&O, we filed a Joint Motion | Accepted.       |

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| <p>this key issue, preventing us from joining the Settlement. GPI made a substantial contribution by highlighting the need for E&amp;O for EVs.</p>  | <p>to open a new track in the EV rulemaking (R.13-11-007) on E&amp;O.</p>   |                  |
| <p><b>Size of the site host buy-in:</b> GPI argued that site hosts should be required to pay no more than 25% of the cost of a charging station (Decision, p. 12; GPI rebuttal testimony, pp. 3-4). We made a substantial contribution by impressing on the Commission the need to minimize site-host costs.</p>   | <p>The Decision required that site hosts pay 75% of the cost of the chargers at workplace locations and only 50% at MUDs, and no payments required for locations in disadvantaged communities (pp. 15-17).</p>  | <p>Accepted.</p> |
| <p><b>New application requirement for Phase 2:</b> GPI argued that SCE should not be required to submit a new application for approval of its Phase 2, in order to save time on deploying charging stations in Phase 2, if the experience in Phase 1 warrants a second phase (Decision, p. 29; GPI rebuttal testimony, pp. 2-3). We made a substantial contribution by impressing on the Commission the desirability of easing the way to phase 2, assuming a favorable experience with phase 1.</p> | <p>The Decision expressed sympathy for our position but did not adopt our recommendation in favor of taking a more active role in examining the pros and cons of Phase 2 with a new application (p. 30): “we do find it reasonable to minimize the regulatory delay to the extent feasible. Thus, as noted above, SCE must submit a pilot report after at least 12 months of program implementation and at least 1,000 charging station installations, but in any event, within 24 months of program implementation. If SCE determines at that time it has data and analysis justifying the benefits of a full-scale deployment of its Charge Ready and Market Education Programs, it may file a new application for additional deployment, including the report as part of its application.”</p> | <p>Accepted.</p> |
| <p><b>Including rate design in SCE’s pilot:</b> GPI argued that SCE should include rate design in its pilot in a manner similar to SDG&amp;E’s pilot (Decision, p. 33; GPI direct testimony, pp. 16-17). Although our</p>  | <p>The Decision engages in detailed discussion of this issue at pp. 34-37 and ultimately decides against our recommendation, but recognizes the concerns we expressed, and will look to the additional data that SCE’s pilot will bring as to whether our concerns are</p>  | <p>Accepted.</p> |

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| <p>recommendation on this issue was not adopted in full, GPI made a substantial contribution by enriching the record upon which the Commission based its determination.</p>   | <p>ultimately warranted.</p>   |                  |
| <p><b>Number of charging stations per location:</b> GPI argued, with ChargePoint, that the ten station minimum per site, that SCE advocated, may be too restrictive (Decision, p. 44; GPI rebuttal testimony, p. 16). Although our recommendation on this issue was not adopted, we made a substantial contribution by enriching the record, and adding to the Decision’s expectations for information that the pilot should produce.</p> | <p>The Decision did not adopt our recommendation in this case but recognized that this assumption should be and will be tested in Phase 1 (p. 45): “one of the many assumptions the pilot will test is whether the ten station minimum per site is too restrictive. Analysis of all application and eligibility criteria will be assessed in the pilot reports, and refined for any Phase 2 application as necessary.”</p> | <p>Accepted.</p> |

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

|  | Intervenor’s Assertion | CPUC Discussion  |
|--|------------------------|------------------|
| <p><b>a. Was the Office of Ratepayer Advocates (ORA) a party to the proceeding?</b></p>  | <p>Yes</p>             | <p>Yes.</p>      |
| <p><b>b. Were there other parties to the proceeding with positions similar to yours?</b></p>   | <p>Yes</p>             | <p>Yes.</p>      |
| <p><b>c. If so, provide name of other parties: TURN, Marin Clean Energy, Center for Sustainable Energy, NRDC, Community Environmental Council, Vote Solar, CESA, ChargePoint</b></p>   |                        | <p>Verified.</p> |
| <p><b>d. Intervenor’s claim of non-duplication:</b> This proceeding covers a wide variety of topics related to SCE’s EV pilot project. The Green Power Institute coordinated its efforts in this proceeding with other parties, and filed joint pleadings with Community Environmental Council, in order to avoid duplication of effort, and added significantly to the outcome of the Commission’s deliberations. Some amount of duplication has occurred in this proceeding on all sides of contentious issues, but Green Power provided</p> |                        | <p>Accepted.</p> |

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| <p>our own unique perspective on issues, avoided duplication to the extent possible, and tried to minimize it where it was unavoidable.</p> |  |
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**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, A.14-10-014 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 Decision D.16-01-023.</p> <p>The hours claimed herein in support of Decision D.16-01-023 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 the Decision 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>Mr. Hunt is a renewable energy law and policy expert with substantial experience in California, in local energy planning and in</p> | <p>Accepted.</p>       |

|   |                                  |      |                             |      |                                      |      |   |      |   |      |                  |
|---|----------------------------------|------|-----------------------------|------|--------------------------------------|------|---|------|---|------|------------------|
| <p>state energy-policy development. He has worked with local governments throughout Southern California, in his current role with Community Renewable Solutions LLC and in his previous role as Energy Program Director for the Community Environmental Council, a well-known non-profit organization based in Santa Barbara. Mr. Hunt was the lead author of the Community Environmental Council's A New Energy Direction, a blueprint for Santa Barbara County to wean itself from fossil fuels by 2030. Mr. Hunt also contributes substantially to state policy, in Sacramento at the Legislature and in San Francisco at the California Public Utilities Commission, in various proceedings related to renewable energy, energy efficiency, community-scale energy projects, and climate change policy. Mr. Hunt is also a Lecturer in Climate Change Law and Policy at UC Santa Barbara's Bren School of Environmental Science &amp; Management (a graduate-level program). He received his law degree from the UCLA School of Law in 2001, where he was chief managing director of the Journal for International Law and Foreign Affairs. Mr. Hunt is a regular columnist at Renewable Energy World</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 Application creates a pilot project that is intended to help the nascent electric vehicle market grow to its potential. The value to the ratepayers of the benefits of increased electric vehicle adoption in California overwhelms the cost of our participation in this proceeding.</p> |                                  |      |                             |      |                                      |      |   |      |   |      |                  |
| <p><b>b. Reasonableness of hours claimed:</b></p> <p>The GPI made Significant Contributions to Decision D.16-01-023 by providing 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>Accepted.</p>                 |      |                             |      |                                      |      |   |      |   |      |                  |
| <p><b>c. Allocation of hours by issue:</b></p> <table border="0"> <tr> <td>1. Opposition to Settlement, E&amp;O</td> <td>40 %</td> </tr> <tr> <td>2. Size of site host buy-in</td> <td>15 %</td> </tr> <tr> <td>3. Requirements to move onto phase 2</td> <td>15 %</td> </tr> <tr> <td>4. Including rate design in SCE's pilot</td> <td>15 %</td> </tr> <tr> <td>5. Minimum number of charging stations per location</td> <td>15 %</td> </tr> </table>  | 1. Opposition to Settlement, E&O | 40 % | 2. Size of site host buy-in | 15 % | 3. Requirements to move onto phase 2 | 15 % | 4. Including rate design in SCE's pilot | 15 % | 5. Minimum number of charging stations per location | 15 % | <p>Accepted.</p> |
| 1. Opposition to Settlement, E&O  | 40 %                             |      |                             |      |                                      |      |   |      |   |      |                  |
| 2. Size of site host buy-in   | 15 %                             |      |                             |      |                                      |      |   |      |   |      |                  |
| 3. Requirements to move onto phase 2  | 15 %                             |      |                             |      |                                      |      |   |      |   |      |                  |
| 4. Including rate design in SCE's pilot   | 15 %                             |      |                             |      |                                      |      |   |      |   |      |                  |
| 5. Minimum number of charging stations per location   | 15 %                             |      |                             |      |                                      |      |   |      |   |      |                  |

**B. Specific Claim:\***

| CLAIMED   |      |       |         |                 |          | CPUC AWARD                      |         |             |
|---|------|-------|---------|-----------------|----------|---------------------------------|---------|-------------|
| ATTORNEY, EXPERT, AND ADVOCATE FEES   |      |       |         |                 |          |                                 |         |             |
| Item  | Year | Hours | Rate \$ | Basis for Rate* | Total \$ | Hours                           | Rate \$ | Total \$    |
| G. Morris   | 2014 | 6.0   | 270     | D.15-06-058     | 1,620    | 6                               | \$270   | \$1,620.00  |
| G. Morris   | 2015 | 12.0  | 270     | D.15-09-021     | 3,240    | 12                              | \$270   | \$3,240.00  |
| G. Morris   | 2016 | 12.5  | 270     | D.15-09-021     | 3,375    | 12.5                            | \$270   | \$3,375.00  |
| T. Hunt   | 2014 | 36.5  | 370     | D.15-06-058     | 13,505   | 36.5                            | \$370   | \$13,505.00 |
| T. Hunt   | 2015 | 51.0  | 370     | D.15-06-058     | 18,870   | 51                              | \$370   | \$18,870.00 |
| T. Hunt   | 2016 | 2.5   | 370     | D.15-06-058     | 925      | 2.5                             | \$370   | \$925.00    |
| <i>Subtotal: \$41,535.00</i>  |      |       |         |                 |          | <i>Subtotal: \$41,535.00</i>    |         |             |
| INTERVENOR COMPENSATION CLAIM PREPARATION **  |      |       |         |                 |          |                                 |         |             |
| Item  | Year | Hours | Rate \$ | Basis for Rate* | Total \$ | Hours                           | Rate    | Total \$    |
| G. Morris   | 2016 | 12.0  | 135     | ½ rate for 2016 | 1,620    | 12                              | \$135   | \$1,620.00  |
| <i>Subtotal: \$1,620.00</i>   |      |       |         |                 |          | <i>Subtotal: \$1,620.00</i>     |         |             |
| <b>TOTAL REQUEST: \$43,155.00</b>   |      |       |         |                 |          | <b>TOTAL AWARD: \$43,155.00</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> |      |       |         |                 |          |                                 |         |             |

| <b>ATTORNEY INFORMATION</b> |  |                      |   |
|-----------------------------|--|----------------------|---|
| <b>Attorney</b>             | <b>Date Admitted to CA BAR<sup>1</sup></b> | <b>Member Number</b> | <b>Actions Affecting Eligibility (Yes/No?)<br/>If "Yes", attach explanation</b> |
| Tamlyn Hunt                 | 1/29/02                                    | 218673               | No  |

**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. GPI has made a substantial contribution to Decision 16-01-023
2. The requested hourly rates for GPI'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 are reasonable and commensurate with the work performed.
4. The total of reasonable compensation is \$43,155.00.

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<sup>1</sup> This information may be obtained through the State Bar of California's website at <http://members.calbar.ca.gov/fal/MemberSearch/QuickSearch> .

**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 \$43,155.00.
2. Within 30 days of the effective date of this decision, Southern California Edison Company shall pay Green Power Institute the total award. 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 June 5, 2016, 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.

This decision is effective today.

Dated \_\_\_\_\_, at Sacramento, California.

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

|                                  |                            |                           |    |
|----------------------------------|----------------------------|---------------------------|----|
| <b>Compensation Decision:</b>    |                            | <b>Modifies Decision?</b> | No |
| <b>Contribution Decision(s):</b> | D1601023                   |                           |    |
| <b>Proceeding(s):</b>            | A1410014                   |                           |    |
| <b>Author:</b>                   | ALJ Farrar                 |                           |    |
| <b>Payer(s):</b>                 | Southern California Edison |                           |    |

**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 | 3/22/16           | \$43,155.00             | \$43,155.00           | N/A                | N/A                               |

**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 | \$270                       | 2014                             | \$270                     |
| Gregg             | Morris           | Expert      | Green Power Institute | \$270                       | 2015                             | \$270                     |
| Gregg             | Morris           | Expert      | Green Power Institute | \$270                       | 2016                             | \$270                     |
| Tam               | Hunt             | Attorney    | Green Power Institute | \$370                       | 2014                             | \$370                     |
| Tam               | Hunt             | Attorney    | Green Power Institute | \$370                       | 2015                             | \$370                     |
| Tam               | Hunt             | Attorney    | Green Power Institute | \$370                       | 2016                             | \$370                     |

**(END OF APPENDIX)**