

Decision 16-10-034 October 27, 2016

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of San Diego Gas & Electric Company (U902M) for Authority, Among Other Things, to Increase Rates and Charges for Electric and Gas Service Effective on January 1, 2016.	Application 14-11-003 (Filed November 14, 2014)
And Related Matter.	Application 14-11-004

DECISION AWARDING INTERVENOR COMPENSATION TO THE MUSSEY GRADE ROAD ALLIANCE FOR SUBSTANTIAL CONTRIBUTION TO DECISION 16-06-054

Intervenor: Mussey Grade Road Alliance	For contribution to Decision (D.) 16-06-054
Claimed: \$46,019.00	Awarded: \$44,668.67
Assigned Commissioner: Michael Picker	Assigned ALJs: John S. Wong and Rafael L. Lirag

PART I: PROCEDURAL ISSUES

A. Brief description of Decision:	Decision addressing the general rate cases of San Diego Gas & Electric Company and Southern California Gas Company and the proposed settlements.
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B. Intervenor must satisfy intervenor compensation requirements set forth in Pub. Util. Code §§ 1801-1812:

	Intervenor	CPUC Verified
Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):		
1. Date of Prehearing Conference (PHC):	1/8/2015	Verified.
2. Other specified date for NOI:		
3. Date NOI filed:	2/9/2015	Verified.
4. Was the NOI timely filed?		Yes, Mussey Grade Road Alliance (MGRA) timely filed the notice of intent to claim intervenor compensation.

Showing of customer or customer-related status (§ 1802(b)):		
5. Based on ALJ ruling issued in proceeding number:	R.13-11-006	Verified.
6. Date of ALJ ruling:	7/24/2014	07/21/2014
7. Based on another CPUC determination (specify):		
8. Has the Intervenor demonstrated customer or customer-related status?		Yes, MGRA demonstrated appropriate status.
Showing of “significant financial hardship” (§ 1802(g)):		
9. Based on ALJ ruling issued in proceeding number:	R.13-11-006	Verified.
10. Date of ALJ ruling:	7/24/2014	Verified.
11. Based on another CPUC determination (specify):		
12. Has the Intervenor demonstrated significant financial hardship?		Yes, MGRA demonstrated significant financial hardship.
Timely request for compensation (§ 1804(c)):		
13. Identify Final Decision:	D.16-06-054	Verified.
14. Date of issuance of Final Order or Decision:	7/1/2016	Verified.
15. File date of compensation request:	8/16/2016	Verified.
16. Was the request for compensation timely?		Yes, MGRA timely filed the claim for intervenor compensation.

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>Note: For definition of contribution types, see Comment 2 in Section C. For definition of issue, see Comment 1 in Section C. For reference abbreviations, see Comment 3 in Section C</p>		

<p>1. MGRA supported the proposition that SDG&E’s safety spending programs should have transparent prioritization and should have some level of cost/benefit analysis applied during this proceeding. MGRA’s position was stronger than that of SED, in that it stated that prioritization, accountability, and cost/benefit should be included in the scope of this proceeding. Supporting work included obtaining the prioritization matrix used by SDG&E into the record of the proceeding. The Decision reaches a similar conclusion to that proposed by MGRA and implements by requiring SDG&E to file an abbreviated form of a RAMP accountability report.</p> <p>Type: Contributor Issue: Pri</p>	<p>MGRA-Prt, p. 9 – “...we believe that some effort at justification of the wildfire prevention priorities in the present application should nonetheless be made.”</p> <p>MGRA-PHC-Smt, p. 3 - “The public has a right to know exactly what level of fire prevention they are getting for the amount they are paying, and how these decisions are being made.”</p> <p>MGRA-Tst, p. 57 - “This testimony analyzes SDG&E’s methodology for risk scoring and ranking for all circuit segments in its Fire Hazard Zone. It finds that SDG&E examines risks and potential impacts from a wide variety of perspectives and attempts to balance these.”</p> <p>MGRA-GRC-Brf, p. 18 - “Given the urgency of taking remedial action, requiring SDG&E to collect and present metrics to track its spending on the FiRM program as a preventative measure against future wildfires would be entirely appropriate.”</p> <p>Decision, p. 149 – “To gain some familiarity and understanding with the reporting requirements imposed by D.14-12-025, and to obtain data and metrics on safety, risk mitigation and accountability, the Applicants should be required to provide a limited version of the accountability reports described in D.14-12-015.”</p>	<p>Verified.</p>
<p>3. MGRA opposed the ORA proposal to delay funding for SDG&E’s FiRM program, believing this would compromise safety. While supporting the rapid implementation of the FiRM program, MGRA was the only party to fully estimate the cost to fully upgrade the SDG&E assets in its Fire Hazard Zone to FiRM standards. MGRA supported later</p>	<p>MGRA-Tst, p. 11- [Regarding ERM] “it is apparent that at least in the realm of fire preparedness there does not currently appear to be any program at SDG&E that formally attempts to quantify risks and the costs of addressing those risks in a way that achieves an optimal balance between safety and costs. It may be penny-wise and pound-foolish to eliminate a program that would have this in its scope...”</p>	<p>Verified.</p>

<p>provisions of the Settlement Agreement in which ORA and SDG&E agreed to funding requests much closer to the original SDG&E proposal.</p> <p>Likewise, MGRA opposed ORA’s proposal to eliminate funding for SDG&E’s Enterprise Risk Management (ERM) division because this would reduce SDG&E’s capability to actively manage safety risks at an enterprise level. Funding for this program was also restored as part of the Settlement Agreement.</p> <p>Type: Contributor Issue: ERM</p>	<p>Jpty-Stl-Mtn, p. 9 – “Thus, it is in the public interest to authorize the settlement amounts, permitting SDG&E to further develop its Enterprise Risk Management functions and to continue its operational and infrastructure risk-reduction efforts, even as the Commission’s ratemaking landscape itself is changing.”</p> <p>MGRA-Stm-Cmt, p. 12- “The Alliance offered testimony in which we warned against deferring spending for SDG&E wildfire related capital improvements, suggesting instead ‘that if SDG&E presents a detailed plan for an accelerated schedule with specific milestones that would be acceptable to ORA, this would address resident safety concerns...’”</p> <p>Decision, pp. 79-80 – “ORA’s recommended amounts essentially shifts SDG&E’s initial forecasts by one year. ORA recommends the following for the Safety and Risk Management category: 2014 -\$18.083 million; 2015 - \$27.406 million; 2016 - \$59.484 million...</p> <p>The settling parties have stipulated in the SDG&E Settlement Comparison Exhibit at 8 to the following: ORA’s forecast of \$18.083 million, plus \$1.163 million, for a total amount of \$19.246 million for 2014; and to SDG&E’s requested amounts of \$40.684 million, and \$75.423 million, for 2015 and 2016, respectively.</p>	
<p>3. MGRA supported admitting the information submitted by the Assigned Commissioner’s Request (ACR) regarding SDG&E’s Incentive Compensation Plan (ICP) into the record of this proceeding. MGRA took issue with SDG&E’s “wildfire” provision of its ICP which it maintained incentivized SDG&E to litigate against ratepayers in order to recover</p>	<p>MGRA-ACR-Cmt, pp. 6-7 - “SDG&E employees are being provided a very strong incentive to collect SDG&E’s 2007 wildfire litigation losses regardless of whether or not SDG&E’s recovery of its litigation losses from ratepayers is reasonable... We are therefore concerned that if SDG&E employees are given incentives, such as the one included in the ICP, to reduce SDG&E’s fire loss liability without regard to its actual responsibility for fire losses, this may over the course of time lead to a</p>	<p>Verified.</p>

<p>litigation losses from the 2007 wildfire and which it maintained provided a disincentive for safety. The Decision adopted MGRA’s argument and required that the “wildfire” provision be removed from SDG&E’s ICP.</p> <p>Type: Primary Issue: ICP</p>	<p>reduced emphasis on overall safety, not only in San Diego but across the electric industry in California..”</p> <p>Decision, p. 149 – “We agree with MGRA that SDG&E should be prevented from compensating its employees, managers, and executives from variable compensation that is based on a recovery of monies from ratepayers for the wildfire costs that are being litigated before the Commission in A.15-09-010.</p> <p>This type of financial incentive encourages SDG&E to aggressively pursue recovery of uninsured losses from its ratepayers, which can create the perverse incentive of minimizing safety-focused incentives while benefitting employees and management by shifting the costs of unsafe incidents onto ratepayers and being rewarded for doing so...”</p>	
<p>4. MGRA analyzed available SDG&E metrics to analyze the effectiveness of the SDG&E fire prevention program and to develop a set of candidate metrics that might be used by SDG&E or the Commission. The Commission declined to adopt MGRA’s proposal.</p> <p>MGRA may submit this data and analysis for the S-MAP or RAMP proceedings (see SDG&E Reply Brief, p. v.) and if it makes a substantive contribution may file a compensation claim including all or a portion of the hours dedicated to this topic as per Rule 17.4(d) of the Rules of Practice and Procedure.</p> <p>All hours dedicated to this topic are therefore deferred, and no compensation requested at this time. However the hours are still listed in order to differentiate MGRA activity on this topic from that of other activity in this proceeding.</p>	<p>Decision, p. 81 – “we do not adopt MGRA’s recommendation that SDG&E should be required to develop additional metrics to justify its fire risk mitigation activities.”</p>	<p>Verified.</p>

Type: Alternative Issue: Met		
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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?	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: TURN, UCAN, CUE		Verified.
d. Intervenor's claim of non-duplication: MGRA's participation was primarily in the area of safety, particularly wildfire safety, and this topic was not actively addressed by other participating parties. MGRA's position was similar to that of SED, which while not a party conducted an independent analysis of the safety aspects of SDG&E's Application. MGRA made a stronger argument than SED regarding the urgency of including cost/benefit and prioritization information in the current proceeding. MGRA was advised by TURN regarding its position on the ACR and ICP. CUE supported the MGRA position opposing the ORA proposal to defer safety spending.		Agreed, MGRA did not engage in excessive duplication with other parties.

C. Additional Comments on Part II:

#	Intervenor's Comment		CPUC Discussion
1	Contribution Types	There are various types and levels of contribution that the Alliance interventions provided. These are defined and explained below.	Verified.
	Primary	A Primary contribution is one in which the Alliance made a unique and definitive difference in supplying information not supplied by any other party. The Alliance can show that "but for" its intervention, the Decision would have likely reached a different conclusion.	
	Initiator	In instances where the Alliance was an "Initiator", it was the first to bring a particular issue or analysis to the Commission's attention. Other parties subsequently made additions or improvements that were accepted by the Commission.	

	<table border="1"> <tr> <td>Contributor</td> <td>While not initiating an analysis or study, the Alliance made a significant contribution to it. Also, in decisions or conclusions which take into account many different factors, the Alliance's results contribute one or more of these factors.</td> </tr> <tr> <td>Improvement</td> <td>The Alliance commented on an existing process or measure and its suggestion was adopted in the final decision.</td> </tr> <tr> <td>Complimentary</td> <td>The Alliance chose a different method or analysis than that used in the Final Decision, but which is consistent with it and supports the same results.</td> </tr> <tr> <td>Alternative</td> <td>The Alliance reached a conclusion or presented an analysis at variance with the Decision or with the Final EIR/EIS, but which raised important points.</td> </tr> </table>	Contributor	While not initiating an analysis or study, the Alliance made a significant contribution to it. Also, in decisions or conclusions which take into account many different factors, the Alliance's results contribute one or more of these factors.	Improvement	The Alliance commented on an existing process or measure and its suggestion was adopted in the final decision.	Complimentary	The Alliance chose a different method or analysis than that used in the Final Decision, but which is consistent with it and supports the same results.	Alternative	The Alliance reached a conclusion or presented an analysis at variance with the Decision or with the Final EIR/EIS, but which raised important points.								
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2	<p>Abbreviations for issues that MGRA was involved in:</p> <p>GRC: General activities required for GRC participation, including procedural activities, review of filings, participation in settlement talks.</p> <p>Pri: Prioritization and accountability of SDG&E safety spending, including cost/benefit issues.</p> <p>ERM: SDG&E spending on the ERM and FiRM risk management and fire safety programs.</p> <p>ICP: SDG&E incentive compensation program issues relating to safety.</p> <p>Met: Fire safety metrics. Note that MGRA opts to defer claim for work performed on this issue to a potential future proceeding.</p>		Verified.														
3	<table border="1"> <thead> <tr> <th>Abbreviation</th> <th>Document</th> </tr> </thead> <tbody> <tr> <td>MGRA-Prt</td> <td>MUSSEY GRADE ROAD ALLIANCE PROTEST</td> </tr> <tr> <td>MGRA-PHC-Smt</td> <td>MUSSEY GRADE ROAD ALLIANCE PREHEARING CONFERENCE STATEMENT FOR SAN DIEGO GAS AND ELECTRIC COMPANY'S 2016 GENERAL RATE CASE</td> </tr> <tr> <td>MGRA-Tst</td> <td>DIRECT TESTIMONY OF THE MUSSEY GRADE ROAD ALLIANCE; SDG&E 2016 RATE CASE</td> </tr> <tr> <td>MGRA-ACR-Cmt</td> <td>MUSSEY GRADE ROAD ALLIANCE COMMENTS ON THE ASSIGNED COMMISSIONER'S SEPTEMBER 21 ST RULING</td> </tr> <tr> <td>MGRA-ACR-Rpl</td> <td>MUSSEY GRADE ROAD ALLIANCE REPLY COMMENTS ON THE ASSIGNED COMMISSIONER'S SEPTEMBER 21 ST RULING</td> </tr> <tr> <td>Jpty-Stl-Mtn</td> <td>JOINT MOTION FOR ADOPTION OF SETTLEMENT AGREEMENTS REGARDING SAN DIEGO GAS & ELECTRIC COMPANY'S TEST YEAR 2016 GENERAL RATE CASE, INCLUDING ATTRITION YEARS 2017 AND 2018</td> </tr> </tbody> </table>	Abbreviation	Document	MGRA-Prt	MUSSEY GRADE ROAD ALLIANCE PROTEST	MGRA-PHC-Smt	MUSSEY GRADE ROAD ALLIANCE PREHEARING CONFERENCE STATEMENT FOR SAN DIEGO GAS AND ELECTRIC COMPANY'S 2016 GENERAL RATE CASE	MGRA-Tst	DIRECT TESTIMONY OF THE MUSSEY GRADE ROAD ALLIANCE; SDG&E 2016 RATE CASE	MGRA-ACR-Cmt	MUSSEY GRADE ROAD ALLIANCE COMMENTS ON THE ASSIGNED COMMISSIONER'S SEPTEMBER 21 ST RULING	MGRA-ACR-Rpl	MUSSEY GRADE ROAD ALLIANCE REPLY COMMENTS ON THE ASSIGNED COMMISSIONER'S SEPTEMBER 21 ST RULING	Jpty-Stl-Mtn	JOINT MOTION FOR ADOPTION OF SETTLEMENT AGREEMENTS REGARDING SAN DIEGO GAS & ELECTRIC COMPANY'S TEST YEAR 2016 GENERAL RATE CASE, INCLUDING ATTRITION YEARS 2017 AND 2018		Verified.
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	MGRA-GRC-Brf	OPENING BRIEF OF THE MUSSEY GRADE ROAD ALLIANCE SDG&E 2016 RATE CASE	
	MGRA-EMT-Rpl	MUSSEY GRADE ROAD ALLIANCE RESPONSE TO THE MOTION OF SAN DIEGO GAS AND ELECTRIC COMPANY AND SOUTHERN CALIFORNIA GAS COMPANY'S EXPEDITED MOTION TO STRIKE PORTIONS OF THE MUSSEY GRADE ROAD ALLIANCE'S BRIEF AND COMMENTS	
	MGRA-PD-Cmt	MUSSEY GRADE ROAD ALLIANCE COMMENTS ON THE PROPOSED DECISION FOR THE SDG&E 2016 RATE CASE	

PART III: REASONABLENESS OF REQUESTED COMPENSATION

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

<p>a. Intervenor's claim of cost reasonableness:</p> <p>MGRA only intervened on issues that were directly related to public safety, and avoided spending excessive time on other issues.</p> <p>Because of the limited scope of its participation, MGRA was able to avoid the cost of in-person attendance at the Commission's hearings.</p> <p>Regarding MGRA's advocacy of fire safety spending for the ERM and FiRM programs and opposition to delays proposed by ORA, this helps to ensure a safer service area for San Diego residents of high fire-hazard areas.</p> <p>Preventing even one scenario such as the 2007 fire storm, with its total costs of several billion dollars, would greatly benefit residents and ratepayers. As one example, the FiRM program involved an upgrade of approximately 10% of SDG&E's infrastructure in its high fire hazard zone during the 2016 GRC cycle (see MGRA Testimony pp. 51-52). ORA's delay would have postponed approximately half of this work by one year. Hypothetically, if a \$2 billion fire would be expected to occur every 50 years (based on 2007 fire history and weather), then substantial reduction in potential losses for the one year of delay would be \$2 million in benefit from risk reduction for that additional year (((\$2 billion / 50 yr) X 5%). Other SDG&E mitigation measures that have taken place since 2007 may have already caused reductions in risk, but regardless the potential avoided costs will still greatly exceed cost of MGRA participation.</p> <p>By the same token, by having SDG&E provide visibility into the FiRM program prioritization by filing reports to the Commission will help to ensure that the 10% of the area it has chosen for fire safety and reliability upgrades represents the areas where catastrophic fires are likely to be initiated. It is difficult to estimate</p>	<p style="text-align: center;">CPUC Discussion</p> <hr/> <p>Verified.</p>
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<p>exactly what the safety benefit is, but the reports required by the Commission will be its and the public’s first glimpse into SDG&E’s fire safety prioritization process and its first estimates of cost and benefit from its fire safety programs. As it conducts the studies required to fulfill the Commission’s requirement, SDG&E itself may learn additional things regarding its prioritization that will help it optimize risk reduction for the amount it spends, yielding both enhanced safety and reduced ratepayer costs.</p> <p>Regarding the wildfire component of the ICP, MGRA’s work that has been accepted by the Commission requires that no bonuses paid out by SDG&E may be based on the results of wildfire litigation. These bonuses were set at 10%, and the amount litigated in the WEMA proceeding is \$379 million. 60% of SDG&E’s ICP is funded by ratepayers, so the avoided cost to ratepayers would be \$22.7 million. This greatly exceeds the projected costs of MGRA participation. Additionally, the Commission’s requirement to remove this component of the ICP reduces the incentive for SDG&E employees to litigate a result in the WEMA proceeding that would be unfair to ratepayers, and thereby avoid \$379 million in additional costs.</p>	
<p>b. Reasonableness of hours claimed:</p> <p>Dr. Mitchell donated five hours of analysis time and has deferred request for 93 hours of analysis time on metrics issues for possible submission in a future proceeding.</p> <p>The hours submitted in this compensation claim do not represent all the time spent on this proceeding by Dr. Mitchell and Ms. Conklin. Considerable time was spent in discussion on issues related to this proceeding that is not represented in the submitted time sheets.</p>	<p>Verified, <i>but see</i> CPUC Disallowances and Adjustments, below.</p>
<p>c. Allocation of hours by issue:</p> <p>Expert hours GRC: 38.0 Pri: 42.5 ERM: 16.3 ICP: 37.3 (Met: 93.0 – deferred) Total: 134.1</p> <p>Intervenor hours GRC: 12.5 Pri: 2.2 ERM: 1.9 ICP: 16.2 (Met: 1.9 – not included) Total: 32.8</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 \$ [1]	Total \$
J. Mitchell	2014	134.10	285	D.15-07-030, ALJ-308	\$38,215.65	13.50	285.00	3,874.50
J. Mitchell	2015					105.74	285.00	30,135.90
J. Mitchell	2016					16.10	290.00	4,669.00

							See Res. ALJ-329.	
D. Conklin	2014	32.8	145	D.15-07-030, ALJ-308, Part III.A.a above	\$4,758.90	00.00	125.00 See D.15-07-030 [2]	
D. Conklin	2015					33.20	130.00 See Res. ALJ-308	4,316.00
D. Conklin	2016					1.5	130.00 See Res. ALJ-329	195.00
Subtotal: \$ 42,975						Subtotal: \$ 43,189.50		
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 \$
Subtotal: \$1,140						Subtotal: \$00.00 [3]		
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate	Total \$
J.Mitchell	2016	8	92.50	D.15-07-030, ALJ-308	\$2,579.25	15.60	65.00	1,014.00
Subtotal: \$2,579						Subtotal: \$1,014.00		
COSTS								
#	Item	Detail			Amount	Amount		
1	Printing	Printing of MGRA testimony for submission to the Commission See attached file A.14-11-003-4 MGRA_Receipts.pdf			465.17	465.17		
TOTAL REQUEST: \$46,019						TOTAL AWARD: \$44,668.67		
<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>								

C. Intervenor’s Comments on Part III:

Comment #	Intervenor’s Comment(s)
2	<p>R.14-11-003-4 MGRA_Mitchell_IC.pdf Time sheets for Dr. Mitchell.</p> <p>The 2015 rate for Dr. Mitchell during the second phase of this proceeding is \$285/hr (D.15-07-030).</p> <p>Billing tiers in this time sheet are as follows: Tier 0 - Unbilled time Tier 1 - Travel, Intervenor Compensation (1/2 expert rate) Tier 2 - Review/researching/revisions (full expert rate) Tier 3 - Authoring, analysis (full expert rate)</p>
3	<p>R.14-11-003-4 MGRA_Conklin_IC.pdf Time sheets for Diane Conklin.</p> <p>We would like to request reclassification of Ms. Conklin to a higher experience level: Ms. Conklin has now been an advocate at the CPUC for ten years, and has participated in numerous proceedings, including A.06-08-010, A.08-12-021, A.09-08-020, R.08-11-005, R.13-11-006, and has made many substantial contributions that have been recognized by the Commission. Aside from contributing to filings, she has organized numerous collaborative meetings with other intervenors, conducted cross-examinations, engaged with Commission Staff, and has addressed Commissioners both through ex-parte communications and at public meetings.</p> <p>Ms. Conklin was the first intervenor to obtain “advocate” status, not falling under the classification of either attorney or expert (D.09-10-026, p. 13).</p> <p>In D.09-10-026, p. 14, Ms. Conklin was originally granted a rate of \$100/hr as an advocate. In 2010, the lowest range for an attorney of 0-2 year’s experience was \$150 (ALJ-308). The ratio of the 2010 minimum attorney range to Ms. Conklin’s approved 2007 rate was 1.5:1.</p> <p>In 2015, Ms. Conklin’s approved rate was \$125/hr (D.15-07-030), after intervening at the Commission for nine years.</p> <p>Applying the ratio of 1.5:1 to Ms. Conklin’s \$125/hr would give an effective rate of \$188/hr, which is below the \$215/hr minimum for an attorney with 3-4 years of experience, and mid-range for attorneys with 0-2 year’s experience. Ms. Conklin has effectively been granted one year of experience for having been an intervenor at the Commission for nine years.</p> <p>Experience level ranges for non-attorney, non-expert advocates was not defined by the Commission in ALJ-308.</p> <p>Ms. Conklin has a law degree but does not practice. She has been the spokesperson for the Mussey Grade Road Alliance since 1999, and has advocated for the Mussey Grade area at the local, state and federal level. Prior to that she has had a professional history including many years of work as a professional journalist and as a consultant to a United Nations agency.</p> <p>As relief, MGRA requests that the Commission provide Ms. Conklin with recognition of three year’s experience, applying the same ratio between attorneys and Ms. Conklin’s approved rate put in place in D.09-10-026. This would provide an approved rate of \$215/hr (minimum for attorney with 3 year’s experience) divided by 1.5, or \$143/hr, rounded up to \$145/hr.</p> <p>Alternatively, if unable to grant this relief, MGRA would wishes to request a 5% step increase for Ms. Conklin as per ALJ-308.</p>

D. CPUC Disallowances and Adjustments:

Item	Reason
[1]	The Commission corrected MGRA’s filing. MGRA grouped all hours together and did not separate by year, as required by the Commission. In addition, the claim contains numerous mathematical and rounding errors. The Commission disallows 3.5 hours from MGRA’s intervenor compensation claim preparation hours.
[2]	The Commission does not approve the requested rate increase for Conklin. The Commission, will, however, authorize the use of a 5% step increase for Conklin’s rate beginning in 2015.
[3]	MGRA did not provide appropriate documentation for the claimed “Other Fees.” No compensation is awarded for the money claimed in this area.

PART IV: OPPOSITIONS AND COMMENTS

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

FINDINGS OF FACT

1. Mussey Grade Road Alliance has made a substantial contribution to D.16-06-054.
2. The requested hourly rates for Mussey Grade Road Alliance’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 \$44,668.67.

CONCLUSION OF LAW

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

ORDER

1. Mussey Grade Road Alliance shall be awarded \$44,668.67.
2. Within 30 days of the effective date of this decision, San Diego Gas & Electric Company and Southern California Gas Company shall pay Mussey Grade Road Alliance their respective shares of the award, based on their California-jurisdictional gas and electric revenues for the 2015 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 October 30, 2016, the 75th day after the filing of Mussey Grade Road 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 October 27, 2016, at San Francisco, California.

MICHAEL PICKER
President
MICHEL PETER FLORIO
CATHERINE J.K. SANDOVAL
LIANE M. RANDOLPH
Commissioners

Commissioner Carla J. Peterman,
being necessarily absent, did not
participate.

APPENDIX

Compensation Decision Summary Information

Compensation Decision:	D1610034	Modifies Decision?	No
Contribution Decision(s):	D1606054		
Proceeding(s):	A1411003, A1411004		
Author:	ALJ Wong, ALJ Lirag		
Payer(s):	San Diego Gas & Electric Company and Southern California Gas Company		

Intervenor Information

Intervenor	Claim Date	Amount Requested	Amount Awarded	Multiplier?	Reason Change/Disallowance
Mussey Grade Road Alliance (MGRA)	August 16, 2016	\$46,019.00	\$44,668.67	N/A	See CPUC Disallowances and Adjustments, above.

Advocate Information

First Name	Last Name	Type	Intervenor	Hourly Fee Requested	Year Hourly Fee Requested	Hourly Fee Adopted
Joseph	Mitchell	Expert	MGRA	\$285.00	2014	\$285.00
Joseph	Mitchell	Expert	MGRA	\$285.00	2015	\$285.00
Joseph	Mitchell	Expert	MGRA	\$285.00	2016	\$290.00
Diane	Conklin	Advocate	MGRA	\$145.00	2014	\$125.00
Diane	Conklin	Advocate	MGRA	\$145.00	2015	\$130.00
Diane	Conklin	Advocate	MGRA	\$145.00	2016	\$130.00

(END APPENDIX)