

Decision \_\_\_\_\_

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

Order Instituting Rulemaking to Continue Implementation and Administration, and Consider Further Development, of California Renewables Portfolio Standard Program.	Rulemaking 15-02-020 (February 26, 2015)
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**DECISION GRANTING COMPENSATION TO GREEN POWER INSTITUTE  
FOR CONTRIBUTION TO DECISIONS 15-09-004, 15-012-025, 16-10-025, AND  
16-12-040**

<b>Intervenor: Green Power Institute</b>	<b>For contribution to Decisions (D.) D.15-09-004, D.15-12-025, D.16-10-025, and D.16-12-040.</b>
<b>Claimed: \$ 156,155</b>	<b>Awarded: \$156,154.62</b>
<b>Assigned Commissioner: Carla J. Peterman</b>	<b>Assigned ALJs: Anne E. Simon, Robert Mason</b>

**PART I: PROCEDURAL ISSUES**

<b>A. Brief description of Decisions:</b>	<p><b>Rulemaking 15-02-020</b> continues implementation and development of the RPS program, and carries over several tasks from R.11-05-005.</p> <p><b>D.15-09-004</b> approves bioenergy electric generation tariff, standard contract, and supporting documents to implement decision 14-12-081 on bioenergy feed-in tariff for the renewables portfolio standard program.</p> <p><b>D.15-12-025</b> accepts draft 2015 renewables portfolio standard procurement plans.</p> <p><b>D.16-10-025</b> implements provisions of governor's proclamation of a state of emergency related to tree mortality and senate bill 840 related to the bioenergy feed-in tariff in the renewables portfolio standard program.</p> <p><b>D.16-12-040</b> implements elements of SB 350 with respect to RPS compliance post-2020.</p>
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**B. Intervenor must satisfy intervenor compensation requirements set forth in Pub. Util. Code §§ 1801-1812:**

	<b>Intervenor</b>	<b>CPUC Verified</b>
<b>Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):</b>		
1. Date of Prehearing Conference (PHC):	April 16, 2015	Verified
2. Other specified date for NOI:		
3. Date NOI filed:	May 8, 2015	Verified
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.13-12-010
6. Date of ALJ ruling:		September 04, 2014
7. Based on another CPUC determination (specify):	D.16-10-15	
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.13-12-010
10. Date of ALJ ruling:		September 04, 2014
11. Based on another CPUC determination (specify):	D.16-10-15	
12. Has the Intervenor demonstrated significant financial hardship?		Yes
<b>Timely request for compensation (§ 1804(c)):</b>		
13. Identify Final Decision:	D.16-12-040	Verified
14. Date of issuance of Final Order or Decision:	December 20, 2016	Verified
15. File date of compensation request:	January 3, 2017	Yes
16. Was the request for compensation timely?		Verified

**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)</b>	<b>Specific References to Intervenor’s Claimed Contribution(s)</b>	<b>CPUC Discussion</b>
<b>OIR R.15-02-020 closes the previous RPS proceeding, opens a new RPS proceeding, and continues development</b>	(Please note that Attachment 2 includes a list issue areas, and of GPI Pleadings relevant to this Claim.)	

<p><b>and oversight of the RPS program.</b></p>		
<p><b>1. RPS Program Expense Limitation (PEL)</b>                  SB 2 (1X) requires the Commission to develop a PEL for each IOU, which was to act as an alternative cost-control mechanism for the RPS to the contract-by-contract approach that was used in the initial phase of the RPS program. The Commission requested comments and replies on a PEL in early 2012, and a series of comments on a staff and alternative proposals for a PEL in late 2013 and early 2014. GPI participated in the deliberations through a series of filings (see Attachment 2).                  R.11-05-005 was closed without resolving the various approaches that had been under consideration, and the matter was continued in the preliminary scoping memo and scoping memo for R.15-02-020. With RPS costs in rapid decline the imperative to develop the PEL dissolved, and further consideration of the matter seems to have been suspended.                  GPI advocated for the use of the PEL as a tool to control overall programmatic costs, rather than establishing a strict limit that could function as a means for IOUs to avoid complying with the RPS program targets. Our positions</p>	<p><b>Decision</b>                  The OIR and Initial Scoping Memo for R.15-02-020 make it clear that the development of the PEL is a key issue in the continuing development of the RPS program (see OIR.15-02-020, pg. 5, §2.1.1.1. no. 3)  <b>Pleadings</b>                  “It seems clear that the legislature intends that the cost limitation that is applied to each utility’s RPS procurement efforts should be used as a tool to monitor and control the utilities’ costs of RPS procurement, not a hatchet that excuses a utility from compliance with the statute if costs exceed some arbitrarily-imposed standard. The statute expressly provides for cost limitations adopted by the Commission to be readjusted if they prove to be unnecessary or overly restrictive. [GPI Comments on the PEL, 2/16/12, pg. 2.]                  Our major concern about the use of the expenditure limitation specified in new Public Utility Code § 399.15 is that it not be used as a means to excuse the utilities from their obligations to procure renewable energy. [GPI Reply Comments on the PEL, 3/1/12, pg. 1.]                  Our overall impression is that the basic approach taken in the staff proposal is sound, and properly implements the cost-control portion of the new phase (SB 2 (1X), 2011 – 2020) of the California RPS program. [GPI Comments on the Staff Proposal for a PEL, 9/25/13, pg. 1.]                  The alternative proposal of SCE is not an improvement on the staff proposal,</p>	<p>Verified</p>

<p>made substantial contributions to the development of the revised PEL proposals as they stood in March of 2014.</p>	<p>and should not be pursued further. The alternative proposal of the Joint Parties deserves further consideration of its proposed methodology for a determination of disproportionate rate impacts. [GPI Comments on the Alt. Proposals for a PEL, 10/23/13, pg. 3.]</p> <p>The Revised Staff Proposal (February 20, 2014) makes a number of changes in response to parties’ comments, most of which are improvements. The GPI believes that the Revised Staff Proposal provides a workable basis for a PEL methodology, as statutorily required for the RPS program. [GPI Comments on the Revised Proposals for a PEL, 3/19/14, pg. 1.]</p> <p>The revised CalWEA proposal has one great advantage over the other proposals. It is the only proposal that attempts to deal directly with the statutory directive to make a determination as to whether a utility’s PEL Budget causes a disproportionate rate impact for its ratepayers. [GPI Comments on the Revised Proposals for a PEL, 3/19/14, pg. 6.]</p>	
<p><b>2. RPS Data Confidentiality</b></p> <p>The Commission issued a preliminary staff proposal on clarifying RPS confidentiality rules on July 1, 2013. Parties, including the GPI, filed comments and replies in August 2013.</p> <p>R.11-05-005 was closed without resolving the various issues that had been addressed in the staff proposal, and the matter was continued in the scoping memo for R.15-02-020. The GPI</p>	<p><b>Decision</b></p> <p>The May 22, 2015, Scoping Memo and Ruling of AC for R.15-02-020 make it clear that revising confidentiality rules is a key issue in the continuing development of the RPS program (see Scoping Memo, pg. 6)</p> <p><b>Pleadings</b></p> <p>While some data legitimately deserve confidential treatment, in our opinion confidential treatment is sought, and under the current rules granted, for far more categories of data than what is necessary to provide reasonable protection for the efficient conduct of</p>	<p>Verified</p>

<p>advocated strongly for keeping as much information in the public domain as possible, and we opposed efforts by the IOUs to expand confidentiality protections beyond where they legitimately need to be. It quickly became clear that the parties were far apart, and that the value of moving forward with the initiative was highly questionable.</p> <p>The GPI made substantial contributions to the deliberations by resisting efforts to expand confidentiality treatment, and by helping to make clear that the existing rules were working, and modifying them was unnecessary. Ultimately the rules were not changed.</p>	<p>commercial enterprise. One prerequisite for an efficient market economy is informed market participants. The excessive withholding of information as confidential is counterproductive to the development of efficient markets when it impinges on information flow. We fully support the Commission’s efforts in this Ruling to clarify and improve the confidentiality rules that are applied to the RPS program. [GPI Comments on Confidentiality Rules, 8/5/13, pgs. 1-2.]</p> <p>We are not calling for the withdrawal of this proposal, as some of the other Parties are, but we do think that a sound foundation needs to be established before going forward with the proposed changes. [GPI Reply Comments on Confidentiality Rules, 8/27/13, pg. 1.]</p>	
<p><b>Decision D.15-09-004 approves bioenergy electric generation tariff, standard contract, and supporting documents to implement bioenergy feed-in tariff for the renewables portfolio standard program.</b></p>		
<p><b>3. BioMAT Program</b></p> <p>Decision D.15-09-004 approves various documents relevant to the implementation of the SB 1122 small biomass program. The GPI made several significant contributions to the development of the program documents as originally proposed by the IOUs,</p>	<p><b>Decision</b></p> <p>GPI notes in more detail that there is no reason for the IOUs to complain if small bioenergy generators produce energy at higher-value TOD periods, assuming that the PPA price reasonably reflects market values in its TOD structure. [Decision D.15-09-004, pg. 27, footnote no. 31.]</p> <p>The objections to the proposed new section 2.7.4 are well-founded. The</p>	<p>Verified</p>

<p>including:</p> <ul style="list-style-type: none"> <li>• Helping to ward-off a contract provision that would have punished generators for responding positively to the TOD profiling of their energy revenues.</li> <li>• Helping to resist the inclusion of contract language about environmental attributes that would have needlessly confused the marketplace.</li> <li>• Obtaining clarification that Section 3.1.1 pertains only to projects that receive biomethane fuel via common carrier pipelines.</li> <li>• Correcting a deficiency in the proposed fuel attestation by adding an “other” category.</li> </ul> <p>The GPI made multiple substantial contributions to Decision D.15-09-004.</p>	<p>IOUs do not present any compelling reasons why this cap in this particular amount, should be imposed on small bioenergy generators. The mere existence of a similar term in the RPS solicitation PPA is not sufficient reason to impose it in the BioMAT program. The IOUs’ proposed Section 2.7.4 should be removed. [Decision D.15-09-004, pg. 27.]</p> <p>GPI argues that section 3.1.1 should be removed from the BioMAT PPA because no generation project eligible for the BioMAT PPA will be using biomethane that is delivered to the generation facility through a common carrier pipeline. (See Pub. Util. Code § 399.12.(a)(1).) Although GPI’s view may well prove to be accurate, if any such project were to exist, section 3.1.1 would have to be applied to it. Since the presence of section 3.1.1 will not affect any BioMAT-eligible projects that do not use biomethane delivered through a common carrier pipeline, the section can be retained without risk of altering the treatment of any BioMAT-eligible project.</p> <p>The IOUs’ draft of section 3.1.1 should be adopted. It applies only to BioMAT projects using biomethane delivered through a common carrier pipeline (if any such projects are proposed). [Decision D.15-09-004, pgs. 28-29.]</p> <p>It is not necessary to examine the merits of any of these suggestions, because none of them is relevant to the BioMAT PPA or tariff. Following the direction of D.13-11-024, the definition of “green attributes” found in Appendix A to the PPA and the various references to “green attributes” in the draft PPA and tariff simply do not belong in the BioMAT PPA or tariff, in any form.</p>	
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	<p>[Decision D.15-09-004, pg. 30.]</p> <p>GPI states that the IOUs’ draft does not provide for a fuel use category of “other” or “qualifying but out of category,” although D.14-12-081 allows use of fuel outside the project’s technology category for up to 20% of fuel. The addition of the “other” line is necessary, but it must be limited to those technology categories for which the use of fuel outside that technology category is allowed. [Decision D.15-09-004, pg. 48.]</p> <p><b>Pleadings</b></p> <p>The language in §3.1 and subsections of Appendix B1 to IOU’s Joint Submission of Proposed Filing Bioenergy Market and Adjusting Tariff Power Purchase Agreement, fails to do an adequate job of distinguishing between the attributes that are included in the REC, and the attributes that are excluded from the REC for SB 1122 generators. [GPI Comments on SB 1122 Implementation, 3/6/15, pg. 3.]</p> <p>The language in §3.1.1.1 appears to be extracted from PUC §399.12.6(c) [from AB 2196, 2012]. The problem is that AB 2196 pertains to biomethane that is transported via interstate pipelines to conventional natural-gas-fueled power plants, and is thus not relevant to SB 1122 projects. This problem is exacerbated by the fact that in extracting language from the statute, §3.1.1.1 omits key language that makes it clear that the provision pertains to biomethane that is transported via common carrier pipelines and delivered as a gas, not electricity, to the retail seller. [GPI Comments on SB 1122 Implementation, 3/6/15, pgs. 3-4.]</p>	
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	<p>The one deficiency that should be corrected is that an “Other,” or “Qualifying but Out-of Category” line should added to the fuel components for each Fuel Resource Category. This addition would recognize the fact that D.14-12-081 authorizes the use of qualifying, other-category fuel for up-to 20 percent of a project’s fuel mix. [GPI Comments on SB 1122 Implementation, 3/6/15, pg. 5.]</p> <p>Thus, we question why there is any reason for penalizing a baseload renewable generator for shifting its output profile in the direction of peak-power provision. [GPI Comments on SB 1122 Implementation, 3/6/15, pg. 6.]</p> <p>The GPI supports the PD’s decision to include draft section 3.1.1. in the final Decision, but <b>only</b> if it is clearly noted that the provision pertains only to projects that obtain biomethane from common-carrier pipelines. [GPI Comments on the PD, 9/3/15, pg. 2, emphasis in original.]</p>	
<p><b>Decision D.15-12-025 accepts the draft 2015 renewables portfolio standard procurement plans.</b></p>		
<p><b>4. RPS Procurement Plans</b></p> <p>GPI’s ongoing series of comments on the annual RPS Compliance Reports of the IOUs have made a substantial contribution to the development and approval of the 2015 RPS procurement plans by providing the Commission with valuable analysis on the continuing development of the California</p>	<p><b>Decision</b></p> <p>Decision D.15-12-025 accepts the RPS procurement plans of the IOUs, and initiates the 2015 round of RPS solicitations. In declining to adopt our proposed changes in our comments on the PD, the PD acknowledges our contributions to the process:</p> <p>We decline to make any changes to the decision based on GPI’s comments [on the PD]. These arguments were already</p>	<p>Verified</p>



<p>RPS program. Our analysis has aided in the development of the IOUs’ RPS Procurement Plans, and in the analysis and approval of those plans by the Commission.</p> <p>GPI’s most important contribution to the 2015 procurement reports has been in the area of elucidating the dramatic loss of diversity in the state’s RPS supply, even as it is growing at a rapid pace. We also strongly promoted the need to begin LCBF reform in 2016, and while the final decision declined to specify that LCBF reform would begin in 2016 as we requested, we note that LCBF reform was indeed initiated in 2016.</p> <p>In addition to providing commentary on the 2015 RPS Compliance Reports, the GPI made a substantial contribution by attending a workshop and filing informal comments (2/25/15) on the development of the RPS compliance reporting spreadsheet, which the IOUs use in their compliance reports.</p>	<p>taken into account in drafting the instant decision. [Decision D.15-12-025, pg. 111.]</p> <p><b>Pleadings</b></p> <p>The GPI’s comments on the 2015 RPS Compliance Reports provide a detailed analysis of the current state of and future prospects for the state’s RPS program, including a discussion about the loss of diversity in the RPS portfolios of the IOUs that is a direct result of the fact that nearly all current growth in the state’s RPS generation fleet is in one technology – photovoltaics. We also detail the decline in bioenergy production, and the resulting loss to the state in ancillary waste-disposal services. [see GPI Comments on the 2015 RPS Compliance Reports, filed as an attachment to a Motion for Leave to File, 9/22/15.]</p>	
<p><b>5. RPS Calculator</b></p> <p>The GPI made substantial contributions to D.15-12-025 by participating in workshops and filing comments and replies on the ongoing development of the RPS Calculator. The RPS calculator is the key planning tool used in the determination</p>	<p><b>Decision</b></p> <p>Decision D.15-12-025 accepts the RPS procurement plans of the IOUs, which embody the results of the ongoing development of the RPS Calculator. In approving the RPS procurement plans, this decision approves the LCBF methodologies for use by the IOUs. As a 10/10/14 Ruling R.11-05-005 states: “The revisions to the RPS Calculator</p>	<p>Verified</p>

<p>of the IOUs’ future needs for renewable energy, the satisfaction of which is the objective of the IOUs’ RPS Procurement Plans. The RPS Calculator is also tied to the LCBF methodologies used in the RPS procurement process.</p> <p>The GPI has been a critic of the lack of usability of the RPS Calculator, and of its use for applications for which it is not well suited. While all of our suggestions and criticisms have not been adopted they have enriched the record of the proceeding, been carefully considered, and have contributed to the ongoing development of the RPS Calculator.</p>	<p>proposed by the Energy Division in the Attachment are part of the Commission’s effort to update the Least-Cost, Best-Fit methodology used by the utilities when procuring RPS resources (Ruling, pg. 1).</p> <p><b>Pleadings</b></p> <p>One area in which we believe the RPS Calculator to be extremely limiting is in the set of user capabilities that are provided by the model. ... In order for the model to be truly useful, the user should be afforded far greater opportunities to run the model with user-supplied inputs and assumptions. [GPI Informal Comments on Updates to the RPS Calculator, 2/25/15, pgs. 1-2.]</p> <p>One reasonable use for the model in the RPS proceeding, notwithstanding our concerns noted above, is in the development and evaluation of the annual RPS procurement plans. [GPI Comments on the RPS Calculator, 4/27/15, pg. 10.]</p> <p>The GPI recommends that any scenarios that are generated using the RPS Calculator be generated with all eligible renewables being under consideration, rather than limiting the analysis to only one solar alternative (PV), wind and geothermal. We further recommend that the Commission develop a scenario for both the LTPP and TPP that emphasizes renewable-resource diversity, such as a high-baseload renewables scenario. We believe that such a scenario would provide a valuable counterpoint to the base scenario, which is essentially a high-intermittent renewables scenario. [GPI Comments on RPS Calculator Portfolios, 9/28/15, pg. 5.]</p> <p>The GPI is concerned that some of the Parties want to use the RPS Calculator</p>	
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	<p>to determine optimal pathways for the future development of California’s renewables generating and transmission infrastructure. In our opinion the RPS Calculator should be used to support the existing planning processes, specifically the LTPP and the TPP, not to prejudice their outcome, or supplant them altogether. [GPI Reply Comments on RPS Calculator Portfolios, 10/13/15, pg. 5.]</p>	
<p><b>Decision D.16-10-025 implements provisions of the Governor’s Proclamation of a State of Emergency related to tree mortality.</b></p>		
<p><b>6. Emergency Proclamation re Tree Mortality</b></p> <p>On October 30, 2015, the Governor issued an emergency proclamation concerning the state’s tree-mortality crisis. The Commission has pursued several initiatives to comply with the Proclamation, including issuing D.16-10-025 and Resolutions E-4770 and E-4805.</p> <p>The GPI made substantial contributions to the decision and Res. E-4770 by advocating for terms and conditions in the various solicitations authorized by the decisions and resolutions that would support the maximum recontracting of the existing biomass industry as possible. Although the Commission did not adopt all of our positions, we made substantial contributions by</p>	<p><b>Decision</b></p> <p>The decision acknowledges some of our contributions in the discussion of pricing adjustments in the staff proposal, Section 2.2.3, pg. 10 of the decision. Instead, Placer APCD and GPI support changing the program periods from bimonthly to monthly. [Decision D.16-10-025, pgs. 10-12.]</p> <p><b>Resolution E-4770</b></p> <p>GPI and CBEA recommend that the target 80% be converted into a must-take requirement for high hazard fuel subject to availability, rather than an absolute requirement. GPI points out that the basic problem with this provision is that despite the fact that the state’s inventory of dead trees is enormous, there are no guarantees that enough material will actually be removed from the state’s high-hazard zones in order to provide 80% of the facilities’ fuel needs. [Resolution E-4770, pgs. 11-21.]</p>	<p>Verified</p>

<p>enriching the record that formed the basis of the decisions that were made.</p>	<p><b>Pleadings</b></p> <p>The most important element that is missing from the draft Resolution is clear direction to the utilities that they need to contract with all possible biomass generators in the state, in order to facilitate the final disposal of biomass material that is removed from California’s high-hazard zones. Use as fuel in biomass power plants provides a beneficial-use alternative for the removals, produces renewable energy for California’s RPS and AB 32 programs, and avoids the conventional air pollution produced by open burning of the piled removals, which is the alternative fate for the material if the biomass removals are not used as fuel. [GPI Comments on Draft Res. E-4770, 2/16/16, pg. 1.]</p> <p>In conclusion the GPI agrees with Parties who argue for a realistic base price for projects participating in the BioMAT program, rather than maintaining the current base price and offering a very large but impermanent premium for projects using HHZ fuels. The best response to the Emergency Proclamation with respect to BioMAT would be to accelerate the price adjustment in order to elicit a strong and immediate response to the solicitations. [GPI Comments on BioMAT Adjustments, 3/7/16, pg. 5.]</p>	
<p><b>Decision D.16-12-040 implements compliance periods requirements for the post-2020 RPS program.</b></p>		

<p><b>7. Post-2020 Compliance Periods and Procurement Requirements</b></p> <p>SB 2 (1X) of 2011 extended the state’s original RPS program from 2011-2020, with a target of 33 percent renewables by 2020. SB 350 (2015) extended the program through 2030, and sets a new program target of 50 percent renewables for 2030 and beyond. The GPI made substantial contributions to Decision D16-12-040 by advocating for a simple and straightforward extension of established methods to the construction of new compliance periods and targets for the 2021-2030 period. We also advocated for the extension of the time periods beyond 2030, as specified in the legislation. The Decision adopted our position on these matters.</p>	<p><b>Decision</b></p> <p>Footnotes on pages 4 and 5 of the decision acknowledge GPI’s contributions in the areas of setting compliance periods for the 2020-2030 time period, and recommendation for setting compliance periods post-2030. The decision notes:</p> <p>The statute is sufficiently clear and prescriptive that there is no reason not to set post-2030 compliance periods now. SB 350 tells the Commission to set three-year compliance periods for years after 2030. This is no more complex than setting the compliance periods for earlier years; it is merely arithmetic. The possibility that new legislation could alter the compliance periods is always present, but is not a reason to delay setting the compliance periods. [Decision D.16-12-040, pgs. 5-6.]</p> <p><b>Pleadings</b></p> <p>In the view of the GPI, SB 350’s treatment of compliance periods for the post-2020 period is intentionally parallel with the treatment of compliance periods for 2011-2020, with a couple of adjustments. We believe that the Commission similarly should strive for consistency between phase 2 and phase 3 of the state’s RPS program with respect to compliance periods and associated issues. [GPI Comments on Implementing Elements of SB 350, 5/5/16, pg. 1.]</p> <p>The Ruling asks whether the Commission should establish compliance periods subsequent to 2030. In fact, statute directs the Commission to do so. [GPI Comments on Implementing Elements of SB 350, 5/5/16, pg. 2.]</p>	<p>Verified</p>
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**B. Duplication of Effort (§ 1801.3(f) and § 1802.5):**

	<b>Intervenor’s Assertion</b>	<b>CPUC Discussion</b>
<b>a. Was the Office of Ratepayer Advocates (ORA) a party to the proceeding?</b>	Yes	Verified
<b>b. Were there other parties to the proceeding with positions similar to yours?</b>	Yes	Verified
<b>c. If so, provide name of other parties:</b> DRA, TURN, CEERT, UCS, NRDC, LSSA, CalWEA, Bioenergy Association, Placer Co. APCD, and the three large electric IOUs.		Verified
<b>d. Intervenor’s claim of non-duplication:</b> This proceeding covers a wide variety of topics related to the state’s multifaceted RPS program. The Green Power Institute has been an active participant in the Commission’s RPS proceedings since the inception of the program, and is continuing these efforts in the present proceeding (R.15-02-020). The Green Power Institute coordinated its efforts in this proceeding with other parties in order to avoid duplication of effort, joined other parties for joint filings, and added significantly to the outcome of the Commission’s deliberations through our own unique perspective. Some amount of duplication has occurred in this proceeding on all sides of contentious issues, but Green Power avoided duplication to the extent possible, and tried to minimize it where it was unavoidable.		Verified

**C. Additional Comments on Part II`:**

<b>#</b>	<b>Intervenor’s Comment</b>	<b>CPUC Discussion</b>
		Ordering Paragraph 17 of the OIR for this proceeding (Issued March 06, 2015) transferred the record of R. 11-05-005 to this proceeding. We therefore may here award compensation to GPI for their participation in that proceeding.

**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>
The GPI is providing, in Attachment 2, a listing of all of the pleadings we provided in this Proceeding, R.15-02-020, and the predecessor RPS proceeding,	Verified

R.11-05-005, that are relevant to matters covered by this Claim, and a detailed breakdown of GPI staff time spent for work performed that was directly related to our substantial contributions to Decisions R.15-02-020, D.15-09-004, D.15-12-025, D.16-10-025, and D.16-12-040.

The hours claimed herein in support of Decisions R.15-02-020, D.15-09-004, D.15-12-025, D.16-10-025, and D.16-12-040 are reasonable given the scope of the Proceeding, and the strong participation by the GPI. GPI staff maintained detailed contemporaneous time records indicating the number of hours devoted to the matters settled by these Decisions in this case. In preparing Attachment 2, Dr. Morris reviewed all of the recorded hours devoted to this proceeding, and included only those that were reasonable and contributory to the underlying tasks. As a result, the GPI submits that all of the hours included in the attachment are reasonable, and should be compensated in full.

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.

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.

Ms. Whiddon is a highly capable energy-policy analyst. Ms. Whiddon has a Masters from Towson University, and has been working in the renewable energy field for almost a decade. Ms. Whiddon worked for 5 years for Washington Counsel / Ernst and Young, a Washington, D.C. based consulting and lobbying firm, and is now working on her own, including as an associate of the Green Power Institute.

Decision D.98-04-059 states, on pgs. 33-34, “Participation must be productive in the sense that the costs of participation should bear a reasonable relationship to the benefits realized through such participation. ... At a minimum, when the benefits are intangible, the customer should present information sufficient to justify a Commission finding that the overall benefits of a customer’s participation will exceed a customer’s costs.” This proceeding is concerned with both the development and management of the state’s RPS program. The ongoing efforts in the various RPS proceedings have overseen the implementation of the one of the state’s major environmental programs at minimal cost to ratepayers,

<p>saving millions of dollars annually in terms of reduced costs of compliance with state RPS and AB 32 compliance costs, and reduced pollution from fossil-fuel burning power plants. These cost reductions and environmental benefits overwhelm the cost of our participation in this proceeding.</p>															
<p><b>b. Reasonableness of hours claimed:</b></p> <p>The GPI made Significant Contributions to Decisions R.15-02-020, D.15-09-004, D.15-12-025, D.16-10-025, and D.16-12-040, by participating in working groups, and providing a series of Commission filings on the various topics that were under consideration in the Proceeding, and are covered by this Claim. Attachment 2 provides a detailed breakdown of the hours that were expended in making our Contributions. The hourly rates and costs claimed are reasonable and consistent with awards to other intervenors with comparable experience and expertise. The Commission should grant the GPI’s claim in its entirety.</p>	<p>Verified</p>														
<p><b>c. Allocation of hours by issue:</b></p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">1. RPS Program Expense Limitations</td> <td style="text-align: right;">20%</td> </tr> <tr> <td>2. RPS Data Confidentiality</td> <td style="text-align: right;">5%</td> </tr> <tr> <td>3. BioMAT Program</td> <td style="text-align: right;">10%</td> </tr> <tr> <td>4. RPS Procurement Plans</td> <td style="text-align: right;">25%</td> </tr> <tr> <td>5. RPS Calculator</td> <td style="text-align: right;">30%</td> </tr> <tr> <td>6. Emergency Proclamation re Tree Mortality</td> <td style="text-align: right;">5%</td> </tr> <tr> <td>7. Post-2020 Compliance and Procurement Reqs</td> <td style="text-align: right;">5%</td> </tr> </table>	1. RPS Program Expense Limitations	20%	2. RPS Data Confidentiality	5%	3. BioMAT Program	10%	4. RPS Procurement Plans	25%	5. RPS Calculator	30%	6. Emergency Proclamation re Tree Mortality	5%	7. Post-2020 Compliance and Procurement Reqs	5%	<p>Verified</p>
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**B. Specific Claim:\***

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
G. Morris	2012	29.5	245	D.13-05-009	7,228	29.5	245	\$7,227.50
G. Morris	2013	96.5	250	D.15-08-025	24,125	96.5	250	\$24,125.00
G. Morris	2014	88.0	270	D.15-08-025	23,760	88.0	270	\$23,760.00
G. Morris	2015	259.0	270	D.15-09-021	69,930	259.0	270	\$69,930.00
G. Morris	2016	93.5	275	D.16-06-049	25,713	93.5	275	\$25,712.50
V. Whiddon	2012	9.5	70	D.13-10-012	665	9.5	70	\$665.00
V. Whiddon	2013	10.0	75	D.15-10-018	750	10.0	75	\$750.00



**PROPOSED DECISION**

<b>Subtotal: \$152,170</b>						<b>Subtotal: \$152,170.00</b>		
<b>INTERVENOR COMPENSATION CLAIM PREPARATION **</b>								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate	Total \$
G. Morris	2016	28	137.50	½ rate for 2016	3,850	28	137.50	\$3,850.00
<b>Subtotal: \$ 3,850</b>						<b>Subtotal: \$3,850.00</b>		
<b>COSTS</b>								
#	Item	Detail			Amount	Amount		
	Postage	Postage for serving documents (see Attachment 2 for detail)			135	134.62		
<b>TOTAL REQUEST: \$156,155</b>						<b>TOTAL AWARD: \$156,154.62</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>								

**PART IV: OPPOSITIONS AND COMMENTS**

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

1. Green Power Institute has made a substantial contribution to Decisions 15-09-004, 15-12-025, 16-10-025, and 16-12-040.
2. The requested hourly rates for Green Power Institute’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 \$156,154.62.

**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 \$156,154.62.
2. Within 30 days of the effective date of this decision, Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company shall pay Green Power Institute their respective shares of the award, based on their California-jurisdictional 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 March 19, 2017, the 75<sup>th</sup> day after the filing of Green Power Institute's request, and continuing until full payment is made.
3. The comment period for today's decision is waived.
4. This decision is effective today.

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

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

<b>Compensation Decision:</b>		<b>Modifies Decision?</b>	
<b>Contribution Decision(s):</b>	D1509004, D1512025, D1610025, D1612040		
<b>Proceeding(s):</b>	R1502020		
<b>Author:</b>	ALJ Simon, ALJ Mason		
<b>Payer(s):</b>	Pacific Gas and Electric Company, Southern California Edison Company, San Diego Gas & Electric Company		

**Intervenor Information**

<b>Intervenor</b>	<b>Claim Date</b>	<b>Amount Requested</b>	<b>Amount Awarded</b>	<b>Multiplier?</b>	<b>Reason Change/Disallowance</b>
Green Power Institute	01/03/17	\$156,155.00	\$156,154.62	N/A	Miscalculated Costs

**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	GPI	\$245	2012	\$245
Gregg	Morris	Expert	GPI	\$250	2013	\$250
Gregg	Morris	Expert	GPI	\$270	2014	\$270
Gregg	Morris	Expert	GPI	\$270	2015	\$270
Gregg	Morris	Expert	GPI	\$275	2016	\$275
Victoria	Whiddon	Paralegal	GPI	\$70	2012	\$70
Victoria	Whiddon	Paralegal	GPI	\$75	2013	\$75

**(END OF APPENDIX)**