

Decision 19-01-040 January 31, 2019

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Investigation on the Commission's Own Motion into the Rates, Operations, Practices, Services and Facilities of Southern California Edison Company and San Diego Gas and Electric Company Associated with the San Onofre Nuclear Generating Station Units 2 and 3.

I.12-10-013
(Filed October 25, 2012)

And Related Matters.

A.13-01-016
A.13-03-005
A.13-03-013
A.13-03-014

**DECISION GRANTING COMPENSATION TO ALLIANCE
FOR NUCLEAR RESPONSIBILITY FOR SUBSTANTIAL
CONTRIBUTION TO DECISION 14-11-040**

Intervenor: Alliance for Nuclear Responsibility (A4NR)	For contribution to Decision (D.) 14-11-040
Claimed: \$794,824.12	Awarded: \$792,991.62
Assigned Commissioner: Michael Picker	Assigned ALJ: Darcie Houck

PART I: PROCEDURAL ISSUES:

A. Brief description of Decision:	D.14-11-040 approves settlement, as amended and restated by settling parties.
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B. Intervenor must satisfy intervenor compensation requirements set forth in Pub. Util. Code §§ 1801-1812:¹

	Intervenor	CPUC Verified
Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):		
1. Date of Prehearing Conference (PHC)	01/08/13	Verified

¹ All statutory references are to California Public Utilities Code unless indicated otherwise.

2. Other specified date for NOI:		
3. Date NOI filed:	02/06/13	Verified
4. Was the NOI timely filed?		Yes
Showing of customer or customer-related status (§ 1802(b)):		
5. Based on ALJ ruling issued in proceeding number:		A.10-01-022 Verified
6. Date of ALJ ruling:		7/2/2010 Verified
7. Based on another CPUC determination (specify):	D. 14-01-030	Verified
8. Has the Intervenor demonstrated customer or customer-related status?		Yes
Showing of “significant financial hardship” (§ 1802(g)):		
9. Based on ALJ ruling issued in proceeding number:	A.12-11-009	Verified
10. Date of ALJ ruling:	03/29/13	Verified
11. Based on another CPUC determination (specify):		
12. Has the Intervenor demonstrated significant financial hardship?		Yes
Timely request for compensation (§ 1804(c)):		
13. Identify Final Decision:	D.14-11-040	Verified
14. Date of issuance of Final Order or Decision:	11/25/14	Verified
15. File date of compensation request:	01/26/15	Verified
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).

Intervenor’s Claimed Contribution(s)	Specific References to Intervenor’s Claimed Contribution(s)	CPUC Discussion
1. A4NR recommends Commission clearly articulate that SCE has the burden of affirmatively	03/27/14 Phase 1 PD (Rev. 1), p. 26 – 31, relies on certain NRC documents and SCE testimony to establish “by a preponderance of the evidence” what SCE knew or should	Verified

<p>establishing by a preponderance of the evidence that its actions have been reasonable and that it is entitled to recover its expenditures as just and reasonable costs necessary for safe and reliable service. (12/07/12 Motion for Party Status, p. 1; 02/05/13 NOI Part II. A. statement; 02/25/13 Opening Brief on Legal Questions, p. 11; 06/28/13 Phase 1 Opening Brief, pp. 8 – 9, 27 – 28; 07/09/13 Phase 1 Reply Brief, pp. 19 – 20; 11/22/13 Phase 2 Opening Brief, p. 27).</p>	<p>have known; at p. 31 states that in Phase 3 “it is possible that some or all SGIR-related expenses may be found unreasonable;” at p. 36 states, “SCE did not show it analyzed alternatives or costs, or otherwise try to justify full operational mode and retention of all employees.” Without prejudging Phase 3, PD states “we cannot find the decision reasonable in 2012 because it was ill-considered, based on the Phase 1 record.”</p>	
<p>2. A4NR recommends reasonableness standard to be applied to SCE/SDG&E actions, as derived from prior Commission decisions (06/28/13 Phase 1 Opening Brief, pp. 6 – 8).</p>	<p>03/27/14 Phase 1 PD (Rev. 1), pp. 13 – 14, cites A4NR Opening Brief and referenced decisions in framing reasonableness standard. At p. 35 states, “A decision-making process which does not consider alternative actions, cost effectiveness, or the ratepayer’s perspective is not reasonable or prudent.”</p>	<p>Verified</p>
<p>3. A4NR recommends Commission aggressively apply §455.5 and other statutory authority rather than defer ratemaking to SCE’s and SDG&E’s next GRCs. (12/07/12 Motion for Party Status, pp. 2-4; 02/25/13 Opening</p>	<p>04/30/13 Assigned Commissioner’s and ALJ’s Ruling at pp. 9 – 11 and 15 – 17 rejects SCE/SDG&E retroactive ratemaking argument, broadly construes §455.5 and other authority. 07/31/13 Phase 2 Scoping Memo, p. 4 affirms ability of parties to cite “additional legal authority, complementary to §455.5, as a basis to remove assets from rate base, along with associated O&M costs.”</p>	<p>Verified Located references to the 4/30/13 Ruling and 7/31/13 Phase 2 Scoping Memo.</p>

<p>Brief on Legal Questions, pp. 2 – 11, 07/05/13 Reporter’s Transcript, pp. 105 – 106; 11/22/13 Phase 2 Opening Brief, pp. 2 – 8, 23 – 26; 12/13/13 Phase 2 Reply Brief, pp. 1 – 4, 9, 10;)</p>		
<p>4. A4NR rebuts SCE and SDG&E arguments that §362(a) and establishment of SONGS memorandum accounts limit scope of I.12-10-013 (03/07/14 Reply Brief on Legal Questions, pp. 3 – 7).</p>	<p>04/30/13 Assigned Commissioner’s and ALJ’s Ruling at pp. 10 – 11 and 15 -- 17 rejects SCE/SDG&E arguments regarding §362(a) and memorandum accounts.</p>	<p>Verified</p>
<p>5. A4NR seeks Commission direction to SDG&E that it has duty to monitor reasonableness of SCE’s conduct. (12/07/12 Motion for Party Status, p. 4; 02/05/13 NOI Part II. A. statement).</p>	<p>01/28/13 Scoping Memo, p. 8 directs SDG&E to “monitor SCE’s responses in this OII and to supplement them or challenge them based on its own obligation to ensure safe and reliable service.”</p>	<p>Verified</p>
<p>6. A4NR asks Commission to direct SCE and SDG&E to provide simultaneous data to all parties, post discovery responses on utility web sites, maximize public transparency (12/07/12 Motion for Party Status, pp. 5 – 6; 01/07/13 Opposition to Protective Order, pp. 2, 4 – 5; 01/22/13 Opposition to Motion to Seal, pp. 2 – 5, 9 – 11; 02/05/13 NOI Part</p>	<p>12/10/12 ALJ Ruling, p. 6, requires utilities to post testimony; 01/28/13 Scoping Memo directs posting of discovery responses and other materials, pp. 7 – 8, denies Motion for Protective Order and directs restrictive approach to redactions, pp. 9 – 10.</p>	<p>Verified</p>

<p>8. A4NR makes factual contention that proximate cause of outage is negligence by SCE and/or its contractors (02/05/13 NOI Part II. A. statement; 11/22/13 Phase 2 Opening Brief, pp. 9 – 11; 11/22/13 Motion for Official Notice, pp. 1 – 4)</p>	<p>04/30/13 Assigned Commissioner’s and ALJ’s Ruling, states “the Commission finds that SCE knew or should have known by March 15 that it was possible a potential design defect was present in both units and thus fault could become an issue to rate recovery.”</p> <p>D.14-11-040 states “We tend to agree” that settlement provisions regarding “disallowance of all SGRP costs, including CWIP, as of February 1, 2012, along with removal of Base Plant from rate base with reduced return” is “a ‘proxy’ for a finding of unreasonable actions by SCE in Phase 3.” (pp. 114 – 115)</p>	<p>Verified (04/30/13 Assigned Commissioner’s and ALJ’s Ruling)</p> <p>Verified D.14-11-040 (pp. 114 – 115).</p>
<p>9. A4NR recommends immediate removal of inoperative plant from rates (12/07/12 Motion for Party Status, pp. 1, 3 – 4; 02/25/13 Opening Brief on Legal Questions, p. 18; 03/07/14 Reply Brief on Legal Questions, pp. 7 – 9; 06/28/13 Phase 1 Opening Brief, pp. 2, 4 – 5, 28; 07/10/13 Response to ORA Motion, pp. 1 – 4, 6 – 7; 07/31/13 Response to SCE Motion, pp. 1 – 6; 07/31/13 Response to SDG&E Motion, pp. 1 – 3; 11/22/13 Phase 2 Opening Brief, pp. 11 – 19, 23 – 26; 12/13/13 Phase 2 Reply Brief, pp. 4 – 7).</p>	<p>04/30/13 Assigned Commissioner’s and ALJ’s Ruling states waiting for 2015 GRCs is “simply too long to tolerate ongoing ratepayer funding of two non-operational nuclear plants that have not provided electrical service for more than a year” (pp. 9 – 10), acknowledges that §455.5(e) may provide authority for review back to January 2012 (p. 17), and affirms authority to “immediately order equalizing refunds” if finally approved expenses are less than preliminarily approved revenue amounts (p. 18).</p> <p>03/27/14 Phase 1 PD (Rev. 1), p. 20, states, “A4NR rejects rate recovery for any 2012 SONGS-related expenses. As soon as SCE became aware of the extent of vibratory damage to the steam generator tubes in both units, A4NR argues that SCE should have decided to shut down permanently.”</p> <p>03/27/14 Phase 1 PD (Rev. 1), p. 43, states “we disagree that SONGS should be considered an ‘operating</p>	<p>Verified 04/30/13 Assigned Commissioner’s and ALJ’s Ruling.</p> <p>Verified 03/27/14 Phase 1 PD (Rev. 1), p. 20.</p> <p>Verified 03/27/14 Phase 1 PD (Rev. 1), p. 43 and p.59.</p> <p>Verified D.14-11-040, pp. 5 – 6.</p>

	<p>facility’ for all of 2012;” states at p. 59 “the Commission finds that SCE’s recorded rate base is excessive and should be reduced to reflect the changed conditions at the plant as the year progressed.”</p> <p>As described in D.14-11-040, pp. 5 – 6, “significant” features of approved settlement include: “As of February 1, 2012: (1) ratepayers stop paying for the Utilities’ investment in the shutdown RSGs; (2) SGRP capital-related revenue collected thereafter is refunded to ratepayers ... As of February 1, 2012, approximately \$1 billion of SCE’s non-SGRP investment in SONGS is removed from rate base and recovered at a reduced rate of return (less than 3% through 2014) and over an extended (10-year) amortization period; the net difference is estimated to be a reduction to the Utilities of approximately \$419 million, present value revenue requirement; (f)or 2012, SCE will ... not recover in rates approximately \$99 million spent in excess of the amount provisionally authorized in its 2012 General Rate Case.”</p> <p>D.14-11-040 also emphasizes “public benefit of hundreds of millions of dollars in imminent refunds to ratepayers” (p.118) and ironically declares, “The Commission places greater weight than A4NR on the matter of promptly restoring reasonable rates to ratepayers for safe and reliable service.” (p. 119)</p>	<p>Verified D.14-11-040 at p. 118-119.</p>
<p>10. A4NR makes factual contention that proper cost/benefit analysis by SCE</p>	<p>03/27/14 Phase 1 PD (Rev. 1), p. 20, characterizes A4NR position: “Based on SCE’s proffered evidence of what it knew, or should have</p>	<p>Verified 03/27/14 Phase 1 PD (Rev. 1), p. 20.</p>

	<p>As described in D.14-11-040, pp. 5 – 6, “significant” features of approved settlement include: “As of February 1, 2012: (1) ratepayers stop paying for the Utilities’ investment in the shutdown RSGs; (2) SGRP capital-related revenue collected thereafter is refunded to ratepayers ... As of February 1, 2012, approximately \$1 billion of SCE’s non-SGRP investment in SONGS is removed from rate base and recovered at a reduced rate of return (less than 3% through 2014) and over an extended (10-year) amortization period; the net difference is estimated to be a reduction to the Utilities of approximately \$419 million, present value revenue requirement; (f)or 2012, SCE will ... not recover in rates approximately \$99 million spent in excess of the amount provisionally authorized in its 2012 General Rate Case.”</p>	
<p>11. A4NR cautions against removing the D.12-05-004 seismic studies authorization from the SONGS revenue requirement (07/10/13 Response to ORA Motion, pp. 4 – 5).</p>	<p>03/27/14 Phase 1 PD (Rev. 1), p. 53 finds seismic studies are “not directly related to the operational status or relicensing of SONGS” and determines to leave previously approved ratemaking treatment intact.</p>	<p>Verified 03/27/14 Phase 1 PD (Rev. 1), p. 5.</p>
<p>12. A4NR criticizes Proposed Settlement’s omission of any treatment of Community Outreach and Emergency Preparedness, despite the strong recommendations in 03/27/14 Phase 1 PD (Rev. 1) (05/07/17</p>	<p>D.14-11-040 acknowledges omission (p. 107) and transfers the issue to A.13-11-003 (p. 108).</p>	<p>Verified</p>

<p>Opening Comments Opposing Proposed Settlement, pp. 36 – 38.</p>		
<p>13. A4NR argues that Proposed Settlement fails to address increase in CO₂ emissions caused by SONGS shutdown (05/07/17 Opening Comments Opposing Proposed Settlement, pp. 10 – 11, 13 – 14; 05/22/14 Reply Comments Opposing Proposed Settlement, pp. 9 – 10).</p>	<p>09/05/14 Assigned Commissioner’s and ALJs’ Ruling cites A4NR arguments and recommends shareholders fund research program of up to \$5 million per year for up to 5 years (pp. 8 – 10).</p> <p>09/23/2014 Amended and Restated Settlement (Attachment B to D.14-11-040) agrees to shareholder funding of program recommended by 09/05/14 Assigned Commissioner’s and ALJ’s Ruling. D.14-11-040, specifically citing A4NR argument, approves proposed research program as “in the public interest.” (pp. 119 – 122)</p>	<p>Verified</p> <p>09/05/14 Assigned Commissioner’s and ALJs’ Ruling.</p> <p>Verified</p> <p>D.14-11-040, p. 119-122.</p>
<p>14. A4NR challenges Proposed Settlement’s ratepayer/shareholder split of recoveries from Mitsubishi and NEIL, and establishes that neither ORA nor TURN performed any due diligence before agreeing to them. (05/07/14 Opening Comments Opposing Proposed Settlement, pp. 31 – 36; 05/22/14 Reply Comments Opposing Proposed Settlement, pp. 3 – 5).</p>	<p>09/05/14 Assigned Commissioner’s and ALJs’ Ruling states that formula for recoveries from Mitsubishi “unfairly favors shareholders over ratepayers” and recommends revision to 50/50 split, recommends revised split of recoveries from NEIL Outage Policy to 95% ratepayers/5% shareholders (p. 7).</p> <p>09/23/2014 Amended and Restated Settlement (Attachment B to D.14-11-040) modifies sharing formulae as requested by 09/05/14 Assigned Commissioner’s and ALJ’s Ruling. D.14-11-040, which approves 09/23/2014 Amended and Restated Settlement, notes at p. 106 that changes are consistent with A4NR suggestions.</p>	<p>Verified</p> <p>09/05/14 Assigned Commissioner’s and ALJs’ Ruling.</p> <p>Verified</p> <p>D.14-11-040, which approves 09/23/2014 Amended and Restated Settlement, at p. 106.</p>
<p>15. A4NR criticizes Proposed Settlement’s provision limiting Commission review of utility settlements of</p>	<p>09/05/14 Assigned Commissioner’s and ALJ’s Ruling states, “We find these current provisions vague, limited and not currently in the public interest. Therefore, we</p>	<p>Verified</p> <p>09/05/14 Assigned Commissioner’s and ALJ’s Ruling.</p>

<p>claims against Mitsubishi or NEIL and liquidation of nuclear fuel and M&S inventory, (05/07/14 Opening Comments Opposing Proposed Settlement, pp. 36, 52 – 53).</p>	<p>request the Settling Parties modify ¶ 6.1 and ¶ 6.2 to require the Utilities to identify and support the detailed numbers and calculations used to reach the revised revenue requirements requested (p. 12).</p> <p>09/23/2014 Amended and Restated Settlement (Attachment B to D.14-11-040) modifies Commission review provisions as requested by 09/05/14 Assigned Commissioner’s and ALJ’s Ruling. D.14-11-040, which approves 09/23/2014 Amended and Restated Settlement, states at pp. 107, 124 – 125 that amended ¶4.11(g)(ii) and new ¶4.11(i) are “sufficient to confirm our authority to obtain and review supporting documentation of the resolution of the pending litigation and the impact on revenue requirement.”</p> <p>D.14-11-040, specifically citing nuclear fuel and M&S inventory provisions as examples (pp. 127 – 128), invokes §451 authority to bolster Commission review: “A4NR contends ‘the feeble enforcement clause of Section 6.1’ is a ‘profoundly inadequate substitute for Commission oversight,’ particularly for resource-strapped TURN and ORA. We agree the original language gave the appearance of diminishing the Commission’s duty and capability of oversight to confirm the Utilities’ compliance with our decision. Such a result does not serve the public interest. Settling Parties did not make any changes to this provision of the Agreement. Therefore, we explicitly affirm our authority to seek additional documentation of calculations in the Revised Tariff</p>	<p>Verified</p> <p>D.14-11-040, which approves 09/23/2014 Amended and Restated Settlement, states at pp. 107, 124 – 125.</p> <p>Verified</p> <p>D.14-11-040 (pp. 127 – 128).</p>
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	Sheets described in ¶6.1, and expressly include it in Ordering Paragraph number 3.” (p. 128)	
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B. Duplication of Effort (§ 1801.3(f) and § 1802.5):

	Intervenor’s Assertion	CPUC Discussion
a. Was the Public Advocate’s Office at the California Public Utilities Commission (Cal Advocates) a party to the proceeding? ²	Yes	Yes
b. Were there other parties to the proceeding with positions similar to yours?	Yes	Yes
c. If so, provide name of other parties: Cal Advocates, TURN, Friends of the Earth (FOE), World Business Academy (WBA), Women’s Energy Matters (WEM), Coalition to Decommission San Onofre (CDSO), Ruth Henricks		Verified
d. Intervenor’s claim of non-duplication: A4NR continuously coordinated (through telephone calls, email and private conversations) its efforts with the above parties, and addressed different issues or adopted a differing perspective from them. This loose “coalition” approach worked during the hearings and briefing stages of the proceeding to attempt to counter the massively larger legal resources mobilized by SCE and SDG&E, which included several distinguished lawyers from Munger Tolles & Olson. Ultimately, most of the above parties embraced the settlement and several (including A4NR) did not. The Phase 1 PD, the various rulings throughout the proceeding, and the PD and Final Decision approving the settlement make clear that A4NR’s position on multiple issues was readily distinguishable from those of ORA and the other intervenors.		Noted

C. Additional Comments on Part II:

#	Intervenor’s Comment	CPUC Discussion
General	A4NR has excluded from Part II any discussion of its contribution in Phase 1A, since	We confirm this comment at p. 12 of the 1/27/15 Intervenor Compensation Claim of the Alliance for Nuclear Responsibility.

² The Office of Ratepayer Advocates (ORA) was renamed the Public Advocate’s Office at the California Public Utilities Commission (Cal Advocates), pursuant to Senate Bill No. 854, which the Governor approved on June 27, 2018.

	the approved settlement rejected the methodology for replacement power adopted in the Phase 1 PD. A4NR was a major participant in Phase 1A and, along with TURN, advocated a replacement power methodology in its Phase 1A Opening Brief and Phase 1A Reply Brief virtually identical to that adopted by the Phase 1 PD.	
8	Avoidance of a Commission determination of prudence issues was a cornerstone of the settlement and an obvious utility negotiating priority.	Verified
9, 10	February 1, 2012 date for removal of steam generators entirely from rates and base plant from rate base was a cornerstone of the settlement.	We confirm the comment that the February 1, 2012 date for removal of steam generators entirely from rates and base plant from rate base was included in D.14-11-040 at p. 137.
13	\$25 million research program was effectively made a condition of Commission approval of the settlement by Assigned Commissioner and ALJs Ruling	We confirm the comment that a \$25 million research program was included in D.14-11-040 at p.121.
14	Revision to sharing formulae was effectively made a condition of Commission approval of the settlement by Assigned Commissioner and ALJs Ruling.	We confirm the comment that a sharing formula was included in D.14-11-040 at p. 6.

PART III: REASONABLENESS OF REQUESTED COMPENSATION:

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

a. Intervenor’s claim of cost reasonableness: A4NR aggressively litigated this case and its efforts were seminal to the proceeding’s ultimate outcome. Its Motion for Party Status proved prescient, criticizing SCE’s “apparent unwillingness to insist upon r-e-p-l-a-c-e-m-e-n-t of the defective steam	<u>CPUC Discussion</u>
	We have reviewed D.14-11-040 and determined that A4NR contributed to the specific outcomes noted: 1) \$189.9

<p>generators” and observing, “A4NR recognizes the likely unforgiving economics of major repairs to a crippled SONGS at this late point in its operating license, but fish-or-cut-bait decisions are core responsibilities of highly compensated corporate management.” (p. 3) This perspective foreshadowed SCE’s closure of the plant some 18 months later and subsequent arbitration claim against MHI.</p> <p>Based upon the contributions identified in Part II above, A4NR quantifies the ratepayer benefits its pre-settlement participation achieved as: 1) removal from rates of \$917.7 million of SG net investment as of 2/1/12; 2) exclusion of \$99 million in 2012 incremental SG inspection and repair costs; 3) removal of Base Plant from rate base as of 2/1/12 rather than 11/1/12 (as TURN advocated in Phase 2), a difference of approximately \$31.5 million (9 months divided by 120 months multiplied by \$419 million) or \$55.9 million (16 months divided by 120 months multiplied by \$419 million) when compared to the 6/1/13 date advocated by SCE and SDG&E. These are benefits rightfully attributable to all of the parties identified in Part II B. c. above.</p> <p>Despite declining to join the settlement, A4NR directly contributed the following quantifiable ratepayer benefits through its role in prompting the modifications recommended by the 09/05/14 Assigned Commissioner’s and ALJ’s Ruling: 1) \$189.9 million in greater ratepayer share of the first \$1 billion in any recovery from MHI; 2) \$37.5 million in greater ratepayer share of the first \$300 million in any recovery under the NEIL outage policy; and 3) the \$25 million shareholder-funded research program on climate change.</p> <p>These quantifiable ratepayer benefits are many, many multiples of A4NR’s intervenor compensation claim. In addition, A4NR suspects that its hourly rates compare quite favorably to those charged SCE by Munger Tolles & Olson which will ultimately be passed through to ratepayers.</p>	<p>million in greater ratepayer share of the first \$1 billion in any recovery from MHI; 2) \$37.5 million in greater ratepayer share of the first \$300 million in any recovery under the NEIL outage policy; and 3) the \$25 million shareholder-funded research program on climate change.</p>
<p>b. Reasonableness of hours claimed: I.12-10-013 was an exceptionally complex</p>	<p>We have reviewed the record in I.12-10-013 and confirm that</p>

<p>proceeding of unusual importance, due to both the extraordinary financial impact on ratepayers as well as the potentially precedent-setting Commission decisions stemming from a severely damaged nuclear plant. A4NR’s founding purpose is focused on state regulation of California’s nuclear plants. Accordingly, we committed the substantial majority of our resources between 2012 and 2014 to addressing the SONGS closure. A4NR rigorously participated in every aspect of I.12-10-013, engaged in extensive preparation to help develop a full evidentiary record, coordinated effectively with other parties sharing a similar viewpoint on particular issues, and organized our efforts internally to maximize efficiency and minimize redundancy. The magnitude of ratepayer benefit conservatively attributable to these efforts validates the reasonableness of the hours invested by A4NR.</p>	<p>A4NR among other parties contributed to the outcome of the proceeding.</p>
<p>c. Allocation of hours by issue: Phase 1 issues: 49% Phase 2 issues: 29% Phase 3-4 issues: 20% General: 2%</p> <p>Although I.12-10-013 settled before the formal commencement of Phase 3, the indisputable role which prudence questions provided as an impetus to settlement (as well as the number of issues transferred by the ALJs to Phase 3 during the Phase 1 and 2 hearings) enhances the value of A4NR’s advance preparation on these topics.</p>	<p>Noted</p>

B. Specific Claim:*

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
John Geesman	2012	159.98	\$545.00	D.14-01-030	\$79,014.10	159.98	\$545.00	\$87,189.10 [A]
	2013	821.85	\$555.00	Res. ALJ-287	\$456,126.75	821.85	\$555.00	\$456,126.75
	2014	266.05	\$575.00	Res. ALJ-303	\$152,978.75	247.90 [B]	\$575.00	\$142,542.50
Rochelle	2011	1.55	\$125.00	D.14-01-030	\$193.75	1.55	\$125.00	\$193.75

Becker	2012	136.77	\$130.00	D.14-01-030	\$17,780.10	138.42 [C]	\$130.00	\$17,994.60
	2013	273.03	\$135.00	Res. ALJ-287	\$36,859.05	271.28 [D]	\$135.00	\$36,662.80
	2014	82.85	\$140.00	Res. ALJ-303	\$11,599.00	84.10 [E]	\$140.00	\$11,774.00
David Weisman	2012	36.28	\$80.00	D.14-01-030	\$2,902.40	36.28	\$80.00	\$2,902.40
	2013	61.25	\$80.00	Res. ALJ-287	\$4,900.00	61.25	\$80.00	\$4,900.00
	2014	18	\$85.00	Res. ALJ-287	\$1,530.00	18.30 [F]	85.00 ³	\$1,555.50
<i>Subtotal:</i> \$764,190.15						<i>Subtotal:</i> \$761,841.40		
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 \$
Rochelle Becker travel	2012	43.51	\$65.00	50% rate	\$2,828.15	43.51	\$65.00	\$2,828.15
	2013	33	\$67.50	50% rate	\$2,227.50	33.00	\$67.50	\$2,227.50
	2014	10	\$70.00	50% rate	\$700.00	10.00	\$70.00	\$700.00
David Weisman travel	2012	16	\$40.00	50% rate	\$640.00	16	\$40.00	\$640.00
	2013	20	\$42.50	50% rate	\$850.00	20	\$40.00 [H]	\$800.00
John Geesman travel	2012	15	\$272.50	50% rate	\$4,087.50	15	\$272.50	\$4,087.50
<i>Subtotal:</i> \$11,333.15						<i>Subtotal:</i> \$11,283.15		
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate	Total \$
John Geesman	2015	37.75	\$272.50	50% 2014 rate pending COLA for 2015 ⁴	\$10,286.88	37.75	\$287.50 ⁴ [G]	\$10,853.13
David Weisman	2015	8.5	\$42.50 ⁴	50% 2014 rate pending COLA for 2015 ⁵	\$361.25	8.5	\$42.50	\$361.25
<i>Subtotal:</i> \$10,648.13						<i>Subtotal:</i> \$ 11,214.38		

³ Application of Resolution ALJ-303 (2014 Cost of Living Adjustment).

⁴ Application of Resolution ALJ-308 (Declined to determine a 2015 Cost of Living Adjustment).

⁵ Ibid

COSTS				
#	Item	Detail	Amount	Amount
1	Becker/Weisman travel expenses	See Attachment	\$7,799.02	\$7,799.02
2	Geesman travel expenses	See Attachment	\$853.67	\$853.67
		<i>Subtotal:</i>	\$8,652.69	<i>Subtotal:</i> \$8,652.69
TOTAL REQUEST: \$794,824.12			TOTAL AWARD: \$792,991.62	
<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>				
ATTORNEY INFORMATION				
Attorney	Date Admitted to CA BAR ⁶	Member Number	Actions Affecting Eligibility (Yes/No?) If “Yes”, attach explanation	
John Geesman	June 1977	74448	No	

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

Attachment or Comment #	Description/Comment
1	Certificate of Service
2	John Geesman time records
3	Geesman hours spreadsheet verification
4	Rochelle Becker time spreadsheet
5	David Weisman time spreadsheet
6	Becker/Weisman travel and lodging receipts
7	Geesman travel and lodging receipts

D. CPUC Disallowances and Adjustments:

⁶ This information may be obtained through the State Bar of California’s website at <http://members.calbar.ca.gov/fal/MemberSearch/QuickSearch> .

Item	Reason
[A]	Mathematical error on 2012 time records for Geesman.
[B]	247.90 reported 2014 hours for Geesman.
[C]	138.42 reported 2012 hours for Becker.
[D]	271.28 reported 2013 hours for Becker.
[E]	84.10 reported 2014 hours for Becker.
[F]	18.30 reported 2014 hours for Weisman.
[G]	50% of 2015 rate for Geesman is \$287.50 (\$575.00 per hour regular).
[H]	50% of 2013 rate for Weisman is \$40.00 (\$80.00 per hour regular).

PART IV: OPPOSITIONS AND COMMENTS

(Within 30 days after service of this Claim, Commission Staff or any other party may file a response to the Claim (*see* § 1804(c)))

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

FINDINGS OF FACT

1. Alliance for Nuclear Responsibility has made a substantial contribution to D.14-11-040.
2. The requested hourly rates for Alliance for Nuclear Responsibility’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 \$792,991.62.

CONCLUSION OF LAW

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

ORDER

1. Alliance for Nuclear Responsibility is awarded \$ 792,991.62.
2. Within 30 days of the effective date of this decision, Southern California Edison Company ratepayers, and San Diego Gas and Electric Company ratepayers shall pay

Alliance for Nuclear Responsibility their respective shares of the award, based on their California-jurisdictional electric revenues for the 2013 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 April 12, 2015, the 75th day after the filing of Alliance for Nuclear Responsibility'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 January 31, 2019, at Sacramento, California.

MICHAEL PICKER
President
LIANE M. RANDOLPH
MARTHA GUZMAN ACEVES
CLIFFORD RECHTSCHAFFEN
GENEVIEVE SHIROMA
Commissioners

APPENDIX

Compensation Decision Summary Information

Compensation Decision:	D1901040	Modifies Decision?	No
Contribution Decision(s):	D1411040		
Proceeding(s):	I1210013, A1301016, A1303005, A1303013, A1303014		
Author:	ALJ Darcie Houck		
Payer(s):	Southern California Edison Company ratepayers and San Diego Gas and Electric Company ratepayers.		

Intervenor Information

Intervenor	Claim Date	Amount Requested	Amount Awarded	Multiplier?	Reason Change/Disallowance
A4NR	01/26/2015	\$794,824.12	\$792,991.62	N/A	Difference in reported hours, mathematical errors.

Advocate Information

First Name	Last Name	Type	Intervenor	Hourly Fee Requested	Year Hourly Fee Requested	Hourly Fee Adopted
John	Geesman	Attorney	A4NR	\$545.00	2012	\$545.00
John	Geesman	Attorney	A4NR	\$555.00	2013	\$555.00
John	Geesman	Attorney	A4NR	\$575.00	2014	\$575.00
John	Geesman	Attorney	A4NR	\$575.00	2015	\$575.00
Rochelle	Becker	Expert	A4NR	\$125.00	2011	\$125.00
Rochelle	Becker	Expert	A4NR	\$130.00	2012	\$130.00
Rochelle	Becker	Expert	A4NR	\$135.00	2013	\$135.00
Rochelle	Becker	Expert	A4NR	\$140.00	2014	\$140.00
David	Weisman	Expert	A4NR	\$80.00	2012	\$80.00
David	Weisman	Expert	A4NR	\$80.00	2013	\$80.00
David	Weisman	Expert	A4NR	\$85.00	2014	\$85.00
David	Weisman	Expert	A4NR	\$85.00	2015	\$85.00

(END OF APPENDIX)