

Decision 19-02-020 February 21, 2019

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Southern California Edison Company (U338E) for Approval of its Energy Savings Assistance and California Alternate Rates for Energy Programs and Budgets for Program Years 2015-2017.

Application 14-11-007

And Related Matters.

Application 14-11-011  
 Application 14-11- 010  
 Application 14-11- 009

**DECISION GRANTING COMPENSATION TO THE GREENLINING INSTITUTE FOR SUBSTANTIAL CONTRIBUTION TO DECISIONS D.16-11-022, D.16-04-040, D.15-12-047, AND D.17-12-009**

<b>Intervenor:</b> The Greenlining Institute	<b>For contribution to Decision</b> (D.) 16-11-022, D.16-04-040, D.15-12-047, and D. 17-12-009
<b>Claimed:</b> \$75,604.00	<b>Awarded:</b> \$74,634.00
<b>Assigned Commissioner:</b> Clifford Rechtschaffen	<b>Assigned ALJ:</b> W. Anthony Colbert

**PART I: PROCEDURAL ISSUES:**

<p>A. Brief description of Decision:</p>	<p>D.17-12-009, <i>Decision Resolving Petitions for Modification of Decision 16-11-022</i>, the Commission grants, in part, and denies, in part, two Petitions for Modification of D.16-11-022 in it adopted budgets and program directives for the investor-owned energy utilities’ (IOUs) administration and participation in the California Alternate Rates for Energy (CARE) and Energy Savings Assistance (ESA) Programs for 2017 through 2020.</p> <p>D.16-11-022, <i>Decision on Large Investor-Owned Utilities’ California Alternate Rates for Energy (CARE) and Energy Savings Assistance (ESA) Program Applications</i>, the Commission authorized CARE and ESA Program activities and budgets for Pacific Gas and Electric Company (PG&amp;E), Southern California Edison Company (SCE), San Diego Gas &amp; Electric Company (SDG&amp;E), and Southern California Gas Company (SoCalGas) for program years 2017 through 2020. The Commission authorized mid-cycle activities, including the continuation of several working groups created pursuant to D.12-08-044 to help create a guidance document for the next program cycle of the ESA Program. (Final Decision)</p> <p>D.16-04-040, <i>Decision Adopting Measures in Response to the Aliso Canyon Natural Gas Leak Emergency</i>, the Commission directed SoCalGas and SCE to intensify their ESA Program efforts in the geographic regions most impacted by the gas leak. (Aliso Canyon Decision)</p> <p>D.15-12-047, <i>Interim Decision on the Community Help and Awareness of Natural Gas and Electricity Services Pilot Program, the Ongoing Program, and Related Funding</i>, the Commission approved the establishment of the Community Help and Awareness of Natural Gas and Electricity Services (CHANGES) program as an ongoing program. (CHANGES Decision)</p>
--	---

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):	2/20/2015	Verified

2. Other specified date for NOI:		
3. Date NOI filed:	3/23/2015	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:	R.10-02-005	Incorrect. See CPUC Discussion in Part I(C), below.
6. Date of ALJ ruling:	3/29/2010	Incorrect. See CPUC Discussion in Part I(C), below.
7. Based on another CPUC determination (specify):	n/a	ALJ Ruling on the Greenlining Institute's showing of significant financial hardship issued on February 19, 2015, in R.14-10-003 found the Greenlining eligible to claim intervenor compensation.
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:	n/a	See CPUC Discussion in Part I(C).
10. Date of ALJ ruling:	n/a	See CPUC Discussion in Part I(C), below.
11. Based on another CPUC determination (specify):	See Sec. C, comment #1	ALJ Ruling on the Greenlining Institute's showing of significant financial hardship issued on February 19, 2015, in R.14-10-003 found the Greenlining eligible to claim intervenor compensation.
12. Has the Intervenor demonstrated significant financial hardship?		Yes
Timely request for compensation (§ 1804(c)):		

13. Identify Final Decision:	D.17-12-009	Verified
14. Date of issuance of Final Order or Decision:	12/20/2017	Verified
15. File date of compensation request:	2/20/2018	02/16/2018
16. Was the request for compensation timely?	Yes	

C. Additional Comments on Part I:

#	Intervenor’s Comment(s)	CPUC Discussion
1	<p>In its NOI, Greenlining requested a ruling on its Showing of Significant Financial Hardship. To date, ALJ Colbert has not decided on this request.</p> <p>Greenlining is an organization authorized in its Articles of Incorporation to represent the interests of both residential and small telecommunication customers, with particular focus on low-income and of-color communities and customers. A copy of Greenlining’s Articles of Incorporation was previously filed with the Commission in R.10-02-005 (as an attachment to our NOI, filed March 5, 2010). As such, Greenlining is a Category 3 customer as defined in D.98-04-059.</p> <p>Greenlining qualifies as a Category 3 customer. It passes the “comparison test” by demonstrating that the economic interest of its members and constituencies in the CARE/ESAP proceeding is relatively small compared to the cost of its effective participation.</p> <p>In this proceeding, Greenlining worked to ensure that the ESA program continues to provide customers with health, safety, and comfort services, as well as energy-saving measures to lower customer bills and help both the Commission and the customers to manage increasing energy-related expenses due to the Aliso Canyon gas leak and the</p>	<p>An ALJ’s Ruling on the Greenlining Institute’s showing of significant financial hardship issued on February 19, 2015, in R.14-10-003 found that the Greenlining is eligible to claim intervenor compensation. The finding was made based on the standards set in Section 1802(h). Pursuant to Section 1804(b)(a),</p> <p style="padding-left: 40px;">A finding of significant financial hardship shall create a rebuttable presumption of eligibility for compensation in other commission proceedings commencing within one year of the date of that finding.</p> <p>Pursuant to these provisions, the February 19, 2015 ruling created a valid rebuttable presumption of the intervenor’s eligibility in this proceeding.</p> <p>A ruling of March 29, 2010 referenced by the Greenlining in Part I(1-8), above is inapplicable for several reasons. First, the ruling did not make a finding based on Section 1802(h); instead, it relied on the earlier finding made in D.09-12-043, which, in turn, relied on the earlier finding. Second, this proceeding started more than a year after the year 2010. Under Section 1804(b)(a), a finding, if any,</p>

<p>impact of the recent Rate Reform. Such savings will accrue to customers each month, a few dollars at a time. Customers who lack the technical and procedural experience to effectively participate at the CPUC are unlikely to do so for their own individual interests, as the cost to do so would be significantly higher than the dollars they would save. These are customers who may otherwise go unrepresented but for Greenlining’s participation. Thus, Greenlining asserts that it has successfully demonstrated significant financial hardship as appropriate for a Category 3 customer.</p>	<p>of eligibility made more than a year prior to the commencement of this proceeding would not be applicable to the Greenlining’s eligibility in this proceeding.</p> <p>Since the February 19, 2015 ruling created a valid rebuttable presumption of the Greenlining’s eligibility in this proceeding, this Decision does not examine the Greenlining’s customer status and significant financial hardship.</p>
---	--

**PART II: SUBSTANTIAL CONTRIBUTION:**

A. Did the Intervenor substantially contribute to the final decision (*see* § 1802(i), § 1803(a), and D.98-04-059).

Intervenor’s Claimed Contribution(s)	Specific References to Intervenor’s Claimed Contribution(s)	CPUC Discussion
<p>1. <u>CHANGES</u>: Greenlining urged the Commission to secure the Community Help and Awareness of Natural Gas and Electricity Services Pilot’s (CHANGES) budget and approve the transition of this pilot as an ongoing statewide program. The CHANGES program is funded through CARE and provides outreach, education, and bill issue assistance on natural gas and electricity bills and services to limited English proficient (LEP) consumers in the language of their choice through a statewide network of community-based organizations</p>	<p>Greenlining Opening Comments on CHANGES, 12/7/15; Reply Comments, 12/14/15.</p> <p>D.15-12-047 approved the establishment of CHANGES. D.16-11-022 reaffirmed it, Conclusion of Law 10; Order 183-184.</p>	<p>Verified</p>

<p>(CBOs). The CHANGES Decision, D.15-12-047, made CHANGES an ongoing statewide program, effective January 1, 2016. However, until a long-term Commission funding source can be established it will be funded as a reimbursement from the CARE Program. This is reaffirmed by the Final Decision.</p>		
<p>2. <u>ESAP RULES:</u></p> <p>a. 3 Measure Minimum Rule</p> <p>Greenlining advocated in favor of eliminating the 3MM Rule, arguing that the rule was an outdated attempt at achieving cost effectiveness. Because we have better CE tools today, Greenlining argued in favor of eliminating the Rule entirely. At a minimum, and even if the Commission eliminated the 3MM rule, Greenlining argued that energy education should be included for all eligible customers.</p> <p>b. Go Back Rule</p> <p>Greenlining supported proposals to modify or eliminate the Go-Back Rule to allow treatment of previously treated homes, as long as homes that have never been treated at all remain a priority.</p>	<p>Greenlining’s Protest, p. 4; Greenlining’s Responses to Additional Questions Regarding CARE and ESA Programs, pp. 1-2; Greenlining’s Opening Brief, pp. 1-2.</p> <p>D.16-11-022 eliminated the 3MM Rule and ordered that energy education be provided for all eligible customers, pp. 79-84; Order 10-12.</p> <p>Greenlining’s Responses to Additional Questions Regarding CARE and ESA Programs, p. 2.</p> <p>D.16-11-022 eliminated the Go-Back Rule and authorized treatment of previously treated homes. (p. 66)</p>	<p>Verified</p> <p>Verified</p>

<p>Greenlining also argued that customers with the highest energy burdens or who are the most energy insecure should be prioritized for re-treatment if the Go-Back rule is eliminated or modified. Greenlining argued that new measures and measures that were refused by previous tenants should be prioritized wherever possible in re-treated homes.</p> <p>Greenlining advocated for the APD’s elimination of the Go-Back Rule, as preferable to the PD’s proposal to modify the rule but largely stay the course.</p>	<p>Greenlining’s Opening Comments on PD and APD, p. 2.</p> <p>In eliminating the Go-Back Rule, D.16-11-022 ordered the utilities to first target higher need customers for re-treatment, but without limiting eligibility for other customers, p. 66.</p> <p>Greenlining’s Protest, p. 7; Opening Comments on PD and APD, p. 3.</p>	<p>Verified</p>
<p>3. <u>WILLINGNESS TO PARTICIPATE FACTOR</u></p> <p>Greenlining argued that the utilities’ proposed WTP factors and the LINA’s 52% Unwillingness Factor are inappropriate to adopt, and the IOUs should address known barriers to participation before the percentage of customers who are truly unwilling or unable to participate can be properly calculated. Greenlining also argued that new water-energy</p>	<p>Greenlining’s Protest, p. 4; Greenlining’s Responses to Additional Questions Regarding CARE and ESA Programs, pp. 2-3; Opening Brief, pp. 2-3; Reply Brief, pp. 1-2.</p> <p>D.16-11-022 agreed with Greenlining and stated the 2013 LINA’s finding that barriers must be addressed before the Willingness to Participate factor can be properly determined, pp. 256-258. It also notes that elimination of the Go-Back and 3MM Rules will</p>	<p>Verified</p>

<p>measures could prompt previously unwilling customers and landlords to participate.</p>	<p>increase interest in participation among previously ineligible customers. The D.16-11-022 adopted a “willing and feasible to participate” standard and sets that target at 60%, p. 270.</p>	
<p><u>4. COST-EFFECTIVENESS</u></p> <p>Greenlining supported the Cost Effectiveness (CE) Working Group White Paper and Addendum generally but expressed concerns that the ESACET and Resource Measure TRC tests did not properly consider and value health, safety and comfort benefits. Such benefits are not only a Commission priority but a statutory requirement, and Greenlining argued that they must be protected in cost effectiveness calculations.</p> <p>Greenlining argued that measures first must be sorted into energy and non-energy categories, before any cost-effectiveness test can be applied to energy measures.</p>	<p>Greenlining’s Comments on CE Working Group Recommendations, pp. 2-3; Reply Comments on PD and APD, p. 3.</p> <p>D.16-11-022 found that the CE Working Group needs to refine the ESACET to properly reflect the ESA program’s dual goals of energy efficiency savings and health, safety and comfort improvements. The Commission ordered the CE Working Group to continue working on this and other specific tasks, and propose a schedule for completing its work, pp. 217-221.</p> <p>Greenlining’s Comments on CE Working Group Recommendations, pp. 3-4; Greenlining’s Reply Brief, p. 9; Greenlining’s Reply Comments on PD and APD, p. 3.</p> <p>D.16-11-022 agrees that measures must be sorted into resource and non-resource categories and agreed that the Working Group still needed to complete this task before finalizing its cost effectiveness tests, pp. 217-221.</p>	<p>Verified</p> <p>Verified</p>
<p><u>5. ME&amp;O</u></p> <p>Greenlining opposed the utilities’ request for local</p>	<p>Greenlining Opening Brief, p. 3-8;</p>	

<p>ME&amp;O funding because the applications failed to identify a consistent way of tracking and measuring the impact of the IOUs' M&amp;O efforts. Greenlining stated that there has been very little evidence that M&amp;O has had any success related to enrollment of eligible customers. Greenlining urged the Commission to create objectives and metrics to track the utilities' ME&amp;O budget and program implementation.</p> <p>Greenlining also recommended clarifying the ESAP statewide ME&amp;O plan across all program administrators and for now, reject all of the IOUs' requested statewide ME&amp;O budget requests.</p>	<p>Greenlining Reply Brief, pp. 3-9.</p> <p>D.16-11-022 rejected the IOUs' request for increased ME&amp;O funding. The Commission directed the IOUs to provide more detailed M&amp;O plans, as well as further clarification for their budget requests. The IOUs are limited to the low-income marketing budgets to no more than the annualized amounts that were approved for 2012 – 2014, or to 110% of the maximum annual, actual expenditures during that period, p.164.</p> <p>Greenlining Opening Brief, p. 3-8; Greenlining Reply Brief, pp. 3-9.</p> <p>D.16-11-022 found no justification for Statewide ME&amp;O funding and concluded that all statewide ESA Program ME&amp;O efforts should be included in the D.16-03-029 decision (Statewide ME&amp;O Proceeding), rather than the present proceeding, p.166.</p>	<p>Verified</p> <p>Verified</p>
<p>6. <u>STUDIES</u></p> <p>a. <u>LINA</u></p> <p>Greenlining collaborated with CfortAT and focused on making sure that the LINA identifies the most beneficial programs for low-income residents.</p> <p>b. <u>Energy Education Study Phase II</u></p> <p>Greenlining opposed the utilities' funding request for a Phase II Energy Education study.</p>	<p>See Greenlining's Public Comments on LINA Research Plan Draft, 2/5/2016.</p> <p>D.14-08-030 stated the required issue areas that the LINA study must cover.</p> <p>Greenlining's Opening Brief, p.8.</p>	<p>Verified</p>

<p>Greenlining pointed out and recognized the inconsistencies across the IOUs with respect to the existing delivery models for in-home energy education as well as planned implementation strategies for Phase 1 recommendations.</p>	<p>D.16-11-022 acknowledged Greenlining’s concerns relating to the inconsistencies across the IOUs with respect to the existing delivery models for in-home energy education as well as planned implementation strategies for Phase 1 recommendations. As such, it denied the requested budget of \$350,000 for a subsequent (Phase II) Study.</p>	<p>Verified</p>
<p>7. <u>PILOTS</u></p> <p>1. MCE</p> <p>Greenlining supported MCE’s LIFT pilot and offered modifications including, among others, recommendations to ensure that no ESA Program funds be spent on Health and Safety upgrades, to ensure robust reporting, to demonstrate the efficacy of energy education, to ensure details are provided for CBO engagement, and to create an advisory board for the pilot.</p> <p>2. Undocumented Residents</p> <p>Greenlining opposed SCG’s proposal to conduct a regional study of undocumented residents’ trust barriers, in relation to enhancing ESA or CARE Program participation. The study includes interviewing</p>	<p>Greenlining, Opening Brief, p.16. D.16-11-022 approves MCE’s pilot, Order 198.</p> <p>Greenlining’s Protest, p. 7; Greenlining’s Rebuttal Testimony, p.2.</p> <p>D.16-11-022 direct that this work be rolled into the scope of the next LINA study, rather than approve it as a separate study, p.226.</p>	<p>Verified</p> <p>Verified</p>

<p>undocumented residents to inform SoCalGas' marketing and outreach to this customer segment. The projected cost is estimated at approximately \$40,000 based on a \$20 per minute in-depth interview, funded from both CARE and ESA Programs. SoCalGas proposes enough funding to conduct approximately 24 in-depth interviews that would each last 60 minutes.</p>		
<p>8. <u>Aliso Canyon</u> Greenlining argued that in the allocation of funding for emergency responses the Commission should prioritize the health, comfort and safety goals of ESAP. Greenlining also argued that the costs related to Aliso Canyon leak mitigation should be placed on the shareholders rather than the ratepayers. Greenlining and CforAT also recommended for the utilities to track expenses in a memorandum account for future allocation.</p>	<p>Greenlining and CforAT's Opening Comments on Aliso Canyon ACR. Greenlining and CforAT's Reply Comments on Aliso Canyon ACR.  D.16-04-040 required the utilities to track expenses in a memorandum account for future allocation, p. 35; Order 11, and to calculate energy savings in the aggregate rather than on a household basis, p. 33; Order 5.</p>	<p>Verified</p>
<p>9. <u>Multifamily Working Group</u> Greenlining participates in the Multifamily Working Group (MFWG) to ensure that the IOUs' new Common Area Measures programs (CAM) are created and implemented</p>	<p>D.16-04-040 created the MFWG to evaluate the effect of the new multifamily common area measure rule, p.193; Order 45.  D. 17-12-009 further narrowed down the MFWG's responsibilities and timeline of deliverables, pp. 55-60.</p>	<p>Verified  Verified</p>

<p>in accordance to D.16-11-022, D.17-12-009, and ESA program rules and goals.</p>	<p>Greenlining has actively participated in and contributed to the MFWG since its inception, through:</p> <ol style="list-style-type: none"> <li>1. Participation in each MFWG Quarterly and Ad Hoc meetings.</li> <li>2. Participation in panel discussions on the IOUs' CAM Program Design.</li> <li>3. Providing comments on the IOUs' draft Program Design and Implementation plans.</li> </ol>	
--	---	--

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

	Intervenor's Assertion	CPUC Discussion
<p>a. Was the Public Advocate's Office at the California Public Utilities Commission (Cal Advocates) a party to the proceeding?<sup>1</sup></p>	<p>Yes</p>	<p>Verified</p>
<p>b. Were there other parties to the proceeding with positions similar to yours?</p>	<p>Yes</p>	<p>Verified</p>
<p>c. If so, provide name of other parties: The Utility Reform Network (TURN), Center for Accessible Technology (CforAT), Public Advocate's Office at the California Public Utilities Commission (Cal Advocates), Natural Resources Defense Council (NRDC), California Housing Partnership Corporation (CHPC), and Energy Efficiency Council (EEC).</p>		<p>Verified</p>
<p>d. Intervenor's claim of non-duplication:</p> <p>Immediately after the Applications and Protests filing period, Greenlining met with ORA, TURN, and CforAT to discuss the organizations' priorities and to create a plan on how to ensure that our advocacy will not lead to duplication of efforts. Greenlining periodically checked in with these parties over the course of the proceeding to make sure that we achieve this</p>		<p>Noted</p>

<sup>1</sup> 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.

<p>intention.</p> <p>Greenlining also often communicated with parties that engaged in similar issues but have differing interests or goals from Greenlining’s (such as EEC, NRDC, CHPC, and NCLC) in order to avoid inadvertent duplication of work and more importantly, to help the Commission work towards creating the best policies for low-income customers.</p>	
--	--

**PART III: REASONABLENESS OF REQUESTED COMPENSATION:**

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

	CPUC Discussion
<p>a. Intervenor’s claim of cost reasonableness:</p> <p>It is difficult to assign a dollar value to the benefits that customers receive as the result of Greenlining’s advocacy in the Commission’s low-income energy programs. The legislators did not intend for the ESA program to only be source of energy savings but to also ensure that it provides health, safety, and comfort services and measures to Californians who need these energy services the most. There has been no calculator to determine the monetary value of the energy-related health, safety, and comfort benefits that ESAP provides. The Commission itself has repeatedly asserted that it will continue to uphold ESAP’s statutory mandate and intent.</p> <p>Greenlining submits that even though it is difficult to quantify the benefits of its participation in dollars, the energy and non-energy benefits to all ratepayers who decide to take energy savings actions by participating in ESAP will accrue over time to a value that certainly exceeds the reasonable cost of Greenlining’s participation.</p>	<p>Noted</p>
<p>b. Reasonableness of hours claimed:</p> <p>Greenlining ensured that its hours in participating in this proceeding remained reasonable by directly communicating with most of the active stakeholders in the present proceeding, to resolve issues related to CARE/ESA programs in an efficient, and when appropriate, in a collaborative manner.</p> <p>Greenlining’s primary and sole representative in this proceeding is Ms. Miller who focused on local and statewide marketing, education, and outreach (ME&amp;O) and ESAP-related issues. Ms. Miller prioritized issues</p>	<p>Noted</p>

that have statewide impacts and only tackled local issues related to ME&O and proposed pilots. As such, Greenlining urges that the hours it spent participating in this proceeding were reasonable and warrant full compensation as requested.	
<p>c. Allocation of hours by issue:</p> <ul style="list-style-type: none"> <li>A. CHANGES: 3.7%</li> <li>B. ESA Program Rules (3MM/Go Back): 14.1%</li> <li>C. Willingness to Participate: 11%</li> <li>D. Cost-effectiveness: 14.4%</li> <li>E. Marketing, Education, and Outreach: 26.5%</li> <li>F. Studies: 9.3%</li> <li>G. Pilots: 5.6%</li> <li>H. Aliso Canyon: 6.1%</li> <li>I. Multifamily Working Group: 9.3%</li> <li>J. General/Procedural: 7.6%</li> </ul>	Noted

B. Specific Claim:\*

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
Carmelita L. Miller	2014	30.5	\$180	See Comment 3	\$5,490.00	30.50	\$180.00 [A]	\$5,490.00
Carmelita L. Miller	2015	198	\$200	See Comment 4	\$39,600.00	199.00 [F]	\$200.00 [B]	\$39,800.00
Carmelita L. Miller	2016	54	\$220	D.16-10-038	\$11,880.00	54.00	\$220.00	\$11,880.00
Carmelita L. Miller	2017	25.7	240	Res. ALJ-345 See Comment 5	\$6,168.00	25.20 [G]	\$240.00 [C]	\$6,048.00
Stephanie Chen	2014	1.5	\$230	A.11-05-017	\$345.00	1.50	\$230.00	\$345.00
Stephanie Chen	2015	12.6	\$310	D.16-09-032	\$3,906.00	12.60	\$310.00	\$3,906.00
Stephanie Chen	2016	8.7	\$315	D.16-09-032	\$2,740.50	8.70	\$315.00	\$2,740.50
<b>Subtotal: \$ 70,129.50</b>						<b>Subtotal: \$70,209.50</b>		
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate	Total \$
Carmelita L. Miller	2015	2.7	\$200	See Comment 4	\$270.00	2.70	\$100.00 [E]	\$270.00

Carmelita L. Miller	2017	15.9	\$240	Res. ALJ-345 See Comment 5	\$1,749.00	15.90	\$120.00 [E]	\$1,908.00
Carmelita L. Miller	2018	9.3	\$260	Res. ALJ-345 See Comment 6	\$2,418.00	9.30	\$130.00 [D] [E]	\$1,209.00
Stephanie Chen	2015	0.80	\$310	D.16-09-032	\$124.00	0.80	\$155.00 [E]	\$124.00
Stephanie Chen	2017	5.8	\$315	D.16-09-032	\$913.50	5.80	\$157.50 [E]	\$913.50
<b>Subtotal: \$5,474.50</b>					<b>Subtotal: \$4,424.50</b>			
<b>TOTAL REQUEST: \$75,604.00</b>					<b>TOTAL AWARD: \$74,634.00</b>			
<p>**We remind all intervenors that Commission staff may audit their records related to the award and that intervenors must make and retain adequate accounting and other documentation to support all claims for intervenor compensation. Intervenor’s records should identify specific issues for which it seeks compensation, the actual time spent by each employee or consultant, the applicable hourly rates, fees paid to consultants and any other costs for which compensation was claimed. The records pertaining to an award of compensation shall be retained for at least three years from the date of the final decision making the award.</p> <p>**Travel and Reasonable Claim preparation time typically compensated at ½ of preparer’s normal hourly rate</p>								
<b>ATTORNEY INFORMATION</b>								
Attorney			Date Admitted to CA BAR <sup>2</sup>		Member Number	Actions Affecting Eligibility (Yes/No?) If “Yes”, attach explanation		
Carmelita L. Miller			December 2013		295398	No		
Stephanie Chen			August 2010		270917	No		

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

Attachment or Comment #	Description/Comment
1	Certificate of Service
2	Time Records for the Greenlining Institute’s Attorneys
3	Greenlining requests an hourly rate of \$180/hr for substantial work performed by Carmelita L. Miller for 2014. Resolution ALJ-303 set the range of approved rates for work done in 2014 by attorneys with 0-2 years of experience at \$165-220. 2014 was Ms. Miller’s first year as an attorney, but Ms. Miller had been advocating before the Commission prior to being sworn in as an attorney. As such, her experience prior to receiving bar certification warrants a first year-rate higher than the low end of the

<sup>2</sup> This information may be obtained through the State Bar of California’s website at <http://members.calbar.ca.gov/fal/membersearch/quicksearch>.

	approved range.
4	Greenlining requests an hourly rate of \$200 for substantial work performed by Ms. Miller for 2015. 2015 was Ms. Miller’s second year of practice before the Commission as a licensed attorney, on top of the time mentioned above before her bar certification. Resolution ALJ-308 maintained the same range of rates for attorneys with 0-2 years of experience as set forth in Resolution ALJ-303. Given that in 2015 Ms. Miller reached the top of the range, Greenlining submits that a step increase is warranted, and requests one here. Additionally, and perhaps uniquely, Ms. Miller has an approved rate for work done in 2016, which is \$220. Greenlining submits that relative to \$180 for work done in 2014 and \$220 for work done in 2016, the hourly rate of \$200 for 2015 is reasonable amount.
5	Greenlining requests the hourly rate of \$240 for substantial contribution that Ms. Miller performed in 2017. Resolution ALJ-345 adopted changes to the hourly rate for work performed by intervenor representatives who make substantial contribution to Commission proceedings for 2017. The hourly rate for attorneys with 3-4 years of experience is set for \$225-\$260. Most of the hours that Ms. Miller contributed in this proceeding in 2017 occurred after she has been practicing at the Commission for more than 3 years. The Commission approved her hourly rate for 2016 at \$220. For these reasons, Greenlining submits that the rate of \$240 is reasonable.
6	Greenlining requests the hourly rate of \$260 for substantial contribution that Ms. Miller performed in 2018. As stated in Comment 5 above, Res. ALJ-345 adopted changes to the hourly rate for 2017. In addition to the Commission changes and years of experience practicing as an intervenor representative at the Commission, while Ms. Miller has been practicing at the Commission for a little over four years, she has developed significant expertise in low-income ratepayer programs. Thus, Greenlining finds the amount reasonable.

D. CPUC Disallowances and Adjustments:

Item	Reason
[A]	The Commission finds reasonable a rate of \$180.00 per hour for Miller in 2014.
[B]	The Commission finds reasonable a rate of \$200.00 per hour for Miller in 2015.
[C]	The Commission finds reasonable a rate of \$240.00 per hour for Miller in 2017.
[D]	The Commission finds reasonable a rate of \$260.00 per hour for Miller in 2018.
[E]	Intervenor compensation is reimbursable at ½ the normal hourly rate.
[F]	The reported hours for Miller for 2015 was 199.00 hours.
[G]	The reported hours for Miller for 2017 was 25.20 hours.

**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. The Greenlining Institute has made a substantial contribution to Decision (D.)16-11-022, D.16-04-040, D.15-12-047, and D.17-12-009.
2. The requested hourly rates for The Greenlining Institute’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 \$74,634.00.

**CONCLUSION OF LAW**

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

**ORDER**

1. The Greenlining Institute shall be awarded \$74,634.00.
2. Within 30 days of the effective date of this decision, Pacific Gas and Electric Company ratepayers, Southern California Edison Company ratepayers, San Diego Gas & Electric Company ratepayers, and Southern California Gas Company ratepayers, shall pay The Greenlining Institute, their respective shares of the award, based on their California-jurisdictional electric and gas revenues for the 2017 calendar year, to reflect the year in which the proceeding was primarily litigated. If such data is unavailable, the most recent electric and gas revenue data shall be used. 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 May 3, 2018, the 75<sup>th</sup> day after the filing of The Greenlining Institute’s request, and continuing until full payment is made.

3. The comment period for today's decision is waived.

This decision is effective today.

Dated February 21, 2019, at San Francisco, California.

MICHAEL PICKER

President

LIANE M. RANDOLPH

MARTHA GUZMAN ACEVES

CLIFFORD RECHTSCHAFFEN

GENEVIEVE SHIROMA

Commissioners

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

Compensation Decision:	D1902020	Modifies Decision?	No
Contribution Decision(s):	D1611022, D1604040, D1512047, D1712009		
Proceeding(s):	A1411007, A1411009, A1411010, A1411011		
Author:	ALJ Colbert		
Payer(s):	Pacific Gas and Electric Company ratepayers, Southern California Edison Company ratepayers, San Diego Gas & Electric Company ratepayers, and Southern California Gas Company ratepayers.		

**Intervenor Information**

Intervenor	Claim Date	Amount Requested	Amount Awarded	Multiplier?	Reason Change / Disallowance
The Greenlining Institute	02/16/2018	\$75,604.00	\$74,634.00	N/A	Differences in reported hours and rates.

**Advocate Information**

First Name	Last Name	Type	Intervenor	Hourly Fee Requested	Year Hourly Fee Requested	Hourly Fee Adopted
Carmelita	Miller	Attorney	Greenlining	\$180.00	2014	\$180.00
Carmelita	Miller	Attorney	Greenlining	\$200.00	2015	\$200.00
Carmelita	Miller	Attorney	Greenlining	\$220.00	2016	\$220.00
Carmelita	Miller	Attorney	Greenlining	\$240.00	2017	\$240.00
Carmelita	Miller	Attorney	Greenlining	\$260.00	2018	\$260.00
Stephanie	Chen	Attorney	Greenlining	\$230.00	2014	\$230.00
Stephanie	Chen	Attorney	Greenlining	\$310.00	2015	\$310.00
Stephanie	Chen	Attorney	Greenlining	\$315.00	2016	\$315.00
Stephanie	Chen	Attorney	Greenlining	\$315.00	2017	\$315.00

**(END OF APPENDIX)**