

Decision **PROPOSED DECISION OF ALJ DeBERRY (Mailed 12/13/2010)****BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Order Instituting Rulemaking on the Commission's Own Motion to address the issue of customers' electric and natural gas service disconnection.

Rulemaking 10-02-005
(Filed February 4, 2010)**DECISION AWARDING INTERVENOR COMPENSATION TO THE GREENLINING INSTITUTE FOR SUBSTANTIAL CONTRIBUTION TO DECISION 10-07-048**

Claimant: The Greenlining Institute (Greenlining)	For contribution to Decision (D.)10-07-048
Claimed: \$41,284.50	Awarded: \$26,320 (reduced 36%)
Assigned Commissioner: Dian Grueneich	Assigned ALJ: Bruce DeBerry

PART I: PROCEDURAL ISSUES**A. Brief Description of Decision:**

This decision adopted certain low-cost measures to reduce the number of utility service disconnections in the service territories of Pacific Gas and Electric Company (PG&E), San Diego Gas & Electric Company (SDG&E), Southern California Edison (SCE), and Southern California Gas Company (SoCalGas), starting this fall and continuing until Jan. 1, 2012 for SDG&E, SCE and SoCalGas, as the sunset date for PG&E is yet to be determined.

B. Claimant must satisfy intervenor compensation requirements set forth in Public Utilities Code §§ 1801-1812:

	Claimant	CPUC Verified
Timely filing of notice of intent (NOI) to claim compensation (§ 1804(a)):		
1. Date of Prehearing Conference:	N/A	Correct
2. Other Specified Date for NOI:	March 5, 2010	March 8, 2010
3. Date NOI Filed:	March 5, 2010	Correct
4. Was the notice of intent 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, the instant proceeding	Correct
6. Date of ALJ ruling:	March 29, 2010	Correct
7. Based on another CPUC determination (specify):		
8. Has the claimant demonstrated customer or customer-related status?		Yes
Showing of “significant financial hardship” (§ 1802(g)):		
9. Based on ALJ ruling issued in proceeding number:	R.10-02-005, the instant proceeding	Correct
10. Date of ALJ ruling:	March 29, 2010	Correct
11. Based on another CPUC determination (specify):	D.09-12-043	Pursuant to §1804(b), a rebuttable presumption of significant financial hardship established in D.09-12-043 issued on December 17, 2009 extends to Greenlining’s participation in this proceeding
12. Has the claimant demonstrated significant financial hardship?		Yes
Timely request for compensation (§ 1804(c)):		
13. Identify Final Decision	D.10-07-48	Correct
14. Date of Issuance of Final Decision:	July 29, 2010	Correct
15. File date of compensation request:	September 28, 2010	Correct
16. Was the request for compensation timely?		Yes

PART II: SUBSTANTIAL CONTRIBUTION**A. Claimant's description of its claimed contribution to the final decision**

Contribution	Citation to Decision or Record	Showing Accepted by CPUC
<p>Issue A – Payment Plans</p> <ul style="list-style-type: none"> - Argued for a permanent shift to the practice adopted in Order Instituting Rulemaking 10-02-005 (OIR), which requires all Customer Service Representatives (CSRs) to offer payment plans for a minimum of three months and up to twelve months, depending on the particulars of the customer's situation and ability to pay. (Reply Comments on OIR, pp. 3-5; Opening Comments on Proposed Decision (PD), p. 2; Reply Comments on PD, pp. 1-4) - While longer payment plans may be statistically more likely to be broken, it has not been demonstrated that the length of the payment plan causes the increase in likelihood the plan will be broken. (Reply Comments on OIR, pp. 4-5) 	<p>D.10-07-048 (Decision), pp. 1-2, 11-12, 31-32 (Order #1): Requires that Utilities offer payments plan for a minimum of three months and up to twelve as appropriate.</p> <p>While the Decision did not adopt Greenlining's argument for a permanent minimum payment plan period, it did extend the requirement through January 1, 2012 and possibly beyond. In considering how long the minimum payment plan should remain in effect, the Commission benefitted from Greenlining's advocacy for a permanent minimum.</p> <p>Decision, pp. 12, 30 (Finding of Fact (FOF) 5): Acknowledges that factors other than the length of the payment plan may affect the likelihood that it will be broken.</p>	<p style="text-align: center;">Yes</p>
<p>Issue B – Deposits</p> <ul style="list-style-type: none"> - Reestablishment of credit deposits should be waived for all customers. (Reply Comments on the OIR, pp. 5-6; Opening Comments on the PD, pp. 5-6; Reply Comments on the PD, pp. 3-4) 	<p>D.10-07-048, pp. 2, 15, 32 (Orders 3 and 4): Waives reestablishment of credit deposits for late payment for all customers.</p> <p>Decision, pp. 2, 14, 29, 32</p>	<p style="text-align: center;">Yes</p>

<ul style="list-style-type: none"> - Argued that the amount charged for reestablishment of credit deposits should be based on the demonstrated risk incurred by the utility. (Opening Comments on the PD, p. 6) - Argued that interim waiver of late payment deposits for all customers should be made permanent, with no sunset. (Opening Comments on the PD, p. 6; Reply Comments on the PD, pp. 1-2) 	<p>(Order 2a): Waives reestablishment of credit deposits for FERA customers</p> <p>Decision, pp. 2, 15, and 33 (Orders 8 and 9): Reduces non-CARE reestablishment of credit deposits from twice the maximum bill to twice the average bill.</p> <p>Decision, pp. 3, 25, 34 (Orders 15 and 16): Waiver of late payment deposits will be in effect until effective date of next GRCs in the cases of SCE and the Joint Utilities, and in the case of PG&E, until a comparable date to be determined later. Decision specifically cites Greenlining’s argument in discussion.</p> <p>While the decision ultimately did not go as far as Greenlining recommended on any of these points, it did address each one. As such, Greenlining’s arguments made a substantial contribution to the Commission’s consideration of these issues.</p>	
<p>Issue C – Notification, Communications and Customer Service Issues</p> <ul style="list-style-type: none"> - Argued that current practices for notification are too varied across utilities and are not effective. Utilities need to create a set standard for notification procedures and for improving customer outreach efforts. (Opening Comments on OIR, pp. 28-29; 	<p>D.10-07-048, pp. 3, 20, 33 (Order 10): Utilities must collaborate to establish best practices and adopt uniform procedures. Best practices for providing notice will also be further explored in Phase II (Decision, p. 27).</p>	<p style="text-align: center;">Yes</p>

<ul style="list-style-type: none"> - Live person-to-person conversations are the best means of communicating with customers, preferable to automated calls. (Opening Comments on OIR, p. 5; Reply Comments on OIR, p. 7) - Customers should not be required to initiate contact with the utility regarding available assistance with arrearage management. (Opening Comments on the OIR, pp. 14-15; Reply Comments on the OIR, p. 11) - Customer service representatives (CSRs) should use conversation guidelines, rather than scripts, when dealing with customers facing a shutoff. (Opening Comments on the OIR, pp. 16-17; Reply Comments on OIR, p. 12; Opening Comments on the PD, pp. 3-4) - Utilities must provide an in-person visit by a field worker prior to disconnection for all customers, to identify any health or safety risks associated with disconnection and to make arrangements for payment. (Opening Comments on the PD, pp. 8-9; Reply Comments on the PD, pp. 4-5.) - The Commission must inclusively define “sensitive customers” in the context of in-person field visits prior to shutoff and limits on remote disconnections. 	<p>Decision, p. 27: The role of CSRs in educating customers about assistance programs will be explored in Phase II.</p> <p>Issues of how best to communicate with customers, who should be responsible for initiating the conversation about financial assistance, and the way CSRs should conduct conversations with customers will presumably all be addressed as part of this assessment of the role of CSRs. Since this Decision only addresses directly those provisions that can be quickly implemented at relatively low cost, deferral of these issues to Phase II indicates that the Commission considers them important enough to warrant more time for assessment. Greenlining’s arguments contributed to the Commission’s assessment and deferral of these issues.</p> <p>Decision, pp. 2, 21-22, and 30 (FOF 15), 32 (Order 2b), 34 (Orders 11 and 12): Requires an in-person visit from a utility representative prior to shutoff for customers on medical baseline or life support.</p> <p>The Commission weighed its options regarding provision of in-person visits prior to disconnection, and while Greenlining’s full recommendation was not ultimately adopted, it did make a</p>	
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<p>Recommended including medical baseline, life support, residents over 62 years of age, and the disabled and others for whom disconnection may pose unusual health or safety risks. (Reply Comments on Proposed Decision, p. 4)</p> <ul style="list-style-type: none"> - Advocated for alternate billing and payment dates to maximize customers' ability to pay. (Reply Comments on the OIR, pp. 15-16; Opening Comments on the PD, pp. 2-3; Reply Comments on the PD, p. 3) 	<p>substantial contribution to the Commission's decision-making process.</p> <p>Decision, p. 28: Definition of sensitive customers, as well as how best to identify such customers, will be addressed in Phase II.</p> <p>Deferral of this issue to Phase II indicates that the Commission acknowledges the need to address it, and elects to do so in a forum that allows more time for careful consideration.</p> <p>Decision, p. 28: Phase II of the proceeding will address whether customer should be allowed to choose a monthly billing date for their payments.</p>	
<p>Issue D – Language Access</p> <ul style="list-style-type: none"> - Utilities should identify the most frequently spoken non-English languages among their customer bases. (Opening Comments on the OIR, pp. 8-9, 9-11; Reply Comments on the OIR, pp. 8-9, 10) - Utilities should strive to provide all written communications in the customer's preferred language, of those languages that are most frequently spoken, for those who have limited English proficiency. Should costs or implementation prove too burdensome, at a minimum the utilities should provide in-language disconnection notices and information on where the customer can seek assistance. (Opening Comments on the OIR, pp. 8-9; Reply Comments on the 	<p>D.10-07-048, p. 30 (FOF 11): Decision found that “[i]t is desirable that the utilities offer to communicate with customers using the customer’s language of choice.”</p> <p>Decision, p. 17-18: Encourages collection of language preference data by the utilities. Further, as part of Phase II, plans a workshop on identification of customer language choices, and plans to explore the potential for use of a single third-party language service entity.</p> <p>Decision, p. 27: States that the rulemaking will explore language selection options in Phase II.</p>	<p>Yes</p>

<p>OIR, pp. 7, 8, 9; Opening Comments on the PD, p. 7)</p> <ul style="list-style-type: none"> - Utilities should make available CSRs fluent in the most frequently spoken languages during all hours of call center operation. Further, all CSRs should be provided with cultural competency training to enable them to better communicate with limited English proficient customers. (Opening Comments on the OIR, pp. 8-9, 11, 17) 	<p>Since issues that may require more time to resolve have been deferred to Phase II, a deferral on this issue indicates that Greenlining’s contribution was substantial, in that it has been deemed to warrant further, closer consideration in the next phase.</p>	
<p>Issue E – Remote Shutoffs</p> <ul style="list-style-type: none"> - Opposed remote disconnections while this new technology is under investigation by the Commission, and until customer side benefits of Smart Meters are more fully deployed. (Opening Comments on the OIR, pp. 30-31; Opening Comments on the PD, p. 10; Reply Comments on the PD, p. 5) - Utilities should provide an in-person visit by a field representative prior to remote disconnection, to check for unsafe conditions and allow a chance for in-person payment resolution to avoid disconnection. (Reply Comments on the OIR, pp. 13-14, 16; Reply Comments on the PD, p. 5) - Advocated for increased customer outreach and education as well as a one year transition period, during which no remote disconnections would be permitted (as an alternative to the above). (Opening Comments on the PD, p. 10; Reply Comments on the PD, p. 5) - There should be no charges for remote disconnection or reconnection. If a customer is remotely disconnected but settles 	<p>D.10-07-048, p. 27: Phase II of the proceeding will address establishing a uniform protocol for remote disconnections.</p> <p>Decision, pp. 2, 21-22, and 30 (FOF 15), 32 (Order 2b), 34 (Orders 11 and 12): Acknowledges that sensitive customers may not respond to various notices, letters, or phone calls. Requires an in-person visit from a utility representative prior to shutoff for a customer who is on medical baseline or life support.</p> <p>While the Decision did not ultimately go as far as Greenlining advocated, Greenlining made substantial contributions on the issue that were undoubtedly weighed in the Commission’s consideration of how best to protect customers’ health and safety once remote</p>	<p>Yes</p>

<p>the arrearage within 48 hours, no fees or reestablishment of credit deposit should be assessed. (Reply Comments on the OIR, p. 13; Opening Comments on the PD, p. 10; Reply Comments on the PD, p. 5)</p>	<p>disconnections become the norm. Further, the issue remains open for consideration in Phase II, indicating that there are unresolved issues raised in Phase I, including those raised by Greenlining, that the Commission believes must be resolved (the issue of charges or fees for remote disconnection, for example). The Decision refers to Greenlining’s arguments specifically at p. 22.</p>	
<p>Issue F – Outreach and Education</p> <ul style="list-style-type: none"> - Utilities should collaborate with community based organizations and faith based organizations to better reach customers with language, cultural, or physical barriers. (Opening Comments on the OIR, pp. 11, 16. 24-27; Reply Comments on the OIR, pp. 16-17; Opening Comments on the PD, pp. 4, 7, 12) - Utilities should utilize ethnic media as part of their outreach and education strategy. (Opening Comments on the OIR, p. 26; Reply Comments on the OIR, p. 10) 	<p>D.10-07-048, p. 27: Phase II of the proceeding will address the role of CSRs in educating customers about assistance programs and for completing CARE applications.</p> <p>The Decision leaves somewhat vague the contemplated parameters of this discussion, presumably to be fleshed out when the Commission is ready to engage in it. However, the utilities have some long-standing partnerships with community based organizations to provide assistance in completing CARE applications. As such, in addressing the role of CSRs in this activity, it is certain that the role of CBOs and FBOs will also be discussed.</p>	<p>Yes</p>

<p>Issue G - Benchmarks</p> <ul style="list-style-type: none"> - The Commission should establish benchmarks for each utility to serve as an early warning system so that future increases in disconnection rates can be quickly identified and addressed. (Opening Comments on the PD, p. 11; Reply Comments on the PD, pp. 1-2). 	<p>D.10-07-048, pp. 9, 27: Expressed concern over the discrepancy between CARE and non-CARE disconnection rates, and over the discrepancy in disconnection rates between the utilities. Plans to explore the issue further in Phase II.</p> <p>Throughout the proceeding, in discussions with the Commissioners, staff, and the utilities, the issues of benchmarking and the above-identified discrepancies went hand in hand. The Commission clearly intends to examine what might be acceptable rates of disconnection statewide and for each utility in addressing the above issues, which aligns with the issue of benchmarking. It has been indicated to consumer groups that these issues will be addressed together. Since the issue remains live for consideration, it stands to reason that Greenlining’s contribution to Phase I discussions of the issue was substantial.</p>	<p>Yes</p>
<p>Settlement Agreement with the Sempra Utilities</p> <p>Greenlining was an active participant in the extensive settlement discussions that were conducted first among all parties, and later between the consumer parties and the Sempra utilities.</p> <p>With respect to the agreement with the Sempra utilities, currently before the Commission for adoption, Greenlining</p>	<p>While the agreement that resulted from these discussions is still awaiting Commission approval, the parties are hopeful that it will be approved, in keeping with the Commission’s stated policy encouraging settlements between the parties. In many ways, especially on the language access issues that were</p>	<p>We defer compensation for Greenlining’s efforts on settlement discussions in this claim as these efforts occurred after the final decision was issued on July 30, 2010 and settlement agreement matters are still pending before the Commission.</p>

<p>was especially vocal around issues of language access, in-person and telephone 48 hour disconnection notices, remote disconnections, and benchmarks.</p>	<p>central to Greenlining’s participation in this proceeding, the agreement goes further toward protecting consumers than the Commission’s decision does, and it does so with the express sanction of the utilities. Greenlining’s substantial contributions to this agreement, which significantly advances consumer protections through direct cooperation between consumer parties and utilities, should be recognized and compensated.</p>	<p>Greenlining can consider requesting compensation for these efforts in Phase II of this proceeding should these efforts lead to a substantial contribution in future decisions in this rulemaking.</p> <p><i>See</i> disallowances for these activities in Section III, Part C.</p>
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B. Duplication of Effort (§§ 1801.3(f) & 1802.5):

	Claimant	CPUC Verified
<p>a. Was DRA a party to the proceeding?</p>	<p>Yes</p>	<p>Yes</p>
<p>b. Were there other parties to the proceeding?</p>	<p>Yes</p>	<p>Yes</p>
<p>c. If so, provide names of other parties: The City and County of San Francisco (The City), Disability Rights Advocates (DisabRA), The Division of Ratepayer Advocates (DRA), National Consumer Law Center (NCLC), Pacific Gas and Electric Company (PG&E), San Diego Gas & Electric Company (SDG&E), Southern California Gas (SoCalGas), Southern California Edison Company (SCE), The Utility Reform Network (TURN).</p>	<p>Yes</p>	
<p>d. Claimant’s description of how it coordinated with DRA and other parties to avoid duplication or how claimant’s participation supplemented, complemented, or contributed to that of another party: Greenlining coordinated with the Division of Ratepayer Advocates and with other consumer advocates to ensure that our efforts were not duplicated. Where our issues overlapped, we sought to coordinate strategies to minimize duplication and maximize efficacy. For example, Greenlining coordinated with Disability Rights Advocates to jointly file opening comments on similar issues regarding effective communications and protections for vulnerable residential customers. Where parties made similar arguments, the reasoning in support of each differed, allowing the Commission a broader range of opinions on the issues.</p> <p>As the proceeding progressed, especially in the context of the settlement conversations with the Sempra utilities, the consumer parties worked together on all aspects of the negotiation, including collaboration to debate</p>	<p>We agree that Greenlining took reasonable steps to minimize duplication and whenever possible, teamed with other intervenors to file joint comments.</p>	

<p>our positions on key issues and identify the best platform for the groups to advance together. These conversations directly informed Greenlining’s participation in the formal proceeding, and helped the parties to coordinate rather than duplicate in their filings.</p> <p>Furthermore, Greenlining’s specific constituents are communities of color and low income communities. Therefore, Greenlining’s perspective on issues differs from that of general ratepayer advocates, and supplements it by providing analysis specific to vulnerable and/or underserved segments of the ratepayer population. For example, our advocacy sought to ensure that utility practices regarding payment plans and deposits were established to protect low-income ratepayers with an arrearage. Also, our advocacy sought to ensure that non-English speaking ratepayers did not receive sub-par customer service and would be able to understand important information regarding disconnections and various assistance programs.</p> <p>Greenlining was the only participating party whose mission is to advocate for low income consumers and, in this case, limited English proficient consumers. As such, our efforts did not duplicate those of any other party.</p>	
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C. Additional Comments on Part II:

#	Claimant	CPUC	Comment
§II(A)	X		Although ultimately Greenlining’s position did not fully prevail on some of the issues identified above, Greenlining’s participation substantially contributed to the decision by providing a meaningful opposition to other parties’ proposals as well as justification to certain alternative views. Greenlining brought to the proceeding perspectives of the low-income and minority ratepayers regarding customer communications and language access, perspectives not voiced by any other party. This contribution should be deemed substantial.

PART III: REASONABLENESS OF REQUESTED COMPENSATION

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

Claimant’s explanation as to how the cost of claimant’s participation bore a reasonable relationship with benefits realized through claimant’s participation	CPUC Verified
<p>It is difficult to assign a precise dollar value to Greenlining’s participation. However, Greenlining brought to the proceeding perspectives of the low-income and minority ratepayers regarding customer communications and language access, perspectives not voiced by any other party.</p> <p>The contributions described above informed the record and the Commission’s decision-making process. Although some were not</p>	<p>We agree in part, but disagree with Greenlining in other areas where we make reductions for excessiveness, work performed after the</p>

ultimately adopted, they were all effort to ensure financial protections for the most vulnerable classes of customers. These customers will realize savings, for example through waived or reduced deposit requirements, though the amount of these savings will depend on factors such as the number of customers who would have been subject to such requirements, and the dollar amounts at issue in each customer's individual case. Given that the economy, at least in terms of the job market, shows no signs of improving and in fact continues to decline, it is all too likely that low income customers will continue to encounter difficulties in paying their utility bills. Those who do will benefit from Greenlining's advocacy in this proceeding, with respect to the issues outlined above, and the amount by which they benefit will likely exceed the cost of Greenlining's participation by a substantial margin.	decision was issued and for efforts which did not make a substantial contribution to the decision making process. After these reductions, we agree that the remaining Greenlining hours and costs are reasonable and should be compensated.
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B. Specific Claim:

CLAIMED						CPUC AWARD			
ATTORNEY AND ADVOCATE FEES									
Item	Year	Hours	Rate \$	Basis for Rate	Total \$	Year	Hours	Rate \$	Total \$
E. Gallardo	2010	2.0	350	D.10-10-013	700	2010	2.00	350	700
S. Kang	2010	10.7	220	D.10-10-013	2,354	2010	8.90	220	1,958
S. Chen	2010	39.5	210	D.10-10-013	8,295	2010	34.25	185	6,336
J. Chung	2010	148.9	150	Adopted here	22,335	2010	109.75	110	12,073
A. Miller	2010	42.2	150	Adopted here	6,330	2010	3.5	110 ¹	385
A. Miller	2010	42.2	150	Adopted here	6,330	2010	29.80	150	3,945
Subtotal: \$40,014						Subtotal: \$25,397			
INTERVENOR COMPENSATION CLAIM PREPARATION **									
Item	Year	Hours	Rate \$	Basis for Rate	Total \$	Year	Hours	Rate \$	Total \$
J. Chung	2010	6.0	75	½ rate adopted here	450	2010	3.9	55	215
S. Chen	2010	7.5	105	½ of 2010 rate	787.50	2010	7.3	92.50	675
S. Kang	2010	0.3	110	½ of 2010 rate	33	2010	0.3	110	33
Subtotal: \$1,270.50						Subtotal: \$923			
TOTAL REQUEST: \$41,284.50						TOTAL AWARD: \$26,320²			
**Reasonable claim preparation time typically compensated at ½ of preparer's normal hourly rate.									

¹ Miller was admitted to the California BAR Association in June 2010. We parse 3.5 hrs of her 2010 work performed before this accomplishment and compensate this time at the 2010 paralegal hourly rate of \$110. The remainder of Millers approved hours are compensated at the requested hourly rate of \$150 for attorneys with 0-2 yrs of experience approved in D.08-04-010.

² Award rounded to nearest dollar amount.

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. Claimant’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.

C. CPUC Adoptions, Adjustments & Disallowances:

Adoptions	
2010- Chung hourly rate	Greenlining states that Jean Chung is a 2009 graduate of Santa Clara University School of Law with approximately one year of experience. Chung has no prior work before the Commission. Greenlining’s erroneously references D.08-04-010 in support of its requested hourly rate of \$150 for Chung’s work here. Chung has not been admitted to the California Bar Association. We approve an hourly rate of \$110 equal to the approved hourly rate for paralegals established in D.10-07-013.
2010- Miller hourly rate	Alicia Miller is a 2009 graduate of University of California Hastings College of Law with approximately one year of experience. She was admitted to the Bar in June 2010. Miller has no prior work before the Commission. Greenlining’s request of \$150 is at the bottom of the range of \$150-\$205 established in D.08-04-010 for attorneys with 0-2 years of experience. The requested hourly rate of \$150 is reasonable and adopted here for her work in June 2010 forward.
Disallowances and Adjustments	
Disallowance for time spent reading the Order Instituting Rulemaking (OIR) , discussing, debriefing staff and coordinating and strategizing efforts	Greenlining logs 6.9 hrs for all participants on this task. This amount of time is excessive. We approve a more reasonable amount of time of 2.0 hrs for this task. This is equal to the same amount of time logged by the only other intervenor in this proceeding for this same task. The adjusted time more closely represents our standards on reasonableness of hours. We disallow 1.6 hrs each from the hours of Kang, Chen and Chung spent on this task. The adjusted time more closely reflects our standards on the reasonableness of hours.
Hours spent on Greenlining’s joint opening comments	Greenlining requests approximately 28.65 hours for “drafting, reviewing and editing” to prepare its 17 page document. The total time is excessive given the scope of the document. We approve a more reasonable amount of time of 15 hours. We reduce Chung’s time spent on this task by 13.65 hrs as she logged nearly 91% of the time associated with this task. The adjusted time more closely represents our standards on the reasonableness of hours.
Disallowances	We disallow time spent “filing, re-filing and serving comments and rescheduling

for time spent on clerical tasks.	meetings” as non-compensable clerical tasks subsumed in the fees paid to attorneys. (Chen .85 hrs, Chung .10 hrs and Miller 2.4 hrs)
Disallowance for duplication of efforts	We find numerous timesheet entries where Greenlining has multiple parties (Chen and Chung; Chung and Miller) in attendance at the same meetings or conference calls. We find this time to be duplicative and inefficient. While we recognize that Chung and Miller are new to Commission proceedings, we do not find that ratepayers should bear the cost of compensating the orientation or training of new staff. Without a clear showing of how each individual’s participation was unique and essential for effective participation, we disallow this time. (Chung 10.9 hrs, Miller 6.4 hrs)
Disallowance of time spent reviewing the Proposed Decision (PD)	Greenlining requests 2.5 hours between three participants to review the PD. The only other intervenor in this proceeding requests .25 hrs for the same task. We reduce Greenlining’s claim by 1.5 hrs to reflect a more reasonable amount of time for this task. We reduce .5 hrs each from Chen, Chung and Miller to achieve this disallowance.
Disallowance for time spent on matters with no apparent relationship to substantial contribution	Chung logs 10 timesheet entries for a total of 8.3 hrs for “outreach to coalition members and community-based organizations (CBOs)”. We disallow these hours as they had no bearing on substantial contribution.
Time spent on settlement activities occurring after the final decision was issued on 7/30/10. These hours had no bearing on substantial contribution.	<i>See</i> Section Part II, Section A at 9. (Kang .2 hrs, Chen 2.3 hrs, Chung 4.1 hrs and Miller 3.1 hrs)
Time spent on NOI preparation	Greenlining requests 3.2 hrs for the “review and drafting” of its NOI. We reduce this time due to excessiveness by 1.2 hrs (Chung 1.0 hr and Chen .2 hrs) to reflect the same amount of time we approved for another intervenor in this same proceeding for the same task.

Time spent on claim preparation	Greenlining requests 10.6 hrs for claim preparation. We reduce for excessiveness Chen's time spent on this task by 1.1 hrs to reflect the same amount of time we approved for another intervenor in this same proceeding for the same task.
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PART IV: OPPOSITIONS AND COMMENTS

A. Opposition: Did any party oppose the claim?

No

B. Comment Period: Was the 30-day comment period waived (*see* Rule 14.6(c)(6))?

No

We have considered Greenlining's comments filed on January 3, 2011, but make no adjustments to the claim.

FINDINGS OF FACT

1. Claimant has made a substantial contribution to Decision (D.)10-07-048.
2. The claimed fees and costs, as adjusted herein, are comparable to market rates paid to experts and advocates having comparable training and experience and offering similar services.
3. The total of reasonable contribution is \$26,320.

CONCLUSION OF LAW

1. The claim, with the adjustment set forth above, satisfies all requirements of Public Utilities Code §§ 1801-1812.

ORDER

1. Claimant is awarded \$26,320.
2. Within 30 days of the effective date of this decision, Pacific Gas and Electric Company, San Diego Gas & Electric Company, Southern California Gas Company, and Southern California Edison Company shall pay claimant the total award. We direct the utilities to allocate payment responsibility among them, based on their second quarter 2010 California-jurisdictional electric and natural gas revenues, to reflect the year in which the proceeding was primarily litigated. Payment of the award shall include interest at the rate earned on prime, three-month commercial paper as reported in Federal Reserve Statistical Release H.15, beginning December 12, 2010, the 75th day after the filing of Claimant's request, and continuing until full payment is made.

3. This decision is effective today.

Dated _____, at San Francisco, California.

APPENDIX**Compensation Decision Summary Information**

Compensation Decision:		Modifies Decision? No
Contribution Decision(s):	D1007048	
Proceeding(s):	R1002005	
Author:	ALJ Bruce DeBerry	
Payer(s):	Pacific Gas and Electric Company, San Diego Gas & Electric Company, Southern California Gas Company, and Southern California Edison Company	

Intervenor Information

Intervenor	Claim Date	Amount Requested	Amount Awarded	Multiplier?	Reason Change/Disallowance
The Greenlining Institute	09-28-10	\$41,284.50	\$26,320	No	excessive hours, duplication of efforts, disallowance of non-compensable clerical tasks, disallowance of efforts not related to substantial contribution and the disallowance of settlement activities which occurred after the decision was issued and are still pending before the Commission

Advocate Information

First Name	Last Name	Type	Intervenor	Hourly Fee Requested	Year Hourly Fee Requested	Hourly Fee Adopted
Enrique	Gallardo	Attorney	The Greenlining Institute	\$350	2010	\$350
Samuel	Kang	Attorney	The Greenlining Institute	\$220	2010	\$220
Stephanie	Chen	Attorney	The Greenlining Institute	\$210	2010	\$185
Jean	Chung	Paralegaly	The Greenlining Institute	\$150	2010	\$110
Alicia	Miller	Paralegal	The Greenlining Institute	\$150	2010 ³	\$110
Alicia	Miller	Attorney	The Greenlining Institute	\$150	2010	\$150

(END OF APPENDIX)

³ 3.5 hours of Miller's work was parsed from her totals for work performed before Miller was admitted to the California BAR Association.