



FILED

08-15-11
Agenda ID # _____
04:59 PM

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of The Utility Reform Network for an Award of Intervenor Compensation for Substantial Contributions to Resolution T-17302 and the Commission Proceeding Leading Thereto.

A.11-08-____

APPLICATION OF THE UTILITY REFORM NETWORK TO FILE¹ CLAIM AND DECISION ON REQUEST FOR INTERVENOR COMPENSATION

Claimant: The Utility Reform Network	For contribution to Res. T-17302
Claimed (\$): \$12,377.50	Awarded (\$):
Assigned Commissioner: N/A	Assigned ALJ: N/A
I hereby certify that the information I have set forth in Parts I, II, and III of this Claim is true to my best knowledge, information and belief. I further certify that, in conformance with the Rules of Practice and Procedure, this Claim has been served this day upon all required persons (as set forth in the Certificate of Service attached as Attachment 1).	
Signature: /s/	
Date: 8/15/2011	Printed Name: Christine Mailloux

PART I: PROCEDURAL ISSUES (to be completed by Claimant except where indicated)

A. Brief Description of Decision:

In Resolution T-17302, the Commission approved a request by Verizon California Inc. to change the way the Company provides white pages directories to residential customers. The Commission allowed Verizon to stop the automatic delivery of the directories to each residential customer premises and instead provide a notice of availability for the directories and access to the directories via the Internet, on CD-ROM or in hard copy, at the

¹ TURN submits this Request for Compensation as a separate “application” in order to minimize filing and processing difficulties where such a request addresses a Commission resolution for which there is no separate application number. This is consistent with the approach TURN has taken in the past with such requests for compensation that arise from our work on advice letters.

customer's choice. The Commission also imposed additional conditions on Verizon.

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

	Claimant	CPUC Verified
Timely filing of notice of intent to claim compensation (§ 1804(a)):		
1. Date of Prehearing Conference:	n/a	
2. Other Specified Date for NOI:	n/a	
3. Date NOI Filed:	n/a	
4. Was the notice of intent timely filed? See comment below		
Showing of customer or customer-related status (§ 1802(b)):		
5. Based on ALJ ruling issued in proceeding number:	A.10-11-015	
6. Date of ALJ ruling:	6/3/11	
7. Based on another CPUC determination (specify):		
8. Has the claimant demonstrated customer or customer-related status?		
Showing of "significant financial hardship" (§ 1802(g)):		
9. Based on ALJ ruling issued in proceeding number:	P.10-08-016	
10. Date of ALJ ruling:	11/22/10	
11. Based on another CPUC determination (specify):		
12. Has the claimant demonstrated significant financial hardship?		
Timely request for compensation (§ 1804(c)):		
13. Identify Final Decision	Resolution T-17302	
14. Date of Issuance of Final Decision:	6/14/11	
15. File date of compensation request:	8/15/11	
16. Was the request for compensation timely?		

C. Additional Comments on Part I (use line reference # as appropriate):

#	Claimant	CPUC	Comment
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B4			In D.98-11-049, the Commission determined that an NOI incorporated in the timely-filed Request for Compensation for work on an advice letter is itself timely filed. TURN has attached to this form compensation request our form NOI for this proceeding. In D.09-09-027 (awarding compensation for TURN's substantial contribution to Res. E-4227 on the SCE HECA Advice Letter), the Commission permitted a similar approach without comment.

PART II: SUBSTANTIAL CONTRIBUTION (to be completed by Claimant except where indicated)

A. In the fields below, describe in a concise manner Claimant's contribution to the final decision (see § 1802(i), § 1803(a) & D.98-04-059) (For each contribution, support with specific reference to final or record.)

Contribution	Citation to Decision or Record	Showing Accepted by CPUC
<p>Verizon originally claimed that it only had to provide "notice" to the Commission of its intent to make changes to the directory delivery methods and that it did not have to get approval for the change. In discussions with Verizon, Commission staff required Verizon to file a Tier 3 advice letter requiring Commission approval although Verizon continued to insist that a Tier 1 advice letter would be sufficient.</p> <p>In its protest TURN urged the Commission to require Verizon to file an application because Verizon's requested change would impact the definition of basic service. Although the Commission did not go so far as to require Verizon to re-file as an Application, the Resolution discusses TURN's concerns and agrees that Verizon's proposal did require review and approval by the Commission through a Tier 3 advice letter, thus setting the precedent for future requests by other carriers.</p>	<p>T-17302 at p. 11</p> <p>TURN's Protest of AL 12535, December 22, 2010 at p. 4.</p>	
<p>TURN raised concerns that many of Verizon's customers do not have access to the Internet and statistics show that, especially certain ethnic and social/demographic groups, do not have sufficient on-line capability to easily access directory listing information.</p> <p>The Resolution states, "We agree with TURN that, 'If</p>	<p>TURN's Protest of AL 12535, December 22, 2010 at p. 7.</p>	

<p>Verizon’s notice and outreach efforts are insufficient, these customers would be without updated directory information.” So the Commission modified Verizon’s original notice proposal, “We believe additional conditions must be met in order to find that Verizon’s proposal to update how these listings are provided to customers in light of technological changes in the telecommunications industry just and reasonable.”</p>	<p>T-17302 at p. 12</p>	
<p>TURN provided information about other state commission dockets and rulings where Verizon has made this proposal. As the Resolution notes, “TURN points out that in other states that have approved similar proposals, ‘such approvals were granted subject to important conditions, many of which are notably absent from Verizon’s California proposal.’”</p>	<p>T-17302 at p. 12 TURN’s Protest of AL 12535, December 22, 2010 at p. 5-6.</p>	
<p>In its Protest, TURN recommended that any notices about the change in directory delivery should come from Verizon, not the vendor that prints and delivers the directory, to avoid customer confusion because these customers have a business relationship with Verizon and not the directory publisher. Further, TURN objected to Verizon’s proposal that notice be supplied on the monthly bills four times a year urging the Commission to require a notice on the bills each month.</p> <p>The Resolution agrees with TURN’s recommendation and requires Verizon to ensure that any notices to customers are under Verizon’s name and that all website notices and online directories should be easily accessed via Verizon’s website. Further, the Resolution requires that notices regarding the change in directory delivery appear on bills each month for a year.</p>	<p>T-17302 at p. 14, Finding 8 TURN’s Protest of AL 12535, December 22, 2010 at pp. 3, 8 TURN Reply Comments on the Draft Resolution, 2/28/11, at p. 2.</p>	
<p>In its Protest, TURN stated that it was important that Verizon continue to offer Spanish-language listings under the same conditions as the English-language listings.</p> <p>In response, Verizon agreed to put the notices and disclosures in all of the languages in which the directories are currently printed and agreed to do a bill message on the Spanish language bills. While the Commission did not require Verizon to make Spanish language listings available it did emphasize that Verizon is bound by the in-language marketing rules and where those rules require in-</p>	<p>TURN’s Protest of AL 12535, December 22, 2010 at p. 8. TURN Opening Comments on Draft Resolution, 2/23/11, at p. 2 T-17302 at pp. 15, 20.</p>	

<p>language material, Verizon must comply. Also, in response to TURN’s request in comments on the Draft Resolution, the Commission clarified that the conditions imposed here would apply equally to directories currently printed in Spanish.</p>		
<p>TURN urged the Commission to require Verizon to provide five free directory assistance calls to compensate for the customers’ loss of easy access to published directory information. TURN also noted that other states required Verizon to submit reports tracking the number of DA calls and the number of hard-copy white pages residential listings requested by customers.</p> <p>In response, Verizon objected to the requirement to offer the free DA calls but agreed to provide two tracking and reporting conditions for one year.</p> <p>The Commission did not require Verizon to offer the free directory calls, but did, “agree with TURN that we should monitor this matter to see if DA calls increase substantially after implementation of the Advice Letter proposal.” The Commission required Verizon to provide the agreed upon reports proposed by TURN, but imposed a two year requirement for the report tracking the number of DA calls instead of only one year as proposed by Verizon.</p>	<p>TURN’s Protest of AL 12535, December 22, 2010 at p. 9.</p> <p>Verizon Response to TURN Protest, January 5, 2011, at p. 6-7.</p> <p>T-17302 at p. 17</p>	
<p>In its comments on the Draft Resolution, TURN urged the Commission to explicitly state that it will revisit this proposal if the data show that the customer impact is significant, possibly requiring a Directory Assistance call allowance and/or changing the process to an opt-in.</p> <p>In response to TURN’s comments on the Draft Resolution, the Commission added a requirement that CD staff would monitor the data for 18 months and not consider a similar request for 18 months. The Resolution also states that, “This adoption of resolution [sic] shall not be treated as precedential until after the 18 month monitoring period.” This 18 month mechanism clearly allows the Commission to revisit this proposal if the data warrants.</p>	<p>TURN Opening Comments on Draft Resolution, 2/23/11, at p. 2</p> <p>T-17302 at p. 20-21.</p>	

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

	Claimant	CPUC Verified
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a. Was DRA a party to the proceeding? (Y/N)	N	
b. Were there other parties to the proceeding? (Y/N)	Y	
c. If so, provide name of other parties: Cox and CALTEL filed a Joint Protest to Verizon's Advice Letter which they subsequently withdrew when Verizon satisfied their concerns. AT&T was the only other party to participate in the deliberations by filing comments on the Draft Resolution.		
d. Describe how you coordinated with DRA and other parties to avoid duplication or how your participation supplemented, complemented, or contributed to that of another party: Coordination to avoid duplication was largely unnecessary here, as TURN was the only non-utility party who was an active participant in this matter. DRA did not participate in the Commission's review of the Advice Letter and Cox and CALTEL filed a protest on a very specific issue. The Commission should therefore determine that there was no material duplication in the proceeding.		

C. Additional Comments on Part II (use line reference # or letter as appropriate):

#	Claimant	CPUC	Comment

PART III: REASONABLENESS OF REQUESTED COMPENSATION (to be completed by Claimant except where indicated)

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

Concise explanation as to how the cost of claimant’s participation bears a reasonable relationship with benefits realized through participation (include references to record, where appropriate)	CPUC Verified
<p>In T-17302, the Commission described Verizon’s request as proposing “a change in the historic way that Verizon and other incumbent local exchange carriers have provided to customers a required element of basic local exchange service,” because the proposal would require a proactive step on the part of the customer to request a directory. (Resolution at p.7-8) To assist the Commission in its analysis of Verizon’s proposal, TURN provided additional information about work in other states regarding the proposal and provided additional evidence and recommendations to allow the Commission to modify Verizon’s proposal and mitigate any potential customer harm from this change in long-standing utility practice. As a result, Verizon customers will receive clearer notice (O.P. 2, 3, 4, 6, 8, 9, 10, 14), Spanish-speaking customers will also receive in-language notice (p.20); the Commission can monitor the impact of this change on customers (O.P. 20, 21) and, carriers are put on notice that any similar request would have to be approved via a Tier 3 advice letter so provide public notice and comment (Finding 1, O.P. 1, 23). TURN’s request of approximately \$12,000 is extremely reasonable given the customer impact at stake, TURN’s role as the sole voice on behalf of consumers, and the outcome achieved.</p>	

B. Specific Claim:

CLAIMED						CPUC AWARD			
ATTORNEY AND ADVOCATE FEES									
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Year	Hours	Rate \$	Total \$
Christine Mailloux	2010	1.75	\$390	D.10-07-014 /Res. ALJ-267	\$682.50				
Christine Mailloux	2011	2.0	\$390	D.10-07-014 /Res. ALJ-267	\$780.00				
Regina Costa	2010	24.25	\$275	D.11-07-023	\$6,668.75				
Regina Costa	2011	12.25	\$275	D.11-07-023	\$3,368.75				
Subtotal:					\$11,500	Subtotal:			
EXPERT FEES									
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Year	Hours	Rate \$	Total \$
Subtotal:						Subtotal:			
INTERVENOR COMPENSATION CLAIM PREPARATION **									
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Year	Hours	Rate \$	Total \$
Christine	2011	4.5	\$195	See above	\$877.5				

Mailloux										
				Subtotal:	\$877.5					Subtotal:
COSTS										
#	Item	Detail			Amount	Amount				
		TURN does not seek recovery of any costs.								
				Subtotal:	0					Subtotal:
				TOTAL REQUEST \$:	\$12,377.50					TOTAL AWARD \$:
<p>When entering items, type over bracketed text; add additional rows as necessary.</p> <p>*If hourly rate based on CPUC decision, provide decision number; otherwise, attach rationale.</p> <p>**Reasonable claim preparation time typically compensated at ½ of preparer’s normal hourly rate.</p>										

C. Attachments or Comments Documenting Specific Claim (Claimant completes; attachments not attached to final Decision):

Attachment or Comment #	Description/Comment
Attach 1	Certificate of Service
Attach 2	Notice of Intent to Claim Compensation
Attach 3	Daily Time Records for Attorneys and Experts
Note 1	<p>Reasonableness of TURN Hours:</p> <p>Regina Costa was the main advocate for TURN on this case. Christine Mailloux assisted in reviewing pleadings and providing some input on legal and procedural issues. The limited number of hours included in this compensation request reflects the simple procedural path that this Resolution took. Parties only filed protests and then a set of opening and reply comments on the Draft Resolution. Ms. Costa spent a significant portion of her time researching the treatment of Verizon’s proposal in other states. The Resolution notes that this relevant information was “mostly absent” from Verizon’s own filings. Ms Costa also provided information regarding the state of broadband deployment and adoption among various California demographic groups to respond to Verizon’s plan to provide listing information primarily through on-line methods. In addition to the substantive research and information provided into the record, the hours are reasonable because both TURN advocates were efficient in their time spent drafting pleadings.</p> <p>TURN submits that the time it devoted to this case is a reasonable number of hours given the importance of the issue and the fact that TURN was the only active party on behalf of ratepayers.</p> <p>Finally, TURN is requesting compensation for 4.5 hours devoted to compensation-related matters, primarily preparation of this request for compensation and the attached Notice of Intent to Claim Compensation. TURN submits that this small number should be found reasonable in light of the number of issues and importance of those issues being addressed in this Resolution.</p>
Note 2	<p>Allocation of Hours: TURN typically includes in its compensation requests an allocation of time among the issues that it addressed. Such an allocation is difficult with only limited opportunity to file comments. Almost none of the work associated with TURN’s efforts in this</p>

	<p>matter addressed a single issue. Instead, the comments and letters to the Commission addressed an array of issues and TURN generally worked on the issues all at once. TURN has not attempted to allocate the individual daily time entries by issue or activity. Instead, TURN submits the following as a reasonable general allocation of the hours among the various issues TURN addressed:</p> <p>PR-procedural issues including the requirement to file a Tier 3 AL—20% DL- analysis of Verizon’s proposal and the impact on customers -- 30% CON- Conditions that would mitigate harm or impact to customers from adoption of Verizon’s proposal including notice requirements, in language issues and proposals adopted from other states—40% TR- requirement to track impact of proposal through reporting and monitoring – 10%</p> <p>TURN submits that this information should suffice to address the allocation requirement under the Commission’s rules. Should the Commission wish to see additional or different information on this point, TURN requests that the Commission so inform TURN and provide a reasonable opportunity for TURN to supplement this showing accordingly.</p>
Note 3	<p>Hourly Rate for TURN attorney in 2011: The Commission has not previously authorized an hourly rate for TURN’s attorneys or consultants where the substantive work in the proceeding occurred in 2011. In this proceeding TURN requests compensation using the previously-approved 2008 hourly rate for its attorney’s work, consistent with Resolution ALJ-267 as applied to these circumstances.</p>

D. CPUC Disallowances & Adjustments (CPUC completes):

#	Reason

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))

(CPUC completes the remainder of this form)

A. Opposition: Did any party oppose the claim (Y/N)?

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If so:

Party	Reason for Opposition	CPUC Disposition

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

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If not:

Party	Comment	CPUC Disposition

FINDINGS OF FACT

1. Claimant [has/has not] made a substantial contribution to Decision (D.) _____.
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 \$_____.

CONCLUSION OF LAW

1. The claim, with any adjustment set forth above, [satisfies/fails to satisfy] all requirements of Public Utilities Code §§ 1801-1812.

ORDER

1. Claimant is awarded \$_____.
2. Within 30 days of the effective date of this decision, _____ shall pay claimant the total award. 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 _____, 200__, the 75th day after the filing of claimant's request, and continuing until full payment is made.

3. The comment period for today's decision [is/is not] waived.
4. [This/these] proceeding[s] [is/are] closed.
5. This decision is effective today.

Dated _____, at San Francisco, California.

**Attachment 1:
Certificate of Service by Customer**

I hereby certify that I have this day served a copy of the foregoing **CLAIM AND ORDER ON REQUEST FOR INTERVENOR COMPENSATION** by (check as appropriate):

- hand delivery;
- first-class mail; and/or
- electronic mail

to the following persons appearing on the official Service List:

jml@cpuc.ca.gov; tdar@cpuc.ca.gov
cjs@cpuc.ca.gov; mfl@cpuc.ca.gov; tas@cpuc.ca.gov; mp1@cpuc.ca.gov;
frl@cpuc.ca.gov; kvc@cpuc.ca.gov; hope.christman@verizon.com;
david.discher@att.com; grs@calcable.org; cmailloux@turn.org;
bnusbaum@turn.org;
carolyn.brown@dgs.ca.gov; nlubamersky@telepacific.com; regtss@att.com;
gblack@cwclaw.com; pacasciato@gmail.com; jfalvey@pacwest.com;
katherine.mudge@covad.com; John.Gutierrez@cable.comcast.com;
kathy.mcmahon@sprint.com; anitataffrice@earthlink.net;
lsaldana@czn.com;
mmattes@nossaman.com; Regulatory@surewest.com; leh@cpuc.ca.gov;
ens@loens.com; judykau@dwt.com; rlongview@telecom611.com;
marg@tobiaslo.com;
mariacarbhone@dwt.com; esther.northrup@cox.com; PUCUpdates@BlueCasa.com;
rff@cpuc.ca.gov; FJasinski@surewest.com;
charlie.sadler@usamobility.com;
deyoung@caltel.org; Roxanne.Scott@cpuc.ca.gov;
Lauren.Saine@cpuc.ca.gov;
RCosta@turn.org

Executed this 15th day of August, 2011, at San Francisco,
California.

/S/

Jeffrey Johnson
The Utility Reform Network
115 Sansome Street, Suite 900
San Francisco, CA 94104

Attachment 2

Notice of Intent to Claim Compensation

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of The Utility Reform Network for an Award of Intervenor Compensation for Substantial Contributions to Resolution T-17302 and the Commission Proceeding Leading Thereto.

A.11-08-____
Filed August 15, 2011

**NOTICE OF INTENT TO CLAIM INTERVENOR COMPENSATION
AND, IF REQUESTED (and checked), ALJ RULING
ON SHOWING OF SIGNIFICANT FINANCIAL HARDSHIP**

Customer (party intending to claim intervenor compensation): The Utility Reform Network (TURN)			
Assigned Commissioner: N/A		Assigned ALJ: N/A	
I hereby certify that the information I have set forth in Parts I, II, III and IV of this Notice of Intent (NOI) is true to my best knowledge, information and belief. I further certify that, in conformance with the Rules of Practice and Procedure, this NOI and has been served this day upon all required persons (as set forth in the Certificate of Service attached as Attachment 1).			
Signature: /s/			
Date:	8/15/11	Printed Name:	Christine Mailloux

PART I: PROCEDURAL ISSUES

(To be completed by the party (“customer”) intending to claim intervenor compensation)

A. Status as “customer” (see Pub. Util. Code § 1802(b)): The party claims “customer” status because it (check one):	Applies (check)
1. Category 1: Represents consumers, customers, or subscribers of any electrical, gas, telephone, telegraph, or water corporation that is subject to the jurisdiction of the Commission (§ 1802(b)(1)(A))	
2. Category 2: Is a representative who has been authorized by a “customer” (§ 1802(b)(1)(B)).	
3. Category 3: Represents a group or organization authorized pursuant to its articles of incorporation or bylaws to represent the interests of residential customers, to represent “small commercial customers” (§ 1802(h)) who receive bundled electric service from an electrical corporation (§ 1802(b)(1)(C)), or to represent another eligible group.	X
4. The party’s explanation of its customer status, economic interest (if any), with any documentation (such as articles of incorporation or bylaws) that supports the party’s	

“customer” status. Any attached documents should be identified in Part IV.

TURN is a “group or organization authorized pursuant to its articles of incorporation or bylaws to represent the interests of residential ratepayers.” TURN most recently provided the relevant portion of our articles of incorporation in the NOI submitted in A.10-11-015 (the SCE 2012 GRC). The articles of incorporation have not changed since the time of that earlier submission. D.98-04-059 directs groups such as TURN to indicate the percentage of their members that are residential ratepayers. *Id.*, FOF 12. TURN has approximately 20,000 dues paying members, of whom we believe the vast majority are residential ratepayers. TURN does not poll our members in a manner that would allow a precise breakdown between residential and small business members, so a precise percentage is not available.

B. Timely Filing of NOI (§ 1804(a)(1)):	Check
1. Is the party’s NOI filed within 30 days after a Prehearing Conference? Date of Prehearing Conference: _____ N/A _____	Yes ___ No X__
2. Is the party’s NOI filed at another time (for example, because no Prehearing Conference was held, the proceeding will take less than 30 days, the schedule did not reasonably allow parties to identify issues within the timeframe normally permitted, or new issues have emerged)? Yes	Yes X__ No ___
2a. The party’s description of the reasons for filing its NOI at this other time: An advice letter process generally has no prehearing conference or preliminary determination that a hearing is not needed (the general triggers for an NOI filing date under Rule 17.1(a)). The Commission has recognized that an NOI is itself timely if it accompanies a timely Request for Compensation for work on an advice letter matter that results in a substantial contribution to a resolution. See, for example, D.09-09-027 (in A.09-04-006).	
2b. The party’s information on the proceeding number, date, and decision number for any Commission decision, Commissioner ruling, or ALJ ruling, or other document authorizing the filing of its NOI at that other time: D.98-11-049 (in A.98-02-039). The Commission raised no objection when TURN pursued a similar course in A.09-04-006, leading to D.09-09-027, where TURN’s substantial contribution occurred in an advice letter process leading up to a CPUC resolution.	

PART II: SCOPE OF ANTICIPATED PARTICIPATION

(To be completed by the party (“customer”) intending to claim intervenor compensation)

A. Planned Participation (§ 1804(a)(2)(A)(i)):

- The party’s description of the nature and extent of the party’s planned participation in this proceeding (as far as it is possible to describe on the date this NOI is filed).
- The party’s statement of the issues on which it plans to participate.

Nature and Extent of Planned Participation

TURN’s participation in the activities covered by this NOI is already concluded. TURN was an active participant, filing a Protest to Verizon’s Advice Letter and comments on the Draft Resolution.

Issues Likely to Be Addressed

TURN focused on the harm to consumers from Verizon’s proposal, especially those customers with limited access to the Internet. TURN also proposed several mitigation measures that mirror work done in other states. TURN also provided comments on the procedural issues related to Verizon’s claim that it did not need Commission approval for its plan.

Avoiding Undue Duplication

Throughout the entire process leading up to Resolution T-17302, TURN served as the sole consumer representative among the parties. Therefore duplication was not an issue here.

B. The party’s itemized estimate of the compensation that the party expects to request, based on the anticipated duration of the proceeding (§ 1804(a)(2)(A)(ii)):

Item	Hours	Rate \$	Total \$	#
ATTORNEY FEES				
Christine Mailloux	3.0	\$390	\$ 1,170.00	
		Subtotal:	\$	
EXPERT FEES				
Regina Costa	37	\$275	\$ 10,175.00	
		Subtotal:		
		TOTAL ESTIMATE \$:	\$	

Comments/Elaboration (use reference # from above):

The reasonableness of the hourly rate requested for TURN’s representative is addressed in our Request for Compensation. TURN has not included in this estimate claim preparation time (#1).

When entering items, type over bracketed text; add additional rows to table as necessary.
 Estimate may (but does not need to) include estimated claim preparation time. Claim preparation is typically compensated at ½ of preparer’s normal hourly rate.

PART III: SHOWING OF SIGNIFICANT FINANCIAL HARDSHIP

(To be completed by party (“customer”) intending to claim intervenor compensation; see Instructions for options for providing this information)

A. The party claims “significant financial hardship” for its claim for intervenor compensation in this proceeding on the following basis:	Applies (check)
1. “[T]he customer cannot afford, without undue hardship, to pay the costs of effective participation, including advocate’s fees, expert witness fees, and other reasonable costs of participation” (§ 1802(g)); or	
2. “[I]n the case of a group or organization, the economic interest of the individual members of the group or organization is small in comparison to the costs of effective participation in the proceeding” (§ 1802(g)).	x
3. A § 1802(g) finding of significant financial hardship in another proceeding, made within one year prior to the commencement of this proceeding, created a rebuttable presumption of eligibility for compensation in this proceeding (§ 1804(b)(1)).	X

B. The party’s explanation of the factual basis for its claim of “significant financial hardship” (§ 1802(g)) (necessary documentation, if warranted, is attached to the NOD):

TURN demonstrated that it meets the “significant financial hardship” standard in P.10-08-016 (Ruling of November 22, 2010)

**PART IV: THE PARTY’S ATTACHMENTS DOCUMENTING SPECIFIC
ASSERTIONS MADE IN THIS NOTICE**

(The party (“customer”) intending to claim intervenor compensation identifies and attaches documents (add rows as necessary.) Documents are not attached to final ALJ ruling.)

Attachment No.	Description
1	Certificate of Service
2	

ADMINISTRATIVE LAW JUDGE RULING¹

(ALJ completes)

	Check all that apply
1. The Notice of Intent (NOI) is rejected for the following reasons:	
a. The NOI has not demonstrated status as a “customer” for the following reason(s):	
b. The NOI has not demonstrated that the NOI was timely filed (Part I(B)) for the following reason(s):	
c. The NOI has not adequately described the scope of anticipated participation (Part II, above) for the following reason(s):	
2. The NOI has demonstrated significant financial hardship for the reasons set forth in Part III of the NOI (above).	
3. The NOI has not demonstrated significant financial hardship for the following reason(s):	
4. The ALJ provides the following additional guidance (see § 1804(b)(2)):	

¹ An ALJ Ruling will not be issued unless: (a) the NOI is deficient; (b) the ALJ desires to address specific issues raised by the NOI (to point out similar positions, areas of potential duplication in showings, unrealistic expectations for compensation, or other matters that may affect the customer’s claim for compensation); or (c) the NOI has included a claim of “significant financial hardship” that requires a finding under § 1802(g).

IT IS RULED that:

	Check all that apply
1. The Notice of Intent is rejected.	
2. Additional guidance is provided to the customer as set forth above.	
3. The customer has satisfied the eligibility requirements of Pub. Util. Code § 1804(a).	
4. The customer has shown significant financial hardship.	
5. The customer is preliminarily determined to be eligible for intervenor compensation in this proceeding. However, a finding of significant financial hardship in no way ensures compensation.	

Dated _____, at San Francisco, California.

ADMINISTRATIVE LAW JUDGE

**Attachment 1:
Certificate of Service by Customer**

I hereby certify that I have this day served a copy of the foregoing **NOTICE OF INTENT TO CLAIM INTERVENOR COMPENSATION** by (check as appropriate):

- hand delivery;
- first-class mail; and/or
- electronic mail

to the following persons appearing on the official Service List:

jml@cpuc.ca.gov; tdar@cpuc.ca.gov
cjs@cpuc.ca.gov; mfl@cpuc.ca.gov; tas@cpuc.ca.gov; mpl@cpuc.ca.gov;
fri@cpuc.ca.gov; kvc@cpuc.ca.gov; hope.christman@verizon.com;
david.discher@att.com; grs@calcable.org; cmailloux@turn.org;
bnusbaum@turn.org;
carolyn.brown@dgs.ca.gov; nlubamersky@telepacific.com; regtss@att.com;
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Executed this 15th day of August, 2011, at San Francisco,
California.

/S/

Jeffrey Johnson
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Attachment 3

Daily Time Records for Attorneys and Experts

Name	Case	Code	Description	Date	Hours
CM	T-17302	.	DW R. Costa re: Advice letter process, protest and issues re delegation of authority for Als;re	12/21/2010	1.00
CM	T-17302	.	Review and edit Protest for white pages AL; DW R. Costa	12/22/2010	0.75
CM	T17302	.	Review draft comments on resolution re: VZ white pages; edits to R. Costa	2/23/2011	0.50
CM	T17302	.	Review Draft Resolution; DW R. Costa; review AT&T and VZ comments; draft legal issues s	2/28/2011	1.50
RC	T-17302	.	Verizon white pages, research	12/14/2010	7.5
RC	T-17302	.	research white pages issue	12/15/2010	7.5
RC	T-17302	.	Write protest	12/21/2010	3.75
RC	T-17302	.	Finish protest, send to CPUC Staff, Verizon	12/22/2010	5.5
RC	T-17302	.	VZ White Pages, rev. res., notes for reply	2/22/2011	3.5
RC	T-17302	.	VZ White pages, write comments	2/23/2011	4.25
RC	T-17302	.	FVZ White pages, rev. op, write reply comments	2/28/2011	4.5
CM	T-17302	.	Analyze resolution and review Protest and pleadings for comp request	8/15/2011	1.75
CM	T-17302	.	Draft compensation request and NOI and DW R. costa	8/15/2011	2.25
CM	T-17302	.	Edit and Finalize comp request	8/15/2011	0.50