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PUBLIC VERSION

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Pacific Gas and Electric Company To Revise Its Electric Marginal Costs, Revenue Allocation, and Rate Design, including Real Time Pricing, to Revise its Customer Energy Statements, and to Seek Recovery of Incremental Expenditures. (U 39 M)	Application 10-03-014 (Filed March 22, 2010)
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**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 Vote Solar Initiative			
Assigned Commissioner: President Peevey		Assigned ALJ: Thomas R. Pulsifer	
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/ Kevin T. Fox			
Date:	June 18, 2010	Printed Name:	Kevin T. Fox
		Attorney for the Vote Solar Initiative	

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)).	X
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.	
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.

The Vote Solar Initiative (Vote Solar) meets the requirement of Decision (D.) 98-04-059 by demonstrating that it is a “customer” within the meaning of PU Code Section 1802(b). That section defines a “customer” in three ways:

- Category 1) **a participant representing consumers,**
- Category 2) **a representative authorized by a customer, or**
- Category 3) **a representative of a group or organization that is authorized by its bylaws or articles of incorporation to represent the interests of residential customers or small commercial electric customers.**

Vote Solar meets the second definition of customer because Vote Solar is a representative that has been authorized by one or more actual customers of Pacific Gas and Electric (PG&E) to represent them in this proceeding. Set forth in Attachment 2 is a letter from Jim Baak, a customer of PG&E, as evidence of authorization.

Jim Baak is a residential customer of PG&E who has installed a solar PV system at his residence. Mr. Baak's economic interests may be impacted by PG&E's proposal to adjust its residential rate tiers. Vote Solar’s representation in this proceeding is directly related to its mission: to bring solar into the mainstream while building economies of scale necessary to bring down solar’s costs. Vote Solar's membership includes Mr. Baak and other residential PG&E ratepayers who have installed PV systems. Vote Solar has represented residential customers in electric utility rate cases before the California Public Utilities Commission in the past and is well qualified to represent the interests of Mr. Baak and its other members in this proceeding.

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: <u>May 19, 2010</u>	Yes <u>X</u> No <u> </u>
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 <u> </u> No <u>X</u>
2a. The party’s description of the reasons for filing its NOI at this other time:	
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:	

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).

Vote Solar intends to participate actively in this proceeding through attendance of, and involvement in, workshops, prehearing conferences and settlement negotiations; review and filing of pleadings and comments as necessary; preparation and service of testimony and discovery; and any other action reasonably necessary to work toward a productive resolution of issues raised in this proceeding.

- The party’s statement of the issues on which it plans to participate.

Vote Solar anticipates focusing its efforts on PG&E’s proposed Residential Rate Design, particularly collapsing of Tiers 3-5 into a single Tier 3. Many of Vote Solar’s California members are served by PG&E and have installed solar PV systems with an expectation of future value that is heavily dependent on the structure of a customer’s retail rate. PG&E’s proposed changes detrimentally alter the value proposition for existing solar customers (and may impact future customers within the PG&E service territory as well).

Vote Solar will work with other organizations participating in this proceeding to minimize duplicative submissions from different parties.

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				
Kevin T. Fox	250	\$275	\$68,750	1
		Subtotal:		
EXPERT FEES				
Adam Browning	50	\$200	\$10,000	2
Gwen Rose	150	\$150	\$22,500	3
		Subtotal:		
OTHER FEES				
Paralegal	100	\$100	\$10,000	4
		Subtotal:		
COSTS				
Direct Expenses (postage, printing, travel, etc.)			\$500	

	Subtotal:		
TOTAL ESTIMATE \$:		\$111,750	
<p>Comments/Elaboration (use reference # from above):</p> <p>The hourly rate for participant Fox (#1) is determined by two 5% steps since participation in I.08-03-010, recently reiterated as a reasonable measure of increase in ALJ-247 (reviewing D.08-04-010).</p> <p>Participants Browning and Rose (#1-2) are highly experienced in PV system modeling and the impacts of electric utility rate design on residential customers. They are in-house representatives of Vote Solar and the reasonableness of their rates will be demonstrated in a subsequent Request for Compensation.</p> <p>Vote Solar has factored in this notice halved rates for time invested in compensation filings.</p>			
<p>When entering items, type over bracketed text; add additional rows to table as necessary.</p> <p>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.</p>			

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	X
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)).	
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)).	

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):
<p>Attachment 3 establishes that Mr. Jim Baak cannot afford to pay the costs of effective participation, including advocate’s fees, expert witness fees, and other reasonable costs of participation, without incurring significant financial hardship.</p> <p>Vote Solar does not anticipate any challenge to its eligibility for compensation in the instant proceeding. Should any party attempt to rebut the presumption of eligibility, Vote Solar requests that it be granted an opportunity to reply to any such party’s allegations within 10 days of service of such filing.</p>

**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	Customer Authorization Form
3	Customer Financial Worksheet

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

I certify that I have this day served a copy of this *Notice of Intent to Claim Intervenor Compensation* on all known parties of record in this proceeding by delivering a copy via electronic mail and mailing a properly addressed copy by first-class mail with postage prepaid to each party named in the official service list without an electronic mail address.

I have also sent a hard copy by U.S First Class mail to Administrative Law Judge Thomas R. Pulsifer and Commissioner Michael R. Peevey.

Executed on June 22, 2010, at Oakland, California.

/s/ Kevin T. Fox

Kevin T. Fox

A.10-03-014 SERVICE LIST
Last Updated June 17, 2010

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ALJ Thomas R. Pulsifer
California Public Utilities Commission
Division of Administrative Law Judges
505 Van Ness Avenue
San Francisco, CA 94102-3214

Commissioner Michael R. Peevey
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

ATTACHMENT 2

June 17, 2010

Dear Adam Browning,

I am a residential customer of Pacific Gas and Electric Company (PG&E), residing at 331 Orchard View Avenue, Martinez, California. I have installed a solar system at my residence. This letter confirms that I have authorized The Vote Solar Initiative to represent me and my views before the California Public Utilities Commission in PG&E's general rate case (Application No. 10-03-014). I 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.

Sincerely,

A handwritten signature in cursive script that reads "Jim Baak". The signature is written in black ink on a white background.

Jim Baak
331 Orchard View Ave.
Martinez, CA 94553
(925) 229-5575

