



**FILED**

03-22-10  
Agenda ID # \_\_\_\_\_  
04:59 PM

Decision \_\_\_\_\_

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Rulemaking on the Commission’s Own Motion into Reliability Standards for Telecommunications Emergency Backup Power Systems and Emergency Notification Systems Pursuant to Assembly Bill 2393.	R.07-04-015
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**CLAIM AND DECISION ON REQUEST FOR INTERVENOR COMPENSATION**

<b>Claimant: The Utility Reform Network</b>	<b>For contribution to D.08-09-014; D.10-01-026</b>
<b>Claimed (\$): 126,055.37</b>	<b>Awarded (\$):</b>
<b>Assigned Commissioner: Simon</b>	<b>Assigned ALJ: O’Donnell</b>
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).	
<b>Signature:</b> /S/	
<b>Date:</b> 3/22/10	<b>Printed Name:</b> William R. Nusbaum

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

**A. Brief Description of Decision:**

The Commission opened this proceeding to comply with AB 2393, which directed the agency to examine the need for performance reliability standards for backup power systems installed on the premises of residential and small commercial customers by facilities-based providers of telephony services. The decisions found that a customer education program regarding backup power was needed and identified the specific elements of such programs.

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

	Claimant	CPUC Verified
<b>Timely filing of notice of intent to claim compensation (§ 1804(a)):</b>		
1. Date of Prehearing Conference:	N/A	
2. Other Specified Date for NOI:	See Note	
3. Date NOI Filed:	June 8, 2007	
4. Was the notice of intent timely filed?		
<b>Showing of customer or customer-related status (§ 1802(b)):</b>		
5. Based on ALJ ruling issued in proceeding number:	R.07-04-015	
6. Date of ALJ ruling:	6/14/07	
7. Based on another CPUC determination (specify):		
8. Has the claimant demonstrated customer or customer-related status?		
<b>Showing of "significant financial hardship" (§ 1802(g)):</b>		
9. Based on ALJ ruling issued in proceeding number:	I.06-06-014	
10. Date of ALJ ruling:	11/15/06	
11. Based on another CPUC determination (specify):		
12. Has the claimant demonstrated significant financial hardship?		
<b>Timely request for compensation (§ 1804(c)):</b>		
13. Identify Final Decision	D.10-01-026	
14. Date of Issuance of Final Decision:	1/22/10	
15. File date of compensation request:	3/22/10	
16. Was the request for compensation timely?		

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

#	Claimant	CPUC	Comment
2	TURN		TURN filed a Motion to Accept Late Filed NOI which was granted in a ruling issued June 14, 2007.

**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>1. AB 2393 required the Commission to investigate 3 major areas regarding backup power: performance reliability and standards for backup power installed on the property of residential and small commercial customers; issues associated with emergency notification systems; and standards associated with backup power not installed on customer’s premises. TURN participated in all aspects of this proceeding including filing multiple rounds of comments, participating in Commission workshops and ex parte meetings, but was primarily focused on the 1<sup>st</sup> area re backup power on customer’s premises. Phase 1 of the proceeding culminated in D.08-09-014 and a report to the Legislature (“Final Analysis Report, 5/9/08 [FAR]”).</p> <p>TURN presented “real world” information demonstrating the problems that lack of adequate information have created for customers in emergency power outage situations and the attendant need for improved customer education requirements. TURN’s presentation included information explaining the difference between stand-by time and talk time, information about how to continue to have communications service during a power outage and how to conserve battery power for telephone use during an outage. TURN also argued for the requirement that carriers offering services over fiber-to-the premises networks provide clear information to</p>	<p>TURN Comments on Draft Report (5/2/08), pp.4-9. TURN Comments on Chong AD (7/14/08), pp. 1. D.08-09-014, p. 15; 22-23;</p>	

<p>customers explaining how to install additional batteries to use during power outages. TURN also sought greater clarity about who should be responsible to provide and maintain the backup battery. These issues were included in Phase 2 (see below).</p> <p>The Commission wrote D.08-09-014 and D.10-01-026 in a manner that did not describe a party's specific participation in the proceeding or specify the party or parties behind a particular position presented or embraced in the decision. While TURN was not specifically cited in the decisions, the final outcomes the Commission adopted reflected TURN's efforts and contributions.</p>		
<p>2. TURN argued that after the analysis phase of the proceeding leading to the report to the Legislature, the Commission should institute a second phase dealing with implementation issues. Among the issues TURN raised were the need for a minimum standard of 8 hours of backup battery power at the customer's premise and the need for a clear and robust customer education program. TURN noted that there was insufficient time to consider the customer information recommendations identified in Phase 1. TURN's position re the need for a second phase and for specific requirements for customer education was reflected in the Proposed Decision (PD) and revised PD issued by Commissioner Simon and, ultimately, D.08-09-014.</p> <p>TURN's argument for a mandatory 8 hour minimum backup battery standard was initially supported by Commissioner Simon's PD and revised AD. Commissioner Chong had issued an Alternate Decision (AD) opposing the minimum 8 hour battery backup</p>	<p>TURN Comments on Draft Report (5/2/08), pp.2; 8-9. TURN Comments on Simon PD (5/29/08), pp.1-2. TURN Reply Comments on Simon PD (6/3/08), pp. 1-2.</p> <p>D.08-09-014, pp. 3; 23-24; FOF 8; FOF 9; OP 3.</p> <p>Simon PD (5/9/08), pp. 20-21; COL 4. Simon Revised PD (6/26/08), pp. 2; 22; COL 4.</p> <p>Chong AD (6/23/08), pp. 25-27.</p> <p>TURN Comments on Simon PD (5/29/08), pp.1-2. TURN Reply</p>	

<p>requirement. TURN filed pleadings supporting the Simon PD and revised PD and arguing against the Chong AD. The AD was ultimately withdrawn and D.08-09-014 dropped the 8 hour requirement but held that the subsequent phases of the proceeding would further consider whether the Commission should set such standards.</p>	<p>Comments on Simon PD (6/3/08), pp. 1-2. TURN Comments on Chong AD (7/14/08), pp. 1-6. TURN Reply Comments on Chong AD (7/21/08), pp. 1-5. D.08-09-014, pp. 3; 25.</p>	
<p>3. In comments filed on the Simon PD, the CA Cable and Telecommunications Association (CCTA) and other industry parties argued that the Commission was preempted by the FCC from requiring backup battery standards and that the PD was inconsistent with prior Commission decisions regarding Commission jurisdiction over VoIP. Commissioner Chong’s AD also took the position that the Commission is preempted from imposing battery backup standards on VoIP providers.</p> <p>TURN argued that the Commission was not preempted from adopting standards related to emergency backup power and the FCC has not occupied the field. TURN also argued that the Commission is not preempted from applying backup battery standards to VoIP carriers and rebutted the Chong contention on this point. In the Simon revised PD TURN’s arguments were cited to support the PD’s position, and many of TURN’s arguments were reiterated even though not attributed to TURN.</p>	<p>Chong AD (6/23/08), COL 4. Simon Revised PD (6/26/08), pp.48; 49-52. TURN Comments on Chong AD (7/14/08), pp. 7-9. TURN Reply Comments on Chong AD (7/21/08), pp. 3-5.</p>	
<p>4. TURN was also active in Phase 2 of this proceeding, again focusing on issues related to customer information needs and the elements of a robust education program. Many of TURN’s concerns regarding what issues should be addressed in a customer education program, consistent with the issues TURN raised in Phase 1, were reflected</p>	<p>Assigned Commissioner’s Ruling (ACR) (10/17/08) Response of TURN to the Workshop Questions in the ACR (11/7/08), pp. 1-6.</p>	

<p>in the Phase 2 Assigned Commissioner’s Ruling (ACR). These included: how long phones can operate under backup power; what are the maintenance requirements for backup batteries; what additional steps can customers take to ensure the availability of communications during a power outage; and how to adequately consider the needs of the elderly.</p> <p>TURN’s consumer affairs expert, Barbara Alexander, provided guidance and assisted TURN in crafting many of the consumer education recommendations that the Commission adopted.</p> <p>TURN’s recommendations were discussed in the Communications Division (CD) Staff Workshop Report that was attached to D.10-01-026. Many of TURN’s recommendations were adopted (although neither TURN nor any other party was specifically cited for these contributions). Among TURN’s recommendations that were adopted by D.10-01-026 are:</p> <ul style="list-style-type: none"> <li>- If the customer was marketed in a language other than English, the information should be made available in that language in a format the customer can utilize.</li> <li>- Customers should be told their service requires backup power on the customer’s premises and informed of the limitations of service during an outage.</li> <li>- Customers should be informed of their responsibilities regarding backup battery replacement, how to determine when replacement is needed, and how to perform the replacement. Customers must know the role of the service provider in providing replacement and how to obtain the service.</li> </ul>	<p>CD Workshop Report (11/09), Attachment A to D.10-01-026, pp. 11-12.</p> <p>D.10-01-026, pp. 10-14; COLs 6-19.</p>	
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<ul style="list-style-type: none"> <li>- Customers should be informed of limitations of backup battery’s ability to provide service during outage and how to maximize ability to make necessary calls during outage.</li> <li>- Customers should be informed of service provider’s and customer’s responsibilities regarding battery monitoring and replacement.</li> <li>- If the service provider is responsible for battery replacement but does not monitor battery condition, customers should be told that age and temperature impact battery performance and provided info on how they can monitor performance.</li> <li>- If the customer is responsible for battery monitoring and replacement, customers should be told that age and temperature impact battery performance, how to determine whether replacement needed, and how to obtain and install replacement batteries.</li> <li>- If backup power can be supplied from a source other than the backup battery, the customer should be told of this fact and how to request additional information from the service provider. Upon request information should be made available on the other types of backup power, to the extent the service provider has the information, and how to connect the backup power source to the telephone equipment.</li> </ul>		
<p>5. In Phase 2 several parties contended, as they did in Phase 1, that the Commission lacked the legal authority to require mandatory customer education on backup battery issues. TURN presented a detailed legal analysis rebutting the carriers and supporting the Commission’s authority.</p>	<p>TURN Reply Comments on Simon PD (11/16/09), pp. 1-4. TURN Comments on Peevey AD (1/11/10), pp. 1-9. D. 10-01-026, pp. 16-21.</p>	

<p>D.10-01-026 mentioned some of TURN’s arguments such as the point that the carriers had adequate notice and opportunity to be heard and that the FCC did not preempt fixed VoIP, but did not cite to TURN or any other party for the reasoning underlying the adopted outcome, which was consistent with TURN’s positions and arguments.</p> <p>TURN also filed comments opposing adoption of a Peevey AD that would have made the customer information a voluntary program. The AD was ultimately withdrawn.</p>		
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**B. Duplication of Effort (§§ 1801.3(f) & 1802.5):**

	Claimant	CPUC Verified
<b>a. Was DRA a party to the proceeding? (Y/N)</b>	Y	
<b>b. Were there other parties to the proceeding? (Y/N)</b>	Y	
<b>c. If so, provide name of other parties:</b> AT&T, CCTA, CALTEL, Charter, Citizens, Small LECs, SureWest, 3N, Cox, Verizon, Disability Rights Advocates, Frontier, CTIA, XO, DRA, MCI, Office of Emergency Services, Time Warner, Shascom 911, Sprint Nextel, Telecom Access for the Deaf, US Telepacific		
<b>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:</b> TURN coordinated closely with DRA and Disability Rights Advocates in this proceeding. While there were similarities in positions, TURN presented arguments, recommendations and information that were unique (e.g., “real world” information on power outages and the impacts on consumers in attempting to use their communications technologies). TURN was specifically requested by Staff to present our recommendations for a customer education program in a workshop panel. Other than DRA, TURN was the only intervenor representing the interests of all Californians, including seniors and non-English speakers. While Disability Rights Advocates also presented at the workshops, they focused on the needs of their specific constituency – consumers with disabilities.		

**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):**

<b>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)</b>	<b>CPUC Verified</b>
<p>As with many quasi-legislative proceedings, the precise benefits to consumers from TURN's participation in this case are difficult to quantify. However, the decisions issued in this proceeding make it clear that consumers had a lot at stake in terms of avoiding personal injury or property damage in emergency situations where they may not have the ability to make necessary phone calls. As technology continues to change it is critical that consumers fully understand both the advantages and disadvantages of new communications media. The value of an informed citizenry is hard to quantify but the mandatory customer education programs required by this proceeding will go far in protecting consumers. TURN participated in all aspects of this proceeding addressing the majority of critical issues and providing unique contributions that may have not been presented without our participation. Under the circumstances here, because of the importance and complexity of the policy issues addressed, the Commission should find TURN's efforts constituted a substantial contribution warranting compensation for all of TURN's reasonable efforts addressing those issues.</p> <p>TURN's costs of participation bear a reasonable relationship to the benefits realized through participation. TURN was primarily represented by a single policy analyst during the periods when the proceeding was particularly active. For TURN's staff analyst (Regina Costa), her hours represent the equivalent of less than two weeks work in 2007, four weeks work in 2008, two weeks work in 2009, and less than two weeks work in 2010. TURN's staff attorney Christine Mailloux, backed up by William Nusbaum, performed the necessary legal work, with combined hours amounting to less than a full-time week in each year. Mr. Finkelstein recorded a few hours in his supervisory role for this proceeding. Finally, TURN used an outside expert witness (Barbara Alexander) for further input and development of our positions, with less than 10 hours recorded for her work in this proceeding. In sum, the Commission should find reasonable the hours of each individual on behalf of TURN, as well as the total hours for which TURN seeks compensation.</p>	

**B. Specific Claim:**

<b>CLAIMED</b>						<b>CPUC AWARD</b>			
<b>ATTORNEY AND ADVOCATE FEES</b>									
<b>Item</b>	<b>Year</b>	<b>Hours</b>	<b>Rate \$</b>	<b>Basis for Rate*</b>	<b>Total \$</b>	<b>Year</b>	<b>Hours</b>	<b>Rate \$</b>	<b>Total \$</b>
Regina Costa	2007	52	\$255	D.08-04-037	\$13,260.00				

Regina Costa	2008	166.5	\$275	D.09-04-029 (in R.04-12-001)	\$45,787.50				
Regina Costa	2009	83.75	\$275	Res. ALJ-235	\$23,031.25				
Regina Costa	2010	58.25	\$275	Res. ALJ-235	\$16,018.75				
Christine Mailloux	2007	.50	\$360	D.08-04-037	\$180.00				
Christine Mailloux	2008	20.5	\$390	D.09-02-024	\$7995.00				
Christine Mailloux	2009	11.25	\$390	Res. ALJ-235	\$4387.50				
William Nusbaum	2007	2.0	\$405	D.08-04-019	\$810.00				
William Nusbaum	2008	13.25	\$435	D.09-02-024	\$5763.75				
William Nusbaum	2009	2.75	\$435	Res. ALJ-235	\$1196.25				
William Nusbaum	2010	3.0	\$435	Res. ALJ-235	\$1305.00				
Robert Finkelstein	2010	4.0	\$470	Res. ALJ-235	\$1880.00				
				<b>Subtotal:</b>	<b>\$121,615.00</b>			<b>Subtotal:</b>	
<b>EXPERT FEES</b>									
<b>Item</b>	<b>Year</b>	<b>Hours</b>	<b>Rate \$</b>	<b>Basis for Rate*</b>	<b>Total \$</b>	<b>Year</b>	<b>Hours</b>	<b>Rate \$</b>	<b>Total \$</b>
Barbara Alexander	2008	5.0	\$120	See #6 below	\$600.00				
Barbara Alexander	2009	4.5	\$120	See #6 below	\$540.00				
				<b>Subtotal:</b>	<b>\$1140.00</b>			<b>Subtotal:</b>	
<b>OTHER FEES</b>									
Describe here what OTHER HOURLY FEES you are claiming (paralegal, travel, etc.):									
<b>Item</b>	<b>Year</b>	<b>Hours</b>	<b>Rate \$</b>	<b>Basis for Rate*</b>	<b>Total \$</b>	<b>Year</b>	<b>Hours</b>	<b>Rate \$</b>	<b>Total \$</b>
[Person 1]									
[Person 2]									
				<b>Subtotal:</b>				<b>Subtotal:</b>	
<b>INTERVENOR COMPENSATION CLAIM PREPARATION **</b>									
<b>Item</b>	<b>Year</b>	<b>Hours</b>	<b>Rate \$</b>	<b>Basis for Rate*</b>	<b>Total \$</b>	<b>Year</b>	<b>Hours</b>	<b>Rate \$</b>	<b>Total \$</b>

Christine Mailloux	2007	1	\$180	D.08-04-037 reduced by 50%	\$180.00				
William Nusbaum	2010	12	\$217.50	Res ALJ 235 (3/12/09) reduced by 50%	\$2610.00				
<b>Subtotal:</b>					\$2790.00	<b>Subtotal:</b>			
<b>COSTS</b>									
<b>#</b>	<b>Item</b>	<b>Detail</b>			<b>Amount</b>	<b>Amount</b>			
	Copies	Various pleadings			\$64.60				
	Lexis	Legal research			\$442.50				
	Phone	Conference calls			\$3.27				
<b>Subtotal:</b>					<b>\$510.37</b>	<b>Subtotal:</b>			
<b>TOTAL REQUEST \$:</b>					<b>\$126,055.37</b>	<b>TOTAL AWARD \$:</b>			
<p>When entering items, type over bracketed text; add additional rows as necessary.          *If hourly rate based on CPUC decision, provide decision number; otherwise, attach rationale.          **Reasonable claim preparation time typically compensated at 1/2 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
1	Certificate of Service
2	Time Sheets detailing attorney hours
3.	Expenses
4.	<p>TURN has allocated its time entries by activity codes. The list of codes and their description:</p> <p>GP – General preparation: time for activities necessary to participate in the docket</p> <p>L – Issues associated with Commission jurisdiction; authority to mandate standards and customer education; preemption; legal issues re VoIP</p> <p>W - Issues associated with participation at Commission workshops; review workshop reports and FAR</p> <p>O - Issues associated with the impacts of power outages on consumers' communications needs</p> <p>MS - Issues associated with the need for mandatory backup battery standards</p> <p>CE – Issues associated with consumer education</p> <p># - Where time entries cannot easily be identified with a specific activity code. For these entries the allocation of time spent on activities can be broken down as such, L 10%, W 15%, O 10%, MS 20%, CE 45%</p>
5.	For this compensation request TURN is utilizing 2009 rates for the 2010 hours of Regina

	Costa, William Nusbaum and Robert Finkelstein but reserve the right to seek a different rate for 2010 hours in other compensation requests.
6.	<p>As noted earlier, TURN's expert, Barbara Alexander, provided guidance and assisted TURN in identifying the consumer education recommendations that the Commission adopted.</p> <p>The Commission approved an hourly rate of \$110 for Barbara Alexander's work in 2005 in the Telco Bill of Rights Proceeding (D.06-11-009, in R. 00-02-004). Since then Ms. Alexander has raised her hourly rate to \$120, the rate TURN paid for her work in 2008 and 2009 in this proceeding. Her rate is below the lower end of the range established in D.08-04-010 for expert witnesses with 0-6 years of experience; Ms. Alexander has decades of experience in the field of consumer advocacy on utility regulatory issues. (TURN would be glad to provide a statement of her qualifications upon request.) Therefore the Commission should find that the requested hourly rate for work performed in 2008 and 2009 is reasonable.</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 75<sup>th</sup> 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:

ahanda@telcordia.com  
anitataffrice@earthlink.net  
arasura@tcastcom.com  
ashm@telepacific.com  
ayo@cpuc.ca.gov  
bfs@cpuc.ca.gov  
bglaze@oaklandnet.com  
bgranados@oaklandnet.com  
Bill.Wallace@VerizonWireless.com  
bnusbaum@turn.org  
bor@cpuc.ca.gov  
carrie.cox@chartercom.com  
cg2@cpuc.ca.gov  
charlie.born@frontiercorp.com  
cinta.putra@3nonline.com  
cmailloux@turn.org  
crs@cpuc.ca.gov  
daphne.rhoe@dgs.ca.gov  
DavidJMiller@att.com  
deyoung@caltel.org  
douglas.garrett@cox.com  
edward.randolph@asm.ca.gov  
elaine.duncan@verizon.com  
ens@loens.com  
ep@hormannamerica.com  
eric.uller@smgov.net  
esther.northrup@cox.com  
g.gierczak@surewest.com  
HOA.D.LE@saic.com  
jacque.lopez@verizon.com  
james.keene@3nonline.com  
jarmstrong@goodinmacbride.com

jesus.g.roman@verizon.com  
Jfc@calcable.org  
jjw@cpuc.ca.gov  
jlites@schottlites.com  
joe.chicoine@frontiercorp.com  
John\_Gutierrez@cable.comcast.com  
joshdavidson@dwt.com  
jpo@cpuc.ca.gov  
jskow@tbteam.com  
jweiss@scottsvally.org  
jwilson@scottsvally.org  
katienselton@dwt.com  
kchalm@dwt.com  
kevin.saville@frontiercorp.com  
kmudge@covad.com  
Kristin.L.Jacobson@sprint.com  
kweed@dralegal.org  
larry.rowe@dgs.ca.gov  
LBarr@west-comm.org  
lgx@cpuc.ca.gov  
lindab@stcg.net  
ll@calcable.org  
lmb@wblaw.net  
lorraine.kocen@verizon.com  
marc.ladin@3nonline.com  
marg@tobiaslo.com  
maryliz.dejong@att.com  
mg1@cpuc.ca.gov  
michael.bagley1@verizonwireless.com  
michelle.salisbury@crowncastle.com  
mike@borsetti.com  
mike@edelsteingilbert.com  
mp1321@att.com  
mrubalcava@schottlites.com  
mschreiber@cwclaw.com  
nathan.glazier@alltel.com  
ndw@cpuc.ca.gov  
nlj@research.telcordia.com  
nrabe@ntigroup.com  
pcasciato@sbcglobal.net  
pcl@cpuc.ca.gov  
PHILILLINI@aol.com  
pjpg3@pge.com  
prw@cpuc.ca.gov  
psp@cpuc.ca.gov  
pucservice@dralegal.org  
raw@cpuc.ca.gov  
rcosta@turn.org

rdelsman@nextgnetworks.net  
renato.peruzzi@dts.ca.gov  
rex.knowles@xo.com  
RGiles@semprautilities.com  
richard.goldberg@dgs.ca.gov  
richard.osborne@oes.ca.gov  
robertg@greenlining.org  
rrichards@ntigroup.com  
rsm@cpuc.ca.gov  
rudy.reyes@verizon.com  
shynek@sbcglobal.net  
sim@cpuc.ca.gov  
sleeper@manatt.com  
smakris@telcordia.com  
smallecs@cwclaw.com  
snr@cpuc.ca.gov  
stephaniec@greenlining.org  
stephen.h.kukta@sprint.com  
steve@shascom911.com  
StoverLaw@gmail.com  
sue.plantz@oes.ca.gov  
Susan.Lipper@T-Mobile.com  
suzannetoller@dwt.com  
tch@cpuc.ca.gov  
thomas.mahr@verizonwireless.com  
thomas.selhorst@att.com  
tmacbride@goodinmacbride.com  
tray@extenetsystems.com  
vfb@cpuc.ca.gov  
vhedgpeth@ci.irvine.ca.us  
wcrosthwaite@roseville.ca.us  
ysmythe@caltel.com

Executed this 22nd day of March, 2010, at San Francisco,  
California.

*/S/ Larry Wong*

Larry Wong  
The Utility Reform Network  
115 Sansome Street, Suite 900  
San Francisco, CA 94104  
Tel: (415) 929-1132

**Attachment 2**

**Time Sheets detailing attorney hours**

Date	Attorney	Activity	Description	Time Spent
<b>Attorney: RC</b>				
5/3/2007	RC	#	Write comments , introduction	0.75
5/3/2007	RC	GP	Review ACR, wrtie outline for comments	0.75
5/3/2007	RC	MS	TW energy staff re fuel cell power for telecom systems	0.50
5/4/2007	RC	#	write comments , category, schedule, need for hearings	0.25
5/4/2007	RC	#	write comments, workshops and issues	0.75
5/4/2007	RC	#	Edit comments, prepare for filing	1.00
5/7/2007	RC	GP	Review responses	4.25
6/5/2007	RC	W	prep for workshop, attend workshop	5.00
6/6/2007	RC	W	prep for workshop, attend workshop	5.00
6/15/2007	RC	W	review carrier responses	2.25
6/29/2007	RC	W	review information requests	0.50
7/20/2007	RC	CE	research re reverse 911 systems, issues	3.00
7/20/2007	RC	W	review carrier responses to information requests	2.00
7/23/2007	RC	W	review responses to information requests	1.25
7/25/2007	RC	W	review more carrier responses to information requests	1.00
8/3/2007	RC	W	review responses to information requests	1.00
9/19/2007	RC	W	review carrier responses to information requests re NRIC VII best practices	2.00
9/19/2007	RC	W	review carrier responses to information requests	3.25
12/10/2007	RC	GP	review ACR re schedule	0.25
12/11/2007	RC	#	Review report to legislature	6.75
12/12/2007	RC	#	Review report	4.50
12/18/2007	RC	W	research for January 9 workshop	5.50
12/21/2007	RC	W	TW CM re workshop on Sdiego fires	0.50
<b>Total: 2007</b>				<b>52.00</b>
1/7/2008	RC	CE	contact UCAn and DRA re workshops, identify customer issues for questions	0.50
1/7/2008	RC	O	research phone outages due to wind storm, prep for comments	3.50
1/9/2008	RC	W	San Diego attend workshop re communications during firestorm	7.00
1/10/2008	RC	#	prepare notes from workshop for future comments re emerg notification	2.00
3/4/2008	RC	GP	telecom meeting discuss case planning	0.50
3/5/2008	RC	O	prep to interview Bob Loube for declartion	0.25
4/28/2008	RC	#	write outline for comments on draft report	1.00
4/28/2008	RC	W	Review draft report, analyze in preparation for writing comments	5.25
4/29/2008	RC	O	Research phone outages caused by power outages	0.50
4/30/2008	RC	#	Work on comments, review section of report re back-up power, notes for comment	4.75
4/30/2008	RC	CE	Work on comments re draft report, review sections re notification, notes for comment	2.25
5/1/2008	RC	MS	Write comments on Draft Report, power at cust premises	4.00
5/2/2008	RC	#	prepare comments for filing	0.50
5/2/2008	RC	CE	Write edit comments re draft report, customer awareness	0.50
5/2/2008	RC	L	write/edit comments re draft report, subsidies	0.25
5/2/2008	RC	MS	write edit comments on draft report, available backup time	0.50
5/2/2008	RC	MS	Write, edit comments on Draft Report, power at cust premises	6.00
5/2/2008	RC	W	write/edit comments on draft report, NRIC best practices	0.25
5/2/2008	RC	W	write/edit comments on draft report, back-up power at network sites	0.25
5/2/2008	RC	W	write/edit comments re draft report, emergency notification	0.25
5/5/2008	RC	W	Review comments on draft report, notes for future pleadings, ex partes	4.00
5/12/2008	RC	GP	Review Prop decision, notes for comments	4.00
5/23/2008	RC	#	Write outline for comments	1.00
5/24/2008	RC	#	Write first draft of comments	2.00
5/29/2008	RC	#	Write opening comments notification systems	0.50

Date	Attorney	Activity	Description	Time Spent
5/29/2008	RC	#	write opening comments on PD, edit for final version	0.50
5/29/2008	RC	MS	Write opening comments, back-up power	1.00
5/30/2008	RC	GP	review Comments, prep for reply	2.00
5/30/2008	RC	GP	TW DRA and DRA re reply comments on PD	0.75
6/2/2008	RC	GP	coordinate with DRA and Disab Rights re reply comments	0.50
6/2/2008	RC	GP	Review op comments for writing reply	4.00
6/2/2008	RC	L	MW DRA, CM and Disab Rights advocates re reply comments, VoIP	0.50
6/2/2008	RC	L	MW DRA, CM and Disability Rights advocates re rep comments legal issues	0.25
6/2/2008	RC	MS	Research FCC proceedings re backup power for reply comments	1.50
6/3/2008	RC	GP	Edit comments format document, prep for filing	2.00
6/3/2008	RC	L	TW CM re voip jurisdiction	0.25
6/3/2008	RC	MS	Write comments need for back-up power standards	4.00
6/3/2008	RC	MS	TW DRA re reply comments PU code section 776	0.25
6/3/2008	RC	MS	Review FCC NPRM and Order re backup power	2.00
6/12/2008	RC	GP	TW BN re procedural issues	0.50
6/27/2008	RC	GP	Review Alternate PD, analyse issues, prep for comments	4.00
7/2/2008	RC	GP	Review Chong Alternate, compare to Simon revised PD prep for comment	2.50
7/2/2008	RC	MS	TW DRA re customer premises back up power	0.25
7/2/2008	RC	MS	TW BN re comments, customer premisis back-up power	0.50
7/2/2008	RC	MS	Review FCC NPRM and Order re backup power, for reply to Chong Alternate	1.50
7/3/2008	RC	MS	Research for comments customer back up power	5.25
7/7/2008	RC	W	Review FAR for comments on Cmr Chong PD	3.25
7/11/2008	RC	#	Research, analyze cost benefit analysis, for comments on alternate	3.00
7/11/2008	RC	L	Research legislative history, prep for comments on alternate	4.50
7/13/2008	RC	MS	Write comments, re Alternate, back up at cust premisses	3.25
7/14/2008	RC	#	Write comments re alternate, write proposed FOF and COL	1.00
7/14/2008	RC	MS	Write comments re alternate, back up power customer premesis	5.00
7/15/2008	RC	#	Prep for ex parte meetings	2.25
7/16/2008	RC	#	Prep for ex parte meeting with Cmr. Gruenich's advisor Kelly Hymes, TW BN, MT re same	1.25
7/16/2008	RC	#	MW kelly Hymes re Simon PD and Alternate	1.25
7/16/2008	RC	#	Prep for Ex parte with Comr. Bohn	2.00
7/16/2008	RC	#	Ex parte Meeting with Cmr Bohn	0.75
7/17/2008	RC	GP	Review Op comments re alternate proposed decision, notes for reply	4.25
7/21/2008	RC	#	Write reply comments re alternate, edit, prepare filing	3.00
7/22/2008	RC	GP	Review reply comments	1.25
8/8/2008	RC	GP	TW BN, MT and DRA re possible revisions	0.50
8/14/2008	RC	#	Review record and discovery, for comments	5.25
8/15/2008	RC	#	Review discovery responses, for comments on the PD	4.50
8/21/2008	RC	#	Write op comments, ""harm""	1.00
9/8/2008	RC	GP	review decision 0809014	1.00
10/19/2008	RC	W	Review ACR re workshop, prep for workshop	2.00
10/24/2008	RC	W	Prep for workshop	2.25
10/28/2008	RC	W	Prep for workshop, contact potential consultants	2.00
10/29/2008	RC	CE	finalize consultant agreement	1.00
11/3/2008	RC	W	TW CAL NENA rep re back-up power workshop	0.50
11/4/2008	RC	W	draft responses to questions for back-up power workshop	5.25
11/5/2008	RC	#	Review revised PD, TW DRA re same	1.25
11/7/2008	RC	CE	TW BN, BF re prep for back-up power workshop	0.50
11/7/2008	RC	CE	Review responses to questions prep for workshop	1.50
11/7/2008	RC	CE	Write responses to questions posed for workshop on back-up power	4.50
11/9/2008	RC	CE	Forward responses to questions re back-up power to consultant	0.50
11/21/2008	RC	CE	Prep for workshop on backup power	4.00
11/24/2008	RC	CE	Prep for and attend workshop	6.50

Date	Attorney	Activity	Description	Time Spent
12/1/2008	RC	CE	Info to B. Alexander re workshop	0.50
12/2/2008	RC	MS	Review fed decision re back-up power in cell phone towers	0.50
<b>Total: 2008</b>				<b>166.50</b>
1/5/2009	RC	W	Review ACR re Feb 2 workshop	0.25
1/8/2009	RC	W	Prep for workshops	2.00
2/1/2009	RC	W	prep for workshop	3.00
2/2/2009	RC	W	Attend workshop	4.50
3/8/2009	RC	W	prep for workshop, perf stds for cust. with special needs	2.00
3/9/2009	RC	W	attend workshop re performance standards for cust with special needs	4.50
7/10/2009	RC	W	TW DRA re comments on workshop report	0.50
7/13/2009	RC	GP	review ALJ ruling	0.25
7/13/2009	RC	W	review draft workshop report, prep for comments	4.75
7/20/2009	RC	W	write outline for comments on draft workshop report	5.25
7/23/2009	RC	CE	TW consultant re Draft workshop report, prep for comments re same	0.50
7/27/2009	RC	CE	review consultant analysis of draft workshop report	1.00
7/30/2009	RC	CE	Write comments re draft wkshop report notification requirements	1.25
7/30/2009	RC	MS	Write comments re draft wkshop report 8 hour backup standard	0.75
7/30/2009	RC	MS	Write comments re draft workshop report, information about batteries	0.50
7/30/2009	RC	O	write comments re draft workshop report data re outages	0.50
7/31/2009	RC	#	write comments on draft report, intro and conclusion	0.50
7/31/2009	RC	GP	edit comments and prepare for submission	2.50
8/3/2009	RC	GP	review comments re draft workshop report, prep for reply	1.50
8/10/2009	RC	CE	Review consultant memo re opening comments on draft wkshp report	0.50
8/13/2009	RC	CE	Write rep comments - notification, battery life	0.75
8/13/2009	RC	CE	write rep comments - disclosure re alternate power supply	0.50
8/13/2009	RC	CE	write rep comments - disclosure, replacement batteries	0.75
8/13/2009	RC	L	write rep comments - FCC 911 VoIP disclosure requirements	0.50
8/13/2009	RC	L	write rep comments - jurisdiction	1.25
8/13/2009	RC	L	write rep comments - response to cox, disclosure	0.75
8/13/2009	RC	L	write rep comments - mandatory disclosure requirements	1.00
8/14/2009	RC	GP	write rep comments - introduction and conclusion	1.00
8/14/2009	RC	GP	write rep comments - edit comments and prepare filing for submission	3.75
8/28/2009	RC	GP	read reply comments	1.25
10/26/2009	RC	CE	review pleadings, research for reply, custoemer notification	3.25
10/26/2009	RC	GP	review PD, identify issues for comment	2.50
10/28/2009	RC	L	research for comments re PD, jurisdiction	5.50
11/2/2009	RC	CE	research for comments, customer motification program elements	5.25
11/4/2009	RC	#	prepare outline for comments	2.00
11/8/2009	RC	CE	write comments, customer education	4.50
11/9/2009	RC	CE	write comments, E-911 IP requirements	2.00
11/9/2009	RC	CE	write introduction, conclusion	0.75
11/9/2009	RC	CE	write comments, compliance filing	1.25
11/9/2009	RC	GP	edit comments on PD, prepare for filing	1.75
11/10/2009	RC	GP	review op comments on PD, for reply	1.50
11/13/2009	RC	L	tw CM and DRA re reply comments, jurisdiction	0.25
11/15/2009	RC	L	review, edit draft comments, jurisdiction	0.75
11/16/2009	RC	CE	write reply comments, information to customers re backup power	0.75
11/16/2009	RC	GP	edit reply comments, format document, prepare filing	2.50
11/16/2009	RC	L	write rep comments, apply to all service needing backup power	0.50
11/20/2009	RC	GP	review reply comments	0.75

Date	Attorney	Activity	Description	Time Spent
<b>Total: 2009</b>				<b>83.75</b>
1/1/2010	RC	L	Review Alternate,, compare to PD, review TURN comments. Jurisdiction	3.00
1/4/2010	RC	L	Research re jurisdiction issue, review related pleadings	5.00
1/4/2010	RC	L	TW DRA re Alternate, jurisdiction issue	0.25
1/5/2010	RC	L	Research, write comments re jurisdiction	4.50
1/6/2010	RC	L	Write comments on alternate	5.00
1/6/2010	RC	L	TW BF re comments on alternate, jurisdiction issue	0.25
1/7/2010	RC	L	Write comments on alternate, jurisdiction, send to BN and BF	4.00
1/7/2010	RC	L	TW DisabR re comennts on alternate, jurisdiction	0.25
1/8/2010	RC	L	Write and edit comments on alternate	4.00
1/11/2010	RC	GP	Review parties comments on alternate	1.00
1/11/2010	RC	L	TW BF re comments	0.25
1/11/2010	RC	L	TW DRA re comments	0.25
1/11/2010	RC	L	Write and edit comments on alternate	4.00
1/12/2010	RC	L	Research jurisdiction issue for reply	5.00
1/14/2010	RC	L	TW DisabR re reply comments on Alternate	0.50
1/15/2010	RC	L	Reply comments on Alternate, research jurisdiction issue	5.75
1/18/2010	RC	L	write reply comments, jurisdiction	8.75
1/19/2010	RC	GP	Review reply comments on alternate	0.75
1/19/2010	RC	L	prep for ex partes, ex partes Cmr Bohn's office, Cmr Simon's office	2.00
1/19/2010	RC	L	Reply comments, Alternate, finish editing, formatting, prep for filing	3.00
1/20/2010	RC	GP	Review modified PD	0.75
<b>Total: 2010</b>				<b>58.25</b>
<b>Total: RC</b>				<b>360.50</b>
<b>Attorney: CM</b>				
5/3/2007	CM	GP	Email correspondence with ALJ and R. costa re: service lists; review service list rules; email process office	0.50
6/7/2007	CM	Comp	Draft, finalize NOI and Motion for late file; email/DW ALJ	1.00
<b>Total: 2007</b>				<b>1.50</b>
1/9/2008	CM	W	Attend workshop in San Diego on emergency communications	7.50
6/2/2008	CM	GP	Conf call with DRA and R. Costa re: reply comments on PD; DW R. Costa on strategy for reply	1.25
6/2/2008	CM	L	Research VOIP Preemption arguments	3.25
6/2/2008	CM	L	Research FCC preemption issues on emerg power	1.50
6/3/2008	CM	L	Draft reply on VoIP preemption issues; DW R. Costa and N. Wales re: same	3.50
6/3/2008	CM	L	Draft reply on FCC preemption issues	1.00
7/7/2008	CM	L	Review Chong alternate PD for jurisdiction issues to respond to	0.50
7/10/2008	CM	L	Draft section of opening comments on Chong Alternate re: jurisdiction over VoIP	1.50
7/14/2008	CM	L	Review draft of jurisdiction section; email re: same; DW Regina re: comments on Chong Alternate	0.50

Date	Attorney	Activity	Description	Time Spent
<b>Total: 2008</b>				<b>20.50</b>
7/31/2009	CM	CE	Review draft of comments re: customer notification issues	0.50
11/11/2009	CM	L	Review opening comments on PD re: jurisdiction arguments	1.00
11/12/2009	CM	L	Research VoIP jurisdiction for reply comments on PD	2.75
11/13/2009	CM	L	DsW B. Nusbaum and M. Kasnitz re: VoIP jurisdiction; draft reply section re: same	1.25
11/15/2009	CM	L	Draft reply section on VOIP jurisdiction	5.50
11/16/2009	CM	L	Finalize reply section on VoiP jurisdiction	0.25
<b>Total: 2009</b>				<b>11.25</b>
<b>Total: CM</b>				<b>33.25</b>
<b>Attorney: BN</b>				
6/5/2007	BN	W	Attend workshop	2.00
<b>Total: 2007</b>				<b>2.00</b>
5/1/2008	BN	O	Research re FCC outage reporting	1.50
7/3/2008	BN	GP	Review Chong AD for mtgs with Comm.	2.25
7/15/2008	BN	#	Draft talking points for Commissioner mtgs PD/AD	2.50
7/16/2008	BN	#	Mtg w/Comm. Bohn	0.75
7/16/2008	BN	#	Mtg w/Kelly Hymes PD/AD	0.50
7/16/2008	BN	#	Prep for Commissioner mtgs PD/AD	1.25
7/16/2008	BN	GP	Review parties' AD comments for reply	1.50
11/24/2008	BN	W	Attend workshop	3.00
<b>Total: 2008</b>				<b>13.25</b>
11/13/2009	BN	L	Review PD, comments for reply re VoIP issue	2.25
11/16/2009	BN	GP	Review draft TURN reply	0.50
<b>Total: 2009</b>				<b>2.75</b>
1/7/2010	BN	L	Review draft Cmnts on AD - VoIP jurisdiction issue	1.00
1/18/2010	BN	#	Mtgs w/Simon & Bohn advisors	1.50
1/18/2010	BN	L	Review draft reply Cmnts on AD - VoIP jurisdictional issue	0.50
2/23/2010	BN	Comp	Review pleadings for comp req	1.50
3/17/2010	BN	Comp	Drafting comp req	4.00
3/18/2010	BN	Comp	Drafting comp req	3.00
3/19/2010	BN	Comp	Drafting comp req	3.50
<b>Total: 2010</b>				<b>15.00</b>

Date	Attorney	Activity	Description	Time Spent
<b>Total: BN</b>				<b>33.00</b>
<b>Attorney: BF</b>				
1/6/2010	BF	L	p/c w/ RC re: cmmts on Peevey Alt -- jurisd'l issues	0.50
1/7/2010	BF	GP	Review and edit cmmts on Peevey Alternate; draft e-mail to RC and BN	2.25
1/18/2010	BF	GP	e-mails w/ RC and BN re: reply comment strategy	0.50
1/18/2010	BF	GP	Review and edit reply cmmts on Alt Dec	0.75
<b>Total: 2010</b>				<b>4.00</b>
<b>Total: BF</b>				<b>4.00</b>
<b>Attorney: B. Alexander</b>				
11/11/2008	B. Alexander	GP	Review prior PUC rulings and orders; review comments filed by other parties	2.00
11/12/2008	B. Alexander	CE	prepare Memo with recommendations for workshop and policy approaches for this proceeding	3.00
<b>Total: 2008</b>				<b>5.00</b>
7/25/2009	B. Alexander	GP	Review Staff Draft Report; memo	1.00
8/10/2009	B. Alexander	CE	Review comments filed July 31; memo re Reply Comments	3.50
<b>Total: 2009</b>				<b>4.50</b>
<b>Total: B. Alexander</b>				<b>9.50</b>
<b>Grand Total</b>				<b>440.25</b>

**Attachment 3**

**Expenses**

3/22/2010  
1:35 PM

Expenses.

Page 1

Date	Activity	Description	Billed
<u>Activity: \$Copies</u>			
5/4/2007	Photocopies	Comments 2cc x 5pp	\$2.00
6/8/2007	Photocopies	Motion to Accept Late Filed & NOI to Claim Compensation 4cc x 23pp + 2cc x 13pp	\$23.60
5/2/2008	Photocopies	Comments on the Draft Report Regarding Reliability Standards for Telecommunications Emergency Backup Power systems and Emergency Notification Systems. 2cc x 12pp	\$4.80
5/29/2008	Photocopies	Reply Comments on the Proposed Decision of Commissioner Simon. 2cc x 5pp	\$2.00
6/4/2008	Photocopies	Reply Comments on the Proposed Decision of Commissioner Simon. 2cc x 7pp	\$2.80
7/11/2008	Photocopies	Comments on the Alternate Proposed Decision of Commissioner Chong. 2cc x 16pp	\$6.40
7/21/2008	Photocopies	Reply Comments on the Alternate Proposed Decision of Commissioner Chong. 2cc x 7pp	\$2.80
11/7/2008	Photocopies	Response to the Workshop Questions Set Forth in Appendix B of the Assigned Commissioner's Ruling Announcing Workshops on Customer Outreach and Education Concerning the Limitations of the	\$5.40
7/31/2009	Photocopies	Comments on the Draft Report Regarding Reliability Standards for Telecommunications Emergency Backup Power Systems and Emergency Notification Systems. 2cc x 7pp	\$2.80
8/14/2009	Photocopies	Reply Comments on the Draft Report Regarding Reliability Standards for Telecommunications Emergency Backup Power Systems and Emergency Notification Systems. 2c x 13pp	\$5.20
11/9/2009	Photocopies	Comments on the Proposed Decision of Commissioner Simon. 2cc x 9pp	\$3.60
11/16/2009	Photocopies	Reply Comments on the Proposed Decision of Commissioner Simon. 2cc x 8pp	\$3.20
Total: \$Copies			\$64.60
<u>Activity: \$Lexis Research</u>			
11/15/2009	Lexis Nexis	LexisNexis November Invoice.	\$442.50
Total: \$Lexis Research			\$442.50
<u>Activity: \$Phone</u>			
6/15/2007	Phone/Fax	Sprint Invoice; \$0.28	\$0.28
6/15/2008	Phone/Fax	Sprint Invoice; \$0.7	\$0.70
11/15/2008	Phone/Fax	Sprint Invoice; \$1.25	\$1.25
12/15/2008	Phone/Fax	Sprint Invoice; \$0.17	\$0.17
8/15/2009	Phone/Fax	Sprint Invoice; \$0.78	\$0.78
1/15/2010	Phone/Fax	Sprint Invoice; \$0.09	\$0.09
Total: \$Phone			\$3.27
<b>Grand Total</b>			<b>\$510.37</b>