



**FILED**

06-25-10  
Agenda ID # \_\_\_\_\_  
04:59 PM

Decision \_\_\_\_\_

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

Application of Pacific Gas and Electric Company to Implement and Recover in Rates the Costs of its Photovoltaic (PV) Program (U39E).

Application 09-02-019

**CLAIM AND DECISION ON REQUEST FOR INTERVENOR COMPENSATION**

<b>Claimant: The Greenlining Institute</b>	<b>For contribution to D.10-04-052</b>
<b>Claimed (\$): \$45,349.00</b>	<b>Awarded (\$):</b>
<b>Assigned Commissioner: Peevey</b>	<b>Assigned ALJ: Ebke</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>	<b>/s/ Samuel S. Kang</b>
<b>Date:</b>	<b>June 25, 2010</b>
<b>Printed Name:</b>	<b>Samuel S. Kang</b>

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

**A. Brief Description of Decision:**

The Decision adopted a five-year solar photovoltaic (PV) program to develop up to 500 MWs of solar PV facilities in Pacific Gas and Electric Company's ("PG&E's) service territory. The PV program includes 250 MWs of utility-owned generation (UOG) and 250 MWs furnished through power purchase agreements (PPAs).

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

	<b>Claimant</b>	<b>CPUC Verified</b>
<b>Timely filing of notice of intent to claim compensation (§ 1804(a)):</b>		
1. Date of Prehearing Conference:	May 14, 2010	
2. Other Specified Date for NOI:	N/A	
3. Date NOI Filed:	June 11, 2010	
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:	A.08-03-015	
6. Date of ALJ ruling:	May 6, 2010	
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:		
10. Date of ALJ ruling:		
11. Based on another CPUC determination (specify):	See Section I. C. below	
12. Has the claimant demonstrated significant financial hardship?		
<b>Timely request for compensation (§ 1804(c)):</b>		
13. Identify Final Decision	D.10-04-052	
14. Date of Issuance of Final Decision:	04/28/2010	
15. File date of compensation request:	06/25/2010	
16. Was the request for compensation timely?		

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

#	Claimant	CPUC	Comment
11			<p>For a Category 3 customer, “significant financial hardship” means that “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.” (CPUC § 1802(g)). Greenlining represents the interests of low income and moderate income customers and other vulnerable communities. While the ratepayer protections that we championed are significant to individual customers, the individual savings we are able to provide are small compared to the costs of our participation.</p> <p>The costs of our participating in proceedings for individual low income and moderate income customers are prohibitive and in great excess of the individual benefit derived. Greenlining’s participation was essential to represent the interests of low income and moderate income customers who are faced with potential hardships due to rising energy rates resulting from the revenues needed for the PV project. Greenlining therefore meets the “economic interest” test of significant financial hardship.</p>

**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.)

**B.**

Contribution	Citation to Decision or Record	Showing Accepted by CPUC
<p>1. Opposed high cost of the UOG PV program, especially as compared to other UOG programs, as well as non-UOG programs.</p> <p>(See Protest (filed March 27, 2009), pp. 2-3; Opening Brief (filed Oct 1, 2009), pp. 2-3; Reply Brief (filed Oct. 16, 2009), pp. 3-4; Opening Comments on Proposed Decision (filed Feb. 16, 2010), p. 1; Opening Comments on Alternate Decision (filed Feb. 16, 2010), p. 1)</p>	<p>D.10-04-052, p. 12 (discusses Greenlining opposition to high cost of project), pp. 30-33 (although decision accepts PG&amp;E’s proposed cost estimate for the UOG program, it implements several mechanisms to lower costs: excess costs subject to reasonableness review, an independent evaluator to ensure competitiveness, and a cost incentive mechanism whereby 10% of costs savings go to shareholders)</p>	

	<p>The Scoping Memo identified this issue -- cost-effectiveness -- as within the scope of the proceeding: (<i>see</i> Scoping Memo (issued July 1, 2009), Sec. 2.1)</p>	
<p>2. Identified disposal of PV panels and other decommissioning costs as a significant cost (up to \$27.5 million) not accounted for by PG&amp;E's UOG application.</p> <p>(<i>See</i> Prehearing Conference Statement (filed May 11, 2009), p. 8; Opening Brief, p. 13; Reply Brief, p. 7; Opening Comments on Proposed Decision (filed Feb. 16, 2010), p. 4; Opening Comments on Alternate Decision (filed Feb. 16, 2010), p. 5)</p>	<p>D.10-04-052, pp. 25-26 (discussing Greenlining's identification of panel disposal costs as a significant deficiency in PG&amp;E's application)</p> <p>The Scoping Memo identified this issue – costs of disposal of the solar facilities -- as within the scope of the proceeding: (<i>see</i> Scoping Memo, Sec. 2.6)</p>	
<p>3. Opposed additional 1% rate of return for the PV UOG program, arguing that the PV program was not experimental and thus did not merit additional rate of return under CPUC § 453.3</p> <p>(<i>See</i> Opening Brief, pp. 10-12; Reply Brief, p. 5; Opening Comments on Proposed Decision, p. 5; Opening Comments on Alternate Decision, p. 6)</p>	<p>D.10-04-052, p. 64 (discussing Greenlining's contributions), pp. 65-66 (rejecting additional rate of return because the OUG PV program is not an experimental program)</p> <p>The Scoping Memo identified this issue – the cost recovery mechanism, including the rate of return – as within the scope of the proceeding: (<i>see</i> Scoping Memo, Sec. 2.3)</p>	
<p>4. Recommended that PV program be limited to projects above 3 MW, to protect the SB 32 mandated feed-in tariff and net metering efforts)</p> <p>(<i>See</i> Opening Brief on Impact of SB 32 and AB 920 (filed Nov. 10, 2009), pp. 3-5; Reply Brief on Impact of SB 32 and AB 920 (filed Nov. 17, 2009), pp. 3-5)</p>	<p>D.10-04-052, pp. 46-48 (while the decision did not limit projects to those above 3 MW, it did institute procedures, such as standard contracts, to ensure that smaller projects are treated fairly)</p> <p>This issue – the MW capacity of individual projects -- was identified as added to the scope of the proceeding by the passage of Senate Bill 32 and Assembly Bill 920 (<i>see</i> ALJ's Ruling Requesting Briefs on the Impacts of</p>	

	SB 32 and AB 920 (issued Oct. 30, 2009), p. 2.	
5. Considering the high cost estimate of the program, supported using the price forecast as a cost cap.  (See Protest, p. 4; Opening Brief, p. 12; Opening Comments on Proposed Decision, p. 3; Opening Comments on Alternate Decision, p. 3)	D.10-04-052, pp. 55-56 (discussing establishment of a cost cap, set at 20% above cost estimate)  The Scoping Memo identified this issue – the reasonableness of the cost estimate – as within the scope of the proceeding: (see Scoping Memo, Sec. 2.4)	
6. Opposed fixed price for the power purchase agreement (PPA) component of the Solar PV program; argued that dropping prices for PV meant that a competitive process for establishing prices was more cost effective.  (See Protest, p. 5; Opening Brief, pp. 4-7; Opening Comments on Proposed Decision, pp. 2-3; Opening Comments on Alternate Decision, pp. 2-3 )	D.10-04-052, pp. 37, 39 (discussing Greenlining’s contribution), p. 39 (establishing competitive prices for the PPA program, as changing factors could lead to a lower price)  The Scoping Memo identified this issue – the reasonableness of using fixed price – as within the scope of the proceeding: (see Scoping Memo, Sec. 2.2)	
7. Greenlining proposes that PV project contain features that provide economic development benefits, such as local jobs  (See Prehearing Conference Statement, pp. 3, 6; Opening Brief, p. 6; Reply Comments on Proposed Decision, p. 4)	The Scoping Memo identified this issue – jobs and diverse business development – as outside the scope of the proceeding: (see Scoping Memo, pp. 5-6)	

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

	<b>Claimant</b>	<b>CPUC Verified</b>
<b>a. Was DRA a party to the proceeding? (Y/N)</b>	<b>Yes</b>	
<b>b. Were there other parties to the proceeding? (Y/N)</b>	<b>Yes</b>	
<b>c. If so, provide name of other parties:</b> Californians for Renewable Energy (CARE), California Large Energy Consumers Association (CLECA), Western Power Trading Forum (WPTF) and Direct Access Customer Coalition (DACC), Consumer Federation of California (CFC), Coalition of California Utility Employees (CUE), The Solar Alliance, Independent Energy Producers		

Association (IEP), The Utility Reform Network (TURN), California Farm Bureau Federation (Farm Bureau), and California Solar Energy Industries Association (CALSEIA) and others that were less active participants.	
<p><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></p> <p>While Greenlining seeks to protect all ratepayers from unnecessary costs and promote rules that foster renewable energy, Greenlining’s specific constituents are communities of color and low income communities. Therefore, Greenlining’s perspective on issues differs from that of general ratepayer advocates, and supplements it by providing analysis specific to vulnerable and/or underserved segments of the ratepayer population. For example, our advocacy sought to protect small solar enterprises that would need to compete with PG&amp;E’s UOG PV program.</p> <p>Greenlining coordinated with the Division of Ratepayer Advocates and with other ratepayer advocates to ensure that our efforts were not duplicated. Where our issues overlapped, we sought to coordinate strategies to minimize duplication and maximize efficacy. Where parties made similar arguments, the reasoning in support of each differed, allowing the Commission a broader range of opinions on the issues.</p>	

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

#	Claimant	CPUC	Comment
II.A.1, 4, 5, 7	X		Although ultimately Greenlining’s position did not prevail in these particular issues, Greenlining’s participation substantially contributed to the decision by providing a meaningful opposition to other parties’ proposals as well as justification to certain alternative views. Greenlining brought to the proceeding perspectives of the low-income and minority ratepayers regarding the PV project.

**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>
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It is difficult to assign a precise dollar value to Greenlining’s participation. Some of Greenlining’s contribution’s accepted by the final decision will clearly save ratepayers costs, such as advocacy to disallow an increase in the rate of return, identification of costs (panel disposal -- which the Commission estimated at \$27.5 million) missing from the UOG application and advocacy for competitive pricing of the PPA program.

Additionally, Greenlining’s contribution’s assisted the Commission in developing an efficient PG&E solar PV program. This solar PV program will provide environmental benefits to ratepayers, such as the reduction of greenhouse gases and other pollution. These benefits are difficult estimate a dollar figure, but provide environmental and health benefits for all ratepayers.

These contributions, as well as additional contributions described above, informed the record and the Commission’s decision-making process. Although some were not ultimately adopted, they were primarily measures to keep future costs under control. How much ratepayer money these measures ultimately save will not be known until the program is built out and annual reports are analyzed. However, it is clear that our advocacy was designed to keep costs low and derive as many benefits to ratepayers as possible. Thus, Greenlining’s participation creates benefits to ratepayers.

**B. Specific Claim:**

CLAIMED						CPUC AWARD			
ATTORNEY AND ADVOCATE FEES									
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Year	Hours	Rate \$	Total \$
Samuel Kang	2009	26.8	\$210	See Attachment A	\$5628.00				
Samuel Kang	2010	9.1	\$220	See Attachment A	\$2002.00				
Stephanie Chen – Legal Fellow	2009	15.1	\$125	D.10-05-010, p. 5	\$1887.50				
Stephanie Chen – Legal Counsel	2009	58.2	\$190	See Attachment A	\$11,058.00				
Stephanie Chen	2010	24.3	\$210	See Attachment A	\$5103.00				

Elena Gil	2009	90.1	\$175	See Attachment A	\$15,767.50				
<b>Subtotal:</b>					<b>\$41,446.00</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>
Orson Aguilar	2009	2.8	\$200	D.10-05-010, p. 5	\$560.00				
<b>Subtotal:</b>					<b>\$560.00</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]									
<b>Subtotal:</b>					<b>\$0.00</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>
Sam Kang	2009	0.8	\$105	See Attachment A	\$84.00				
Stephanie Chen	2010	1.7	\$105	See Attachment A	\$178.50				
Elena Gil	2009	6.8	\$87.50	See Attachment A	\$595.00				
Enrique Gallardo	2010	14.2	\$175	See Attachment A	\$2485.00				
<b>Subtotal:</b>					<b>\$3342.50</b>	<b>Subtotal:</b>			
<b>COSTS</b>									
<b>#</b>	<b>Item</b>	<b>Detail</b>	<b>Amount</b>	<b>Amount</b>					
<b>Subtotal:</b>			<b>\$0.00</b>	<b>Subtotal:</b>					
<b>TOTAL REQUEST \$:</b>					<b>\$45,349.00</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
	Greenlining waives claims for costs.

Attachment A	Basis for Rates Claimed in Section III.B
Attachment B	Allocation of Time by Issue
Attachment C	Time Recordkeeping for Greenlining's Attorneys & Experts
Attachment 1	Certificate of Service

**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)?**

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)?**

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 A

### **Basis for Rates Claimed in Section III.B**

#### **Samuel Kang**

Samuel Kang is the Managing Attorney for the Greenlining Institute. Mr. Kang had rates set by D.10-05-010, p.5. His rates awarded were \$180 for 2008 and \$190 for 2009.

A May 2007 graduate of the University of San Francisco Law School, Mr. Kang in 2010 has four years of experience as an attorney. In 2009, Mr. Kang had three years of experience. He has worked for Greenlining in various capacities for over three years, and his responsibilities throughout this time have included representing the organization before the Public Utilities Commission, including general rate cases. Mr. Kang also has experience working in the CPUC Legal Division in 2006.

The rate previously awarded for Mr. Kang in 2009 is below the range for attorneys with three years of experience. The range for attorneys with 3-4 years of experience for 2009 is \$200-\$235.<sup>1</sup> Therefore, Greenlining requests a rate of \$210 for Mr. Kang for 2009. As Mr. Kang now has four years of experience, we request a 5% step increase<sup>2</sup> to a rate of \$220 for 2010.

#### **Stephanie Chen**

Stephanie Chen is Legal Counsel for the Greenlining Institute. Ms. Chen had rates set by D.10-05-010, p.5. Her rates awarded were \$125 for 2008 and \$125 for 2009. However, these rates were awarded for her position of a Legal Fellow.<sup>3</sup> The decision noted that as Ms. Chen obtained the position of Legal Counsel with Greenlining in September 2009, that the Commission would consider a rate for her as Legal Counsel in future claims.<sup>4</sup>

In 2009, she had two years of experience. The range for 2009 for attorneys with 0-2 years of experience was \$150-205.<sup>5</sup> Therefore, Greenlining requests a rate of \$190 for Ms. Chen, as Legal Counsel, in 2009. This rate reflects Ms. Chen's experience before the Commission, including participation in general rate cases.

Ms. Chen now has more than three years of experience. In 2010, she entered a new range of rates for attorneys, as she now has three years of experience. The range of rates for 2010 for attorneys with 3-4 years of experience is \$200-235.<sup>6</sup> Greenlining requests a rate of \$210 for Ms. Chen for 2010. This rate reflects Ms. Chen's experience before the Commission, including participation in general rate cases.

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<sup>1</sup> See Resolution ALJ-247, p. 5.

<sup>2</sup> Up to two 5% step increases are allowable within each experience range. See D.07-01-009, pp. 5-6

<sup>3</sup> See D.10-05-010, p. 6, Sec. III.C.13. This decision referred to Ms. Chen as "Legal Associate."

<sup>4</sup> See *id.*

<sup>5</sup> See Resolution ALJ-247, p. 5.

<sup>6</sup> See *id.*

## **Elena Gil**

Elena Gil was a Legal Fellow with The Greenlining Institute. She received her J.D. from the University of San Francisco School of Law in May 2008, where she obtained an International and Comparative Law Certificate with honors and received the Pro Bono Publico Award and CALI Award for Excellence in Environmental Law.

She has served as a Haywood-Burns Environmental Justice Fellow at the New York Environmental Law and Justice Project and as a legal intern at the Center on Race, Poverty & the Environment in San Francisco. Ms. Gil has also interned at the Instituto de Derechos Humanos of the Universidad Centroamericana in El Salvador.

In 2009, Ms. Gil had one year of experience as an attorney. A rate of \$175, at the midpoint of the range of attorneys with 0-2 years of experience in 2009 is appropriate for Ms. Gil.

## **Enrique Gallardo**

Enrique Gallardo is Staff Attorney with the Greenlining Institute. Mr. Gallardo last had rates awarded to him by the Commission for work performed in 2008 (\$315).<sup>7</sup> Mr. Gallardo is a 1997 graduate of the University of California at Berkeley School of Law. In 2010, Mr. Gallardo enters into a new range of experience, now having 13 years of experience as an attorney, much of the experience before the Commission. Thus, a new rate for 2010 in the amount of \$350, at the bottom of the range for attorneys with 13+ years of experience is appropriate.

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<sup>7</sup> See D.09-02-027, pp. 13-14.

## Attachment B

### Allocation of Time By Issue

In the foregoing time sheets, the attorneys worked on a number of specific issues as well as on general issues, identified below with a number code.

The identification of each issue within the scope of the proceeding is discussed for each issue in section II.B, above.

The amount of time in each task corresponding to an issue is identified in the attached Excel spreadsheets for each time record. In the time records below, the issue allocation is not included. Greenlining estimates approximately the following allocation of total resource time (attorney and witness) by issue in this proceeding:

Issue Areas (with number code)	% of Time
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<b>A.</b> Opposed high cost of the UOG PV program, especially as compared to other UOG programs, as well as non-UOG programs ( <i>see</i> Sec. II.B.1 above).	17%
<b>B.</b> Identified disposal of PV panels and other decommissioning costs as significant costs not accounted for by PG&E's UOG application ( <i>see</i> Sec. II.B.2 above).	15%
<b>C.</b> Opposed additional 1% of rate of return for the PV UOG program, arguing that the PV program was not experimental ( <i>see</i> Sec. II.B.3 above).	15%
<b>D.</b> Recommended that PV program be limited to projects above 3 MW, to protect the SB 32 mandated feed-in tariff and net metering efforts ( <i>see</i> Sec. II.B.4 above).	8%
<b>E.</b> Considering the high cost estimate of the program, supported using the price forecast as a cost cap ( <i>see</i> Sec. II.B.5 above).	8%
<b>F.</b> Opposed fixed price for the PPA component, argued that dropping prices for PV favored a competitive process ( <i>see</i> Sec. II.B.6 above).	18%
<b>G.</b> Proposed that PV project contain features that provide economic development benefits, such as local jobs ( <i>see</i> Sec. II.B.7 above).	9%
<b>H.</b> General ( <i>see</i> Sec. II.B.8 above).	10%

## Attachment C

### Time Recordkeeping for Greenlining's Attorneys & Experts

#### Hours of Samuel Kang, Managing Attorney, in 2009

<b>Date</b>	<b>Description</b>	<b>Total</b>
3/18/2009	Initial Briefing on PG&E Application	1
3/25/2009	Briefing on case strategy w/ Orson Aguilar, Stephanie Chen, Elena Gil	0.6
3/25/2009	Read Draft of Protest	0.4
3/26/2009	Revised Draft of Protest & Clarified Strategy w/ Elena Gil	0.9
4/6/2009	Meeting with Elena Gil to prep for PG&E meeting	0.5
4/6/2009	Meeting with E. Gil, O. Aguilar, S.Chen to prep for PG&E meeting	0.4
4/6/2009	Meeting with Ophelia Basgal, Tom Bottorff and Suncheth Bhat	0.6
4/14/2009	Read PG&E's Reply to Protests	0.6
4/27/2010	Meeting with Elena Gil on Application, timeline, preparation for workshop	0.7
4/27/2009	PG&E Workshop	3.5
4/27/2009	Discuss w E. Gil & S. Chen on strategy stemming from workshop	0.4
4/29/2009	Draft letter to PG&E execs (O. Basgal & T. Bottorf) on course of case	0.5
4/30/2009	Spoke with Mary Jo Stueve on strategy	0.1
4/30/2009	Spoke with Elena Gil on PHC Statement Strategy	0.4
5/6/2009	De-brief on Teleconference hosted by PG&E	0.1
5/7/2009	Reviewed and edited first draft of PHC statement with Elena Gil	0.6
5/7/2009	Meeting with Josh Arce about Sunset Reservoir Model & comparison to utility-owned model	0.5
5/8/2009	Email to Mary Jo Steueve on PHC Statement and Schedule	0.1
5/8/2009	De-brief w/ Elena Gil on coordinating with DRA on PHC Statement	0.1
5/11/2009	Edited Draft of PHC Statement	0.4
5/11/2009	Discussed edits of PHC Statement with Elena Gil	0.3
5/13/2009	Prep for PHC	1.5
5/14/2010	Prep for PHC with Elena Gil	0.4
5/14/2009	PHC	1.3
5/14/2009	Debrief with Elena Gil after PHC	0.3
5/15/2009	Read Consumer Federation of CA's Motion to Dismiss	0.4
5/19/2009	Phone call with David Peck (DRA)	0.1
5/20/2009	Meeting with E. Gil and S. Chen - update on status of proceeding	0.1
5/20/2009	Phone call with Suncheth Bhat (PG&E Case manager)	0.3
6/12/2009	Discuss potential witness testimony with Elena Gil	0.1
6/17/2009	Discussed potential economics expert Bruce Biewald w/ E. Gil and S. Chen	0.1
6/18/2009	Met w/. E.Gil & S.Chen re: implications of SCE PV AD to 2775.5 argument	0.2
6/19/2009	Discussed upcoming presentation on PPA contracting with Elena Gil	0.1
7/1/2009	Read ALJ's Scoping Memo & Ruling	0.4
7/15/2009	Meeting with Stephanie Chen & Elena Gil on Settlement Strategy	0.4
7/27/2009	Meeting with Stephanie Chen on Testimony Strategy	0.1
8/6/2009	Help witness Josh Arce prep for testimony	0.1
8/11/2009	Discuss testimony strategy with Elena Gil	0.1
8/12/2009	Discuss testimony strategy with Elena Gil	0.2
8/14/2009	Meeting with Elena Gil and Stephanie Chen re: status of testimony	0.1

### Hours of Samuel Kang, Managing Attorney, in 2009

Date	Description	Hours
8/14/2009	Review of all Greenlining's witness testimonies	1.5
8/21/2009	Met w/ S. Chen - strategy planning for testimony & case management	0.4
9/3/2009	Revising Data Request Responses from PG&E	0.4
9/3/2009	Meeting with Stephanie Chen on Witness X- Exam Strategy	2
9/9/2009	Witness Prep with Stephanie Chen and Orson Aguilar	1
9/30/2009	Review of Opening Brief Outline	0.3
9/30/2009	Meeting with Stephanie Chen on Opening Brief Structure	0.1
10/1/2009	Review and Edit of Opening Brief	0.5
10/1/2009	Meeting with Stephanie Chen on Opening Brief Edits	0.1
10/16/2009	Edit first draft of Reply Brief	0.5
10/16/2009	Edit second draft of Reply Brief	0.3
10/16/2009	Meeting with Stephanie Chen on Reply Brief Edits	0.5
11/13/2009	Email to Bob Finkelstein at TURN on SB 32 impact	0.2
<b>Total Hours for Samuel Kang in 2009</b>		<b>26.8</b>

### Hours of Samuel Kang, Managing Attorney, in 2010

Date	Description	Hours
1/26/2010	Read Proposed Decision	1.1
1/27/2010	Read Alternate Proposed Decision	1.1
2/4/2010	Read ALJ Ruling on Final Oral Arguments	0.1
2/15/2010	Edit PD and AD Opening Comments	1.5
2/16/2010	Read TURN Opening Comments on PD & AD	0.5
2/17/2010	Read PG&E Opening Comments on PD & AD	1.6
2/22/2010	Review Reply Comments to PD & AD	0.5
3/1/2010	Update from Stephanie Chen on All-Party meeting with Nancy Ryan	0.1
3/9/2010	Revision of Final Oral Argument Statement	0.5
3/9/2010	Meeting with Stephanie Chen on Final Oral Argument edits	0.1
4/6/2010	Review of Ex Parte Letter to Commissioners	0.7
4/7/2010	Ex Parte Meeting with Mike Peevey, Carol Brown & Andy Schwartz	0.4
4/28/2010	Review of Final Decision	0.9
<b>Total Hours for Samuel Kang in 2010</b>		<b>9.1</b>

### Hours of Samuel Kang, Managing Attorney on Intervenor Compensation in 2009

Date	Description	Hours
6/2/2009	Meeting to discuss Notice of Intent for Intervenor Comp with Elena Gil	0.1
6/4/2009	Meeting with Elena Gil and S. Chen on NOI and scope of issues	0.2
6/10/2009	Meeting with Elena Gil re: first draft of NOI	0.1
6/11/2009	Edited Draft of NOI to Claim Compensation	0.4
<b>Total Hours in 2009 on Intervenor Compensation</b>		<b>0.8</b>

### Hours of Stephanie Chen, Legal Fellow in 2009

Date	Description	Total
3/25/2009	Discussed case strategy with S.Kang, O.Aguilar, E.Gil	0.6
4/6/2009	Meeting with S.Kang, O.Aguilar, E.Gil to prep for meeting with PG&E	0.4
4/6/2009	Meeting with Ophelia Basgal, Tom Bottroff, and Suncheth Bhat	0.6
4/27/2009	PG&E Workshop	3.5
4/27/2009	Debrief with S. Kang and E.Gil after PG&E PV workshop	0.4
5/20/2009	Meeting with S.Kang and E.Gil on status of proceeding	0.1
6/4/2009	Meeting with S.Kang and E.Gil on scope of issues	0.2
6/17/2009	Discussed potential econ expert (B.Biewald) with S.Kang and E.Gil	0.1
6/18/2009	Meeting with S.Kang and E.Gil on implications of Edison PV AD on PG&E PV proceeding, also 2775.5 argument	0.2
6/19/2009	Discussed upcoming PPA contracting presentation with E.Gil	0.1
7/15/2009	Meeting with S.Kang and E.Gil on settlement strategy	0.4
7/27/2009	Meeting with Sam Kang re: testimony strategy	0.1
8/14/2009	Meeting with Sam Kang and Elena Gil re: status of testimony	0.1
8/21/2009	Testimony & hearing strategy, general case management with Sam Kang	0.4
8/25/2009	Reading application, scoping memo and testimony, in preparation for hearings	3.7
8/28/2009	Reading testimony in preparation for hearings	4.2
<b>Total Hours for Stephanie Chen, Legal Fellow, in 2009</b>		<b>15.1</b>

### Hours of Stephanie Chen, Legal Counsel in 2009

Date	Description	Hours
9/1/2009	Reading testimony in preparation for hearings, submitting cross-examination requests and witness availability to PG&E	2
9/2/2009	Reviewing and preparing response to PG&E data request sent 9/1/09	0.2
9/3/2009	Preparing for hearings	2.3
9/3/2009	Consulting with Orson Aguilar in preparation for his cross-examination	0.4
9/4/2009	Cross exam strategy - meeting with Sam Kang	2
9/8/2009	Editing and sending response to PG&E data request sent 9/1/09	0.1
9/8/2009	Finalizing questions for PG&E witnesses in preparation for hearings	0.8
9/9/2009	Preparing for cross-examination of Greenlining witnesses	2.2
9/9/2009	Preparing Orson Aguilar for his cross examination, with Sam Kang	1
9/9/2009	Preparing Josh Arce for his cross	0.6
9/10/2009	Evidentiary Hearings	7
9/10/2009	Final preparation for Orson Aguilar cross	0.6
9/11/2009	Evidentiary Hearings	3
9/14/2009	Evidentiary Hearings	5
9/29/2009	Preparing Opening Brief	2.1
9/30/2009	Meeting with Sam Kang to review opening brief structure, outline	0.1
9/30/2009	Drafting opening brief	8.2
10/1/2009	Drafting and editing opening brief	3.2
10/1/2009	Reviewing Sam Kang edits to opening brief	0.1
10/1/2009	Filing and serving opening brief	0.1
10/7/2009	Reading opening briefs of other parties	2.7

### Hours of Stephanie Chen, Legal Counsel in 2009

Date	Description	Hours
10/15/2009	Reading opening briefs, outlining Greenlining reply brief	2.5
10/16/2009	Drafting Greenlining reply brief	2.2
10/16/2009	Reviewing reply brief with Sam Kang	0.5
10/16/2009	Editing, filing and serving reply brief	0.6
11/9/2009	researching and writing supplemental brief on impact of SB 32 and AB 920	4.6
11/15/2009	drafting supplemental reply brief on impact of SB 32 and AB 920	3.8
11/17/2009	editing, filing and serving supplemental reply brief	0.3
<b>Total Hours for Stephanie Chen, Legal Counsel, in 2009</b>		<b>58.2</b>

### Hours of Stephanie Chen, Legal Counsel in 2010

Date	Description	Hours
1/28/2010	read PD & AD, develop matrix of issues & treatment in each decision - use to draft comments.	3.4
2/12/2010	drafting opening comments on PD and AD	3.6
2/13/2010	drafting opening comments on PD and AD	2.7
2/16/2010	editing, filing and serving opening comments on PD and AD	1.2
2/20/2010	reading opening comments, taking notes for reply comments	2.2
2/23/2010	drafting, editing, filing reply comments	3.2
3/1/2010	preparation for Comr Ryan's all party meeting	0.7
3/1/2010	Commissioner Ryan's all party meeting	1.6
3/1/2010	debrief with S. Kang re: Comr Ryan's all party meeting	0.1
3/3/2010	coordination with TURN and DRA re: revised APD	0.1
3/3/2010	quick review of revised APD, notes	0.5
3/3/2010	meeting with Michael Wheeler to discuss PD, revised APD	0.5
3/3/2010	meeting with Andy Schwartz to discuss revised APD	0.7
3/8/2010	drafting, filing and serving ex parte notice for 3/3 meetings	0.5
3/4/2010	prep for FOA	0.1
3/9/2010	meeting with Andy Campbell to discuss PD, revised APD	0.2
3/9/2010	meeting with Melicia Charles and Ryan Young to discuss PD, revised APD	0.2
3/9/2010	prep for FOA	1.3
3/9/2010	reviewing FOA edits with S.Kang	0.1
3/12/2010	drafting, filing and serving ex parte notice for 3/9 meetings	0.2
4/6/2010	draft letter to commissioners in response to PG&E letter to the Commission	0.4
4/6/2010	drafting ex parte notice for 4.6.10 letter to commissioners	0.2
4/7/2010	equal time ex parte meeting with Pres. Peevey, C.Brown, and A.Schwartz	0.4
4/21/2010	reading revised APD	0.2
<b>Total Hours for Stephanie Chen, Legal Counsel, in 2010</b>		<b>24.3</b>

### Hours of Stephanie Chen, Legal Counsel, on Intervenor Compensation in 2010

Date	Description	Hours
6/21/2010	Compiling Greenlining's intervenor compensation request	1.7
<b>Total Hours for Stephanie Chen on Intervenor Compensation in 2010</b>		<b>1.7</b>

## Hours of Elena Gil, Attorney, in 2009

Date	Description	Total
3/16/2009	Read PGE's Short Application & Created Outline	2.5
3/18/2009	Briefed Sam Kang on Application, discussed potential protest	1
3/24/2009	Drafted Protest	4
3/25/2009	Case strategy briefing with Orson Aguilar, Sam Kang, Stephanie Chen	0.6
3/26/2009	Reviewed edits to protest and clarified proceeding strategy with Sam Kang	0.9
4/6/2009	Began reading all protests and forming an outline of main arguments	5.9
4/6/2009	Meeting with Sam Kang re: protest	0.5
4/6/2009	Meeti w/ O. Aguilar, S. Kang and S. Chen to prepare for meeting with PG&E	0.4
4/6/2009	Meeting with PG&E (Ophelia Basgal, Thomas Bottorff, Suncheth Bhat) re: points of collaboration on Solar PV Program	0.6
4/10/2009	Spoke to Suncheth about upcoming PG&E Public Workshop	0.1
4/10/2009	Draft email to S. Chen, S. Kang, O. Aguilar about upcoming PG&E workshop	0.1
4/27/2009	Read PG&E's agenda and materials in preparation for workshop	0.6
4/27/2009	Discussion with Samuel Kang on PG&E Application, timeline, and questions for meeting	0.7
4/27/2009	PG&E workshop	3.5
4/27/2009	Debrief with Samuel Kang and Stephanie Chen on PV Workshop	0.4
4/30/2009	Met with Sam Kang re: strategy for PHC statement	0.4
4/30/2009	Prehearing Conference Statement - research and write	2
5/1/2009	Continue drafting Prehearing Conference Statement	2.5
5/4/2009	Draft PHC Statement	3.4
5/5/2009	Draft PHC Statement	4.2
5/6/2009	Participated in PG&E's PHC Teleconference	0.7
5/6/2009	Emailed Chris Clay from DRA re schedule for the proceeding and received response	0.1
5/6/2009	Debriefed with Samuel Kang, re: PG&E PHC teleconference	0.1
5/6/2009	Continued drafting PHC and made changes after PHC conference	5.1
5/6/2009	Proofread & Edited first draft of PHC	2.4
5/7/2009	Meet with Sam re: first draft of PHC & did edits together	0.6
5/7/2009	Meet w/ Josh Arce re Sunset Reservoir Model & comparison to utility-owned like PG&E	0.5
5/8/2009	Met with Sam Kang re: coordination with DRA on PHC statement	0.1
5/11/2010	Discussed final edits to PHC Statement with Sam Kang	0.3
5/13/2009	Read all of PHC statements from other groups	4.4
5/13/2009	Met with Sam Kang re: PHC prep for tomorrow's conference	0.2
5/14/2009	Met with Sam Kang re: justifications for PHC issues before PHC	0.4
5/14/2009	PHC	1.3
5/14/2009	Debrief w/ Sam Kang re: PHC	0.3
5/20/2009	Meet w/ Sam Kang to discuss status of proceeding	0.1
6/11/2009	Emailed Dr. Marlin and Josh Arce requesting participation as experts in case	0.2
6/12/2009	Discussed potential witness testimony with Samuel Kang	0.1
6/16/2009	Talked to Mitch Shapson from DRA about testimony strategy	0.1
6/17/2009	Talked to Stephanie Chen and Sam Kang about potential econ expert Biewald	0.1
6/17/2009	Called Josh Arce to begin expert testimony process	0.1
6/17/2009	Reviewed Dr. Marlin's old testimony to think of possibilities for testimony in this case	1.9

## Hours of Elena Gil, Attorney, in 2009

Date	Description	Total
6/18/2009	Reviewed Bob Gnaizda's old testimony (SDG&E) to prepare new testimony for this case	0.9
6/18/2009	Talk to S.Chen and S. Kang re implications of Edison AD on this case & 2775.5 argument	0.2
6/19/2009	Read notice about PV presentation	0.1
6/19/2009	Talked to Sam Kang about upcoming PV PPA presentation	0.1
6/19/2009	Talked to Stephanie Chen about upcoming PV Presentation	0.1
6/29/2009	Attended PG&E PVA Workshop	1.5
7/15/2009	Talk w/ S. Chen and S. Kang re status of PG&E & goals/potential settlement with PG&E	0.4
7/15/2009	Outlined testimony issues to be covered for J. Arce and I. Goodman for S. Chen	0.4
7/15/2009	Left voicemail with Josh Arce about working on the testimony	0.1
8/3/2009	Emailed Josh Arce w/prompt questions, outlines, and strategy focus	0.2
8/3/2009	Spoke w/ Josh Arce over the phone re: email (prompt question clarification)	0.1
8/4/2009	All-party conference call about extending testimony submission deadlines	0.3
8/4/2009	Read email from Sheila Davis asking questions about conflict/complement policy issue and what kind of policies CPUC deems important in this proceeding	0.1
8/4/2009	Wrote email to Sheila Davis clarifying the policy question	0.1
8/4/2009	Read email from Josh Arce asking question about action items re: testimony and also policy issue clarification	0.1
8/4/2009	Wrote email to Josh Arce answering testimony policy question and approving action items	0.1
8/4/2009	Left message to Josh Arce answering questions re: testimony and approving action items as well as updating him on the possible extension of time	0.1
8/4/2009	Read email from Ian Goodman providing me a status update and offering preliminary analysis of PG&E application (re: testimony)	0.3
8/4/2009	Wrote email to Ian Goodman about possible extension of deadline to submit	0.1
8/4/2009	Read Solar Alliance's Motion for Extension of Testimony Dates	0.1
8/4/2009	Read Solar Alliance's Motion for a Ruling Shortening Time for Responses	0.1
8/4/2009	Read ALJ's Ruling Granting Shortening of Response Time	0.1
8/5/2009	Read Ian Goodman email re: testimony	0.2
8/6/2009	Read Ian Goodman email re: testimony	0.2
8/6/2009	Email from Sheila Davis about testimony	0.1
8/7/2009	Email from Sheila Davis about testimony	0.1
8/7/2009	Email from Monica (SVTC) re: testimony	0.1
8/9/2009	Read email from Sheila Davis re: testimony	0.1
8/9/2009	Email from Josh Arce re: testimony	0.1
8/10/2009	Draft Josh Arce testimony	4.2
8/10/2009	Read email from Sheila Davis re: testimony	0.6
8/10/2009	Draft SVTC testimony	4.7
8/11/2009	Drafting Orson Aguilar's testimony	5.3
8/11/2009	Met with Sam Kang to discuss testimony strategy	0.1
8/12/2009	Met with Sam about Ian not being able to continue with testimony	0.2
8/12/2009	Email with Monica about testimony status	0.1
8/12/2009	Incorporated Ian's Beginning Testimony to supplement Orson's	6.8

### Hours of Elena Gil, Attorney, in 2009

<b>Date</b>	<b>Description</b>	<b>Total</b>
8/13/2009	Finished first draft of new Orson Aguilar testimony (with Ian's additions)	4.2
8/14/2009	Met with Samuel Kang & Stephanie Chen updating on status of testimony	0.1
8/14/2009	Email from Sheila Davis about testimony edits	0.1
8/14/2009	Called Joshua Arce (left message) about status of testimony	0.1
8/14/2009	Emailed exchange w/ Joshua Arce about testimony	0.1
8/14/2009	Final draft/editing of SVTC Testimony	2.3
8/14/2009	Final draft/editing of Orson Aguilar Testimony	0.4
8/14/2009	Final draft/editing of Josh Arce Testimony	0.9
	<b>Total Hours for Elena Gil in 2009</b>	<b>90.1</b>

### Hours of Elena Gil, Attorney, on Intervenor Compensation, in 2009

<b>Date</b>	<b>Description</b>	<b>Hours</b>
6/2/2009	Meeting to discuss NOI with Sam Kang	0.1
6/4/2009	Prepare NOI; Met w/ Kang & Chen re: NOI, scope of issues	0.5
6/8/2009	Drafted NOI	2.1
6/9/2009	Drafted NOI	0.2
6/10/2009	Met w/ Sam Kang re: edits to NOI	0.1
6/10/2009	Researched latest intervenor rates; drafted NOI	2.4
6/11/2009	Finished second draft of NOI	1.2
6/11/2009	Met w/ Sam Kang re: second draft of NOI	0.1
8/4/2009	Read ALJ's Ruling on Showing of Financial Hardship (CFC)	0.1
	<b>Total Intervenor Compensation Hours for 2009</b>	<b>6.8</b>

### **Hours of Orson Aguilar, Expert Witness, in 2009**

<b>Date</b>	<b>Description</b>	<b>Hours</b>
8/11/2009	Review and editing of Aguilar Testimony	0.7
8/14/2009	Review and editing of Aguilar Testimony	0.3
9/3/2009	Consulting with S. Chen in preparation for cross-examination	0.4
9/9/2009	Consulting with S. Chen, S. Kang in preparation for cross-examination	1
9/11/2009	Direct testimony and cross examination in evidentiary hearing	0.4
<b>Total Hours for Orson Aguilar in 2009</b>		<b>2.8</b>

### **Hours of Enrique Gallardo, Attorney, on Intervenor Compensation, in 2010**

<b>Date</b>	<b>Description</b>	<b>Hours</b>
6/21/2010	Review Final decision and Greenlining's filings for IC	6.1
6/22/2010	Review Final decision and Greenlining's filings for IC	3.2
6/23/2010	Draft IC	2.7
6/24/2010	Draft IC	2.2
<b>Total Hours for Enrique Gallardo in 2010</b>		<b>14.2</b>

**Attachment 1:  
Certificate of Service**

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 parties appearing on the official Service List for A.09-02-019:

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Executed this 2nd day of July 2010, at Berkeley, California.

/s/ Enrique Gallardo

[Signature]

Enrique Gallardo

The Greenlining Institute

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[Printed name and address]