



**FILED** Agenda ID # \_\_\_\_\_

07-11-11  
04:59 PM

Decision \_\_\_\_\_

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

Order Instituting Investigation to Consider Policies to Achieve the Commission's Conservation Objectives for Class A Water Utilities.	Investigation 07-01-022 (Filed January 11, 2007)
In the Matter of the Application of Golden State Water Company (U 133 E) for Authority to Implement Changes in Ratesetting Mechanisms and Reallocation of Rates.	Application 06-09-006 (Filed September 6, 2006)
Application of California Water Service Company (U 60 W), a California Corporation, requesting an order from the California Public Utilities Commission Authorizing Applicant to Establish a Water Revenue Balancing Account, a Conservation Memorandum Account, and Implement Increasing Block Rates.	Application 06-10-026 (Filed October 23, 2006)
Application of Park Water Company (U 314 W) for Authority to Implement a Water Revenue Adjustment Mechanism, Increasing Block Rate Design and a Conservation Memorandum Account.	Application 06-11-009 (Filed November 20, 2006)
Application of Suburban Water Systems (U 339 W) for Authorization to Implement a Low Income Assistance Program, an Increasing Block Rate Design, and a Water Revenue Adjustment Mechanism.	Application 06-11-010 (Filed November 22, 2006)
Application of San Jose Water Company (U 168 W) for an Order Approving its Proposal to Implement the Objectives of the Water Action	Application 07-03-019 (Filed March 19, 2007)

Plan.

**CLAIM AND DECISION ON REQUEST FOR INTERVENOR COMPENSATION<sup>1</sup>**

<b>Claimant: The Utility Reform Network</b>	<b>For contribution to: D.11-05-004</b>
<b>Claimed (\$): \$ 45,915.51</b>	<b>Awarded (\$):</b>
<b>Assigned Commissioner: Peevey</b>	<b>Assigned ALJ: Grau</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> 07/11/11	<b>Printed Name:</b> Christine A. Mailloux

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

**A. Brief Description of Decision:** This Decision adopts a conservation data reporting requirement for Class A water utilities and sets conservation goals for those utilities toward the state-wide goal of a 20% reduction by 2020. The Decision also addresses several other issues relating to conservation programs and metering mostly referring these issues to subsequent proceedings or general rate cases.

**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:	2/7/07	
2. Other Specified Date for NOI:	3/19/07 (as set in 3/8/07 Scoping Memo)	

<sup>1</sup> Due to staffing resource constraints, TURN's hours and expenses for this compensation request may not be complete. There may be a small amount of hours for additional advocates and expenses for work in 2007 and 2008. Pursuant to a discussion with ALJ Cook on this issue, TURN will review its time and expenses for this docket and submit an amendment if warranted.

3. Date NOI Filed:	03/16/07	
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:	I.06-06-014	
6. Date of ALJ ruling:	11/15/06	
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(e)):</b>		
13. Identify Final Decision	D.11-05-004	
14. Date of Issuance of Final Decision:	May 12, 2011	
15. File date of compensation request:	July 11, 2011	
16. Was the request for compensation timely?		

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

#	Claimant	CPUC	Comment
3	TURN		TURN filed its NOI in Phase 1 of this docket and was granted compensation for its work in Phase 1 in D.09-05-014. Pursuant to CPUC Rule of Practice and Procedure 17.2, a party found eligible for compensation in one phase of a proceeding remains eligible in later phases.
5, 9	TURN		TURN relied on these showings of significant financial hardship and customer-related status for its compensation request in Phase 1 of this docket. More recently, TURN received an ALJ Ruling on these issues in P.10-08-016 on November 22, 2010.

**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>Joint Consumers urged the Commission to be critical of conservation programs, rebate programs and consumer education efforts that will ultimately be the responsibility of the ratepayer to support and may not benefit all ratepayers. Joint Consumers warned against over-saturation of programs and we urged the Commission to apply certain criteria to the programs and to explore other options for sharing costs with other entities. We also suggested that this generic rulemaking may not be the best forum to analyze specific programs, but instead a utility-specific and program-specific review should be conducted.</p> <p>The Final Decision notes that rebate programs may be best if targeted to specific classes of customers “without prior opportunities to participate in rebate programs” due, at least in part, to concerns about oversaturation. It also encourages utilities to participate with other agencies and utilities and cited to Joint Consumers’ comments that “ utilities may be able to co-sponsor programs with energy utilities, thereby lowering administrative costs.” Finally, the Final Decision said that rebate programs should be reviewed on a case-by-case basis in GRCs suggesting a more critical analysis of need and effectiveness by the Commission as recommended by Joint Consumers.</p>	<p>Comments of Joint Consumers on Phase Two Scoping Memo, April 1, 2008, at pp. 5-6; Reply Comments of Joint Consumers, June 17, 2008 at p. 6-7; Final Decision at p. 27-28</p>	
<p>Joint Consumers, citing to PU Code §781, agreed that the Commission has authority to require metering and acknowledged the important role that metering all service connections has in general conservation efforts. However, it urged the Commission to take on the metering question in individual rate cases so that a proper cost benefit analysis can be performed to ensure no metering for metering</p>	<p>Comments of Joint Consumers on Phase Two Scoping Memo, April 1, 2008, at pp. 7; Reply Comments of Joint Consumers, June 17, 2008 at p. 8-9; Final Decision at p. 31</p>	

<p>sake.</p> <p>The Final Decision also citing to PU Code §781 (and updated amendments) noted that “metered service gives customers conservation signals” and it seemed to reject CWA’s suggestion that nothing more needs to be done by the Commission to move metering forward. However, in light of intervening Legislative action on this issue, the Commission did not take on larger policy issues related to metering. Instead, the Final Decision defers issues related to metering to individual utility GRCs to incorporate the costs of transition to metered service.</p>		
<p>Joint Consumers urged the Commission to take a strong position on the benefits of monthly bills, but to do a cost analysis of monthly billing within each general rate case because, “cost analysis would be different for every utility.”</p> <p>The Final Decision clearly states that monthly billing “supports conservation through a regular update on usage.” However, it also states that requiring monthly billing “without considering the overall cost of such a requirement for each utility is not prudent at this time.”</p>	<p>Comments of Joint Consumers on Phase Two Scoping Memo, April 1, 2008, at p.8; Reply Comments of Joint Consumers, June 17, 2008 at p. 10-11</p> <p>Final Decision at p. 31</p>	
<p>Joint Consumers expressed skepticism that all Class A utilities should implement advanced metering primarily because of the costs placed on ratepayers, the risk of stranded investment and the work to be done to coordinate with other utilities. Joint Consumers urged “clear policy pronouncements and thoughtful cost benefit analysis in individual rate cases.” Other parties did urge the Commission to move forward. In Comments on the PD, Joint Consumers urged the Commission to be more specific as to the timing and opportunity to consider this important issue.</p>	<p>Comments of Joint Consumers on Phase Two Scoping Memo, April 1, 2008, at pp. 10; Reply Comments of Joint Consumers, June 17, 2008 at p. 10-11; Opening Comments on the PD, April 21, 2011, at p. 9.</p> <p>Third Amended Phase 2 Scoping Memo, January 6, 2010 at p. 4; Final Decision at p. 33, footnote 21.</p>	

<p>Subsequent to parties filing comments, the Commission deferred the policy issues of advanced meters to a “later date” and said it should instead look at individual utility requests for pilot programs at this time.</p> <p>While the PD fails to mention advanced metering but for a single sentence, the Final Decision did have additional direction that advanced metering was discussed in the amended scoping memo and will be handled at a later date in response to Joint Consumers’ request for clearer direction on this issue.</p>		
<p>The Phase 2 Scoping memo requested comment on recycled water issues. In Reply comments, Joint Consumers noted that most parties in the informal DRA workshop urged this issue be considered in a subsequent ruling and that “the record on this issue does not seem to permit any decisions by the Commission without substantial additional development by the parties.”</p> <p>Subsequent to comments on the Scoping Memo, the Assigned Commissioner held a workshop and then issued a revised Scoping Memo to defer the issue of recycled water to a subsequent proceeding. The Final Decision notes that a new docket was opened in 2010.</p>	<p>Reply Comments of Joint Consumers, June 17, 2008 at p.13; Second Amended Phase 2 Scoping Memo, June 30, 2010 at p. 3; Final Decision at p. 6.</p>	
<p>Joint Consumers urged the Commission to adopt specific conservation goals beyond the 20x2020. To support those goals, however, Joint Consumers said the Commission needed to look at individual utility factors including usage, regional issues, and current pilot programs among other issues.</p> <p>Although the Scoping Memo only requested comment on conservation goals for non-price conservation measures, the Final Decision adopts a more general conservation goal of 1-</p>	<p>Comments of Joint Consumers on Phase Two Scoping Memo, April 1, 2008, at pp. 11; Reply Comments of Joint Consumers, June 17, 2008 at p. 16.</p> <p>Final Decision at pp.7-9.</p>	

<p>2% reduction per each GRC cycle. The Final Decision agreed that the Commission needed an additional goal beyond the statewide goal of 20X2020. The Final Decision adopts a baseline and notes that each utility has a range of options to use to achieve the goals making it more utility-specific.</p>		
<p>Joint Consumers dedicated significant resources to the issue of conservation data reporting, particularly related to the impact of price-related conservation programs, on low income customers. Joint Consumers relied in part on the settlement agreements it entered into with several Class A utilities are part of Phase 1 and urged that those agreements remain in-tact. However, Joint Consumers urged additional reporting requirements to ensure the Commission has sufficient data to evaluate the effectiveness and impact of current conservation measures. It also supported the proposal of DRA for a conservation data reporting workshop.</p> <p>Joint Consumers participated in both sessions of the data reporting workshop, providing comments on staff-proposals and presenting its own proposal.</p> <p>The Final Decision makes it clear that the intent of the Commission is not to impact or consider any reporting requirements adopted in Phase 1 settlements. But, the Commission acknowledges that those agreements should just be a “starting point” for examining additional requirements.</p> <p>The Final Decision states that, “There is a continuing need to assess the impact of the adoption of conservation rate designs on customers, including low income customers, and the adopted reporting requirements assist in that assessment.” The Final Decision described the new reporting requirements including, “As proposed by the Joint Consumers, we will collect data on disconnections for nonpayment and</p>	<p>Comments of Joint Consumers on Phase Two Scoping Memo, April 1, 2008, at pp. 11; Reply Comments of Joint Consumers, June 17, 2008 at p. 17-19. Reply Comments of Joint Consumers on Revised Phase 2 Scoping Memo, February 6, 2009 at pp. 6-9; Comments of Joint Consumers on the Workshop Summary, January 14, 2011</p> <p>Final Decision at p. 19-20.</p>	

<p>reconnections for all customers in order to measure the impact of adopted conservation rate designs.” The reporting requirements including breaking the data down by meter size, as advocated by the Joint Consumers.</p>		
<p>The Joint Consumers advocated for customer data reporting measurements specific to low income customers and participants in the LIRA program.</p> <p>The Final Decision requires an entirely separate set of reports specifically addressing low income data, including data on household size of LIRA participants and consumption of large households of five or more. Joint Consumers strongly advocated for and proposed various methods to report usage by large households. Utilities opposed that measurement.</p>	<p>Comments of Joint Consumers on Phase Two Scoping Memo, April 1, 2008, at pp. 15-16; Reply Comments of Joint Consumers, June 17, 2008 at p. 16; Reply Comments of Joint Consumers on Revised Phase 2 Scoping Memo, February 6, 2009 at pp. 6-9; Comments of Joint Consumers on the Workshop Summary, January 14, 2011</p> <p>Final Decision at p. 22</p>	
<p>Joint Consumers, in response to request for comment on this issue in the revised Scoping Memo, proposed that the Commission consider conservation programs that are specifically targeted at low income customers and require utilities to specify a percentage of their conservation program budgets to low income issues. Joint Consumers provided several examples of programs around the country that target low income customers and suggested that the Commission use existing programs to address low income customers. In Comments on the PD, Joint Consumers urged the Commission to address the issue of impacts of surcharges on the bill and the affordability of water.</p> <p>The Final Decision declines to adopt these two targeted measures to assist low income customers because of lack of information on the record regarding low income customer consumption patterns to determine if a targeted program would work. Nevertheless, the Final Decision states, “However, we are concerned that low-income customers may not be sufficiently included in existing conservation</p>	<p>Comments of Joint Consumers on ACR and revised Phase 2 Scoping Memo, January 27, 2009 at pp. 13-14; Opening Comments on the PD at page 6; Final Decision at pp. 26-27</p>	

<p>programs.” The Commission requires specific data tracking of LIRA customer participation in existing and future conservation programs. The Final Decision goes beyond the PD to include more detail on the reporting.</p>		
<p>Joint Consumers urged the Commission to update LIRA program discounts to offer a percentage discount off of a bill. Joint Consumers expressed concern that large surcharges will blunt the benefits of a flat discount off service charges and that flat discounts do not benefit large households. Joint Consumers find that low income families tend to be larger than those not on the LIRA program.</p> <p>The Final Decision agrees with Joint Consumers concerns that large surcharges, particularly caused by the recovery of WRAM balances, could lessen the benefits of LIRA discounts and it also notes (in response to comments on the PD) that “in the Commission’s experience the average low income household is larger.” The Final Decision requires utilities to report the bill impact of WRAM surcharges to determine if the flat discount is still effective.</p>	<p>Comments of Joint Consumers on Phase Two Scoping Memo, April 1, 2008, at pp. 20-21; Comments of Joint Consumers on ACR and revised Phase 2 Scoping Memo, January 27, 2009 at pp. 6-7; Opening Comments on the PD, April 21, 2011 at p. 4, 7; Final Decision at pp.25-26</p>	
<p>Joint Consumers focused some of its comments on the importance of identifying residents of multi-family housing in order to increase outreach to these consumers and possibly including them in conservation programs. Joint Consumers also strongly urged coordination among municipal and energy utilities to ensure cost effective outreach.</p> <p>The Final Decision specifically cites to Joint Consumers’ comments by noting that “Joint Consumers recommended indentifying multi-family dwellings, if cost effective to do so.” And it states that “Joint Consumers</p>	<p>Comments of Joint Consumers on Phase Two Scoping Memo, April 1, 2008, at pp. 17-18; Reply Comments of Joint Consumers, June 17, 2008 at p. 20-21; Final Decision at p. 23</p>	

recommended considering the outreach approach used for the Energy Savings Assistance Program.” The Final Decision then directs that these issues will be considered more directly in the Water/Energy Low Income Program docket, R.09-12-017. Indeed, the Commission opened the water low income program docket, at least in part, in response to advocacy by Joint Consumers in several dockets including this docket and a telecommunications docket.		
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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> For Phase 2, there were multiple water utilities, California Water Association, National Consumer Law Center (NCLC), and Disability Rights Advocates (DisabRA), Consumer Federation of California, and NRDC.		
<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> Similar to Phase 1 of this proceeding, TURN coordinated its work in this proceeding very closely with DRA and the other intervenors. There were numerous issues in Phase 2 covering multiple aspects of water conservation. Again, as in Phase 1, each intervenor brought their own expertise to the coalition; NCLC’s familiarity with national issues and its work on water policy, DisabRA’s knowledge of outreach methods to the disability community, and TURN’s California ratemaking experience and experience with multiple industries conservation and low income programs. Where possible, after a joint discussion of policy and strategy, the organizations assigned issues for drafting pleadings, making the writing and research more efficient. Even where TURN did not file jointly with other groups, as with DRA, CFC, and NRDC, we still closely monitored their work to avoid duplication. TURN will note that CFC and NRDC only participated in the early stages of this phase of the docket. Far from any duplication of effort, the coordinated participation of multiple intervenors in this docket allowed each individual intervenor to spend less time and be more efficient while still making a significant contribution to this docket. As in D.09-05-014 awarding compensation for TURN’s work in the earlier phase of this proceeding, the Commission should not reduce the award of compensation due to duplication.		

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

#	Claimant	CPUC	Comment
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**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 discussed above, TURN made several significant contributions to this proceeding both as an individual intervenor and also as part of the Joint Consumer Coalition. While the benefits are difficult to quantify in monetary terms, the importance of these issues to ratepayers is undeniable. TURN, as part of the Joint Consumers, consistently presented evidence and advocacy to the Commission on the impacts of conservation measures and programs to ratepayers. In particular, TURN focused on the impacts to low income customers. As a result of TURN's efforts, the Commission and the utilities will have significantly more data to analyze during future general rate cases and rulemaking proceedings, to the benefit of both the utilities and ratepayers. This data will help utility customers by ensuring conservation programs are more efficient and effective, not only saving water but also saving money. The Commission will also have data on multi-tenant customers, an issue that all parties agreed was not adequately covered in the current data gathering. In addition, on issues such as metering, monthly billing, best management practices and rebate programs, ratepayers will be protected from unnecessary support for these programs through rates because the Commission will use the information and data gathered here to properly look at these issues in general rate cases or future rulemaking proceedings. Specifically, for those participating in the utilities' low income rate assistance programs, because of the concerns raised by Joint Consumers about the need for efficient coordination among Commission regulated utilities here and in other dockets, the Commission moved forward to create a docket just to consider water and energy utility coordination on low income data exchange. LIRA participants will also benefit by the Commission's review of the effectiveness of flat rate discounts and the impact of WRAM surcharges on the LIRA discounts.</p> <p>Each of these elements of Joint Consumers' advocacy could have a beneficial impact on the ratepayers', including low income ratepayers', bottom line bill. TURN's substantial contribution (as described above) warrants compensation for all of TURN's reasonable efforts addressing those issues. The Commission should find that TURN's costs of participation bear a reasonable relationship to the benefits realized through participation.</p>	

**B. Specific Claim:**

<b>CLAIMED</b>	<b>CPUC AWARD</b>
<b>ATTORNEY AND ADVOCATE FEES</b>	

Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Year	Hours	Rate \$	Total \$
Christine Mailloux	2007	2.5	\$360	D.08-04-037	\$ 900.00				
Christine Mailloux	2008	50.75	\$390	D.09-02-024	\$19,792.50				
Christine Mailloux	2009	18.00	\$390	D.10-07-014	\$ 7,020.00				
Christine Mailloux	2010	15.75	\$390	D.10-09-040	\$ 6,142.50				
Christine Mailloux	2011	16.25	\$390	Resolution ALJ-267	\$ 6,337.50				
<b>Subtotal:</b>					<b>\$40,192.50</b>	<b>Subtotal:</b>			
<b>EXPERT FEES</b>									
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Year	Hours	Rate \$	Total \$
[Expert 2]									
<b>Subtotal:</b>						<b>Subtotal:</b>			
<b>OTHER FEES</b>									
Describe here what OTHER HOURLY FEES you are claiming (paralegal, travel, etc.):									
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Year	Hours	Rate \$	Total \$
Christine Mailloux (travel time)	2008	6.5	\$195	D.09-02-024 reduced by 50%	\$ 1,267.50				
Christine Mailloux (Travel time)	2010	8.0	\$195	D.10-07-014 reduced by 50%	\$ 1,560.00				
<b>Subtotal:</b>					<b>\$ 2,827.50</b>	<b>Subtotal:</b>			
<b>INTERVENOR COMPENSATION CLAIM PREPARATION **</b>									
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Year	Hours	Rate \$	Total \$
Christine Mailloux	2011	10.75	\$195	D.10-07-014 reduced by 50%	\$2,096.25				
<b>Subtotal:</b>					<b>\$2,096.25</b>	<b>Subtotal:</b>			

COSTS					
#	Item	Detail	Amount	Amount	
	Copies	Phase 2 pleadings	\$14.40		
	Postage	Phase 2 pleadings	\$ 4.26		
	Attorney Travel	DRA Meeting and Conservation Data Workshop	\$684.00		
	Attorney Parking	DRA Meeting and Conservation Data Workshop	\$45.00		
	Attorney Travel-Meals	DRA Meeting and Conservation Data Workshop	\$51.60		
<b>Subtotal:</b>			<b>\$799.26</b>	<b>Subtotal:</b>	
<b>TOTAL REQUEST \$:</b>			<b>\$45,915.51</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 ½ of preparer's normal hourly rate.</p>					

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

Attachment or Comment #	Description/Comment
1	<b>Certificate of Service</b>
2.	TURN hours related to D.08-02-036 and D.08-08-030
3.	TURN expenses related to D.08-02-036 and D.08-08-030
Comment-Reasonableness of Hours	<p>Phase 2 of this docket had a unique procedural history, a wide variety of issues, and multiple opportunities for comment. Each of these elements impacted the amount of resources TURN dedicated to this proceeding. Phase 2 of this docket spanned over three years and covered a significant breadth of issues. TURN had a single advocate assigned to this phase, Christine Mailloux. Additional attorneys assisted Ms. Mailloux in a very limited capacity. She worked closely with other consumer groups to share the work load. In addition, TURN chose not to participate on certain issues such as the SB7X implementation and compliance, or the data integration with other agencies, primarily because those issues were directed to the utilities. However, by not addressing those issues, TURN could safely avoid attending at least two sets of workshops held in this docket thus conserving resources and expenses. TURN also notes that there were three revised scoping memos. Often there were several months, if not a year, between these scoping memos thereby requiring additional work to update the record.</p> <p>TURN is requesting compensation for its time spent participating in DRA's Stakeholder Meeting held in 2008. The ALJ delayed the schedule so that parties could meet in a mediated process to discuss the scope and issues of Phase 2. This was clearly meant to be all-party meeting, with each key participant in the docket sending a representative. Subsequently, participants were asked to review and comment on a report, which was then submitted to the ALJ. TURN believes its participation in this meeting was essentially mandatory if we were to effectively and actively participate in Phase 2. In addition, TURN's participation in that</p>

	meeting was valuable to its overall advocacy in the docket, as reflected in the Reply Comments on the Scoping Memo and subsequent pleadings. TURN submits that this is a reasonable use of staff time and expenses and should be fully compensable.
Comment – Allocation by Issue	<p>TURN has broken down its hours into several activity codes, as reflected in the attached time sheets. The codes are:</p> <p><b>GP</b>-General Preparation  <b>REB</b>- Rebate Programs and Current Outreach Efforts  <b>MET</b>-Metering and Billing  <b>CON</b>-Conservation Goals and Reporting/data collection and agency coordination on outreach  <b>LI</b>-Low Income Issues, including LIRA, data collection, Multi Family,  <b>LIC</b>-Low Income Conservation Programs</p> <p># -Work where the issues cannot be separated. For this code a rough breakdown of the allocation of time to each code would be: REB-10%; MET-15%; LI-30%; CON-25%; LIC-20%</p>
Comment- Attorney Travel	<p>TURN’s lead attorney traveled from San Diego to San Francisco to attend the DRA Informal Stakeholder Meeting as well as a workshop on conservation data reporting. TURN seeks recovery of the costs and half of the related travel time of that trip here. Similar to travel claims for the expenses of outside counsel, the trips meet the criteria set forth in D.07-10-014: the amount of travel time and expense was reasonable, both when considered in isolation (two single-day trips to San Francisco) and in context of this compensation request (approximately \$750 of travel costs compared to a total request of over \$45,000); the travel was <u>not</u> routine commuting, but rather a trip that would not have occurred but for TURN’s participation in this proceeding; the expenses were reasonably incurred; the travel time reflects only the amount of time Ms. Mailloux spent traveling rather than time she was also working to prepare for the meetings or on other matters; and there was no less expensive way to participate in the proceeding. Ms. Mailloux was TURN’s only representative in Phase 2 of this docket. Even if a Bay Area-based TURN representative had been available to cover these events, the costs associated with the time that Ms. Mailloux and that representative would have devoted to getting him or her prepared would have greatly exceeded the amount of travel expenses. Therefore, the Commission should grant compensation for the requested travel time and expenses.</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)?**

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 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:

ataketa@fulbright.com, bill@jbsenergy.com, blake@consumercal.org,  
bloehr@greatoakswater.com, bobkelly@bobkelly.com, broeder@greatoakswater.com,  
cgg@cpuc.ca.gov, charak@nclc.org, charles.forst@360.net, chris@cuwcc.org,  
cjt@cpuc.ca.gov, cmailoux@turn.org, dadellosa@sgvwater.com,  
danielle.burt@bingham.com, dave.stephenson@amwater.com,  
davidmorse9@gmail.com, debbie@ejcw.org, debershoff@fulbright.com,  
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Executed this 11th day of July, 2011, at San Francisco,  
California.

/s/  
Richard A. Perez  
The Utility Reform Network  
115 Sansome Street, Suite 900  
San Francisco, CA 94104

Name	Case #	Code	Description	Date	Time Spent
CM	I07-01-022	GP	Attend via telephone Phase 2 Workshop	8/22/07	2.50
CM			Review Phase 2 Scoping Memo or issues to		
	I07-01-022	GP	comment and DW B. Finkelstein re: same	3/26/08	1.50
CM	I07-01-022	#	Draft comments on Phase 2 Scoping Memo	3/27/08	1.50
CM			Draft comments on Phase 2 Scoping Memo;		
	I07-01-022	CON	research on conservation issues	3/27/08	2.50
CM			Draft comments on Phase 2 Scoping Memo;		
	I07-01-022	MET	research on metering issues	3/27/08	2.00
CM			Draft comments on Phase 2 Scoping Memo on		
			conservation programs; Conf Call with H. Goodson		
			and M. Hawiger re: comments and lessons from		
	I07-01-022	MET	energy conservation programs	3/28/08	2.50
CM			Draft comments on Phase 2 Scoping Memo on low		
	I07-01-022	LIC	income issues and conservation	3/28/08	2.00
CM			Draft comments on Phase 2 Scoping Memo		
	I07-01-022	MET	metering and billing	3/30/08	3.00
CM			Review latest draft and DsW O. Wein re: research		
	I07-01-022	#	and issues to be drafted	3/31/08	1.50
CM			Review and finalize Phase 2 comments; DW O. Wein		
	I07-01-022	#	re: same	4/1/08	3.00
CM	I07-01-022	GP	Review opening comments on Phase 2 Scope	4/8/08	1.00
CM	I07-01-022	#	Review NRDC and CWA opening comments	4/10/08	1.75
CM			Emails to set up coordinating call with consumer		
			groups; review CWA and POWER comments in prep		
	I07-01-022	#	for meeting	4/14/08	1.25
CM			Conf call with O. Wein and M. Kasnitz re: reply		
	I07-01-022	#	comments on Phase II issues	4/16/08	1.00
CM			Review and draft emails re: possible reply comment		
			extension for Phase 2, review ruling re: same		
	I07-01-022	GP		4/23/08	0.25
CM	I07-01-022	#	Attend DRA informal meeting on scope of Phase 2	5/12/08	7.50
CM	I07-01-022	#	Travel to SF from SD for DRA water	5/12/08	3.00
CM	I07-01-022	#	Travel to SD from SF	5/13/08	3.50
			Conf call with O. Wein and M. Kasnitz on reply		
	I07-01-022	#	comment strategy	6/11/08	1.25
CM	I07-01-022	MET	Review opening comments on metering issues	6/11/08	1.25
CM	I07-01-022	LI	Review opening comments on low income issues	6/11/08	0.50
CM	I07-01-022	CON	Review opening comments on tracking issues	6/11/08	1.25
CM	I07-01-022	MET	Draft section re: metering and billing	6/12/08	3.00
CM	I07-01-022	CON	Draft Section re: tracking	6/12/08	3.00
CM	I07-01-022	GP	Revise section on DRA report and meeting	6/12/08	0.50
			Draft Section re: low income program compatibility.		
CM	I07-01-022	LI		6/12/08	2.00
			Review DisabRights sections, draft substantive		
	I07-01-022	#	email; revise TURN sections	6/14/08	0.50
CM	I07-01-022	#	Edit overall document, fix cites, incorporate other ed	6/16/08	4.00
CM	I07-01-022	#	Finalize document for filing; incorporate last minute	6/17/08	1.25
			Review Revised Scoping Memo; Conf call with O.		
	I07-01-022	#	Wein and M. Kasnitz re: strategy for comments	1/5/09	2.00
CM	I07-01-022	#	DW. B. Finkelstein re: comments and strategy	1/6/09	0.25
			Review previous advanced metering filings and		
	I07-01-022	MET	positions	1/13/09	0.50
			Draft advanced metering section for comments on		
	I07-01-022	MET	scoping memo	1/14/09	1.00
			Draft low income conservation program comments		
	I07-01-022	LIC	for scoping memo	1/14/09	3.50
			Conf Call with M Kasnitz and O. Wein re: status of		
			comments and strategy; make revisions to entire		
	I07-01-022	#	draft	1/15/09	1.50
CM	I07-01-022	MET	DW N. Suetake re: TURN energy positions on AMI	1/23/09	0.50
			Revise and research other low income programs for		
	I07-01-022	LIC	water conservation comments	1/25/09	1.50
			Edit and finalize filing for opening comments on		
	I07-01-022	#	revised scoping memo	1/27/09	1.00

CM	I07-01-022	#	Review CWA opening comments and notes for reply	1/28/09	0.75
CM	I07-01-022	MET	Draft reply comments on advanced metering	2/4/09	0.75
CM	I07-01-022	LIC	Draft reply comments on low income programs	2/4/09	1.50
CM	I07-01-022	CON	Draft reply comments on data collection	2/4/09	1.50
CM	I07-01-022	#	Review O Wein's edits and make additional edits; emails re: logistics	2/5/09	0.50
CM	I07-01-022	GP	Review ACR re: upcoming workshops in water conservation; substantive email to team re: need for participation	6/30/09	0.75
CM	I07-01-022	GP	Review Phase 2 revised scoping memo; email to TURN team re: same and strategy	7/1/09	0.50
CM	I07-01-022	CON	Review ALJ Worskhop Agenda re: data collection; email group on strategy and possible conf call to discuss	9/3/10	0.75
CM	I07-01-022	CON	Attend conservation data reporting workshop	9/13/10	4.50
CM	I07-01-022	CON	Attend conservation data reporting workshop and draft substantive email to team	9/14/10	3.50
CM	I07-01-022	LI	Review proposal re: water conservation draft; email discussion with NCLC re: same	10/6/10	0.25
CM	I07-01-022	LI	Revise data collection proposal	10/7/10	0.75
CM	I07-01-022	CON	DW J. Howat re: workshop strategy; emails with J. Grau re: agenda and revisions to data collection proposal	10/14/10	0.75
CM	I07-01-022	LI	Conf Call with NCLC and DRA re: joint consumers data collection proposal	10/15/10	1.25
CM	I07-01-022	CON	Travel to/from CPUC for workshop	10/19/10	8.00
CM	I07-01-022	CON	Attend workshop on SBx7 and low income data collection	10/19/10	4.00
CM	I07-01-022	CON	Conf call with NCLC re: comments on workshop report re: reporting requirements; DW D. Brooks at DRA re: same	1/10/11	0.75
CM	I07-01-022	CON	Review Ruling and workshop report in prep for comments; draft email to team re: strategy for comments	1/12/11	0.50
CM	I07-01-022	LI	Draft comments on data collection workshp report	1/13/11	4.50
CM	I07-01-022	CON	Finalize and submit comments; review other edits	1/14/11	2.00
CM	I07-01-022	GP	Analysis of Proposed Decision	4/6/11	0.50
CM	I07-01-022	#	Analysis of PD, issues list and review of previous Jnt Consumer comments in prep for comments	4/11/11	1.50
CM	I07-01-022	MET	Review GSWC and ALCO cases, previous scopingmemo and ALJ ruling; previously filed commetns and Draft section on advanced metering for PD comments	4/20/11	2.25
CM	I07-01-022	CON	DW M. Kasntize re: PD and data collction	4/21/11	0.50
CM	I07-01-022	#	Edit and finalize comments on Proposed Decision;	4/21/11	2.00
CM	I07-01-022	LI	Draft section on duplicative reporting	4/26/11	0.75
CM	I07-01-022	#	Review email discussion re: reply comments on PD; review and edit draft of comments	4/26/11	0.75
CM	I07-01-022	#	Review of final version of reply comments	4/27/11	0.25
CM	I07-01-022	Comp	Review final decision; DW Staff re: comp request	6/21/11	1.25
CM	I07-01-022	Comp	Review pleadings for substantial contirbution	7/11/11	2.00
CM	I07-01-022	Comp	Draft comp request, substantial contribution review	7/11/11	3.75
CM	I07-01-022	Comp	Review hours, edit comp request, DW staff,finalize and file	7/11/11	3.50
<b>Total: CM</b>					<b>128.25</b>

Name	Case #	Code	Description	Date	Billed
CM	I07-01-022	\$Atty Travel	Airline ticket. San Diego <=> Oakland.	5/12/08	\$306.00
CM	I07-01-022	\$Atty Travel	Airline ticket. San Diego <=> Oakland.	10/18/10	\$ 364.40
CM	I07-01-022	\$Atty Travel	Bart	10/19/10	\$ 13.60
			<b>Total: \$Atty Travel</b>		<b>\$684.00</b>
CM	I07-01-022	\$Auto/Park/Toll	Parking	5/13/08	\$ 24.00
CM	I07-01-022	\$Auto/Park/Toll	Parking	10/19/10	\$ 21.00
			<b>Total: \$Auto/Park/Toll</b>		<b>\$ 45.00</b>
			Reply Comments on Ruling and Amended Phase 2 Scoping Memo. 2cc x 11pp	2/6/09	\$ 4.40
CM	I07-01-022	\$Copies	Comments on the Workshop Summary. 10pp x 2cc	1/14/11	\$ 4.00
CM	I07-01-022	\$Copies	Joint Consumer Comments on Proposed Decision. 15pp x 2cc	4/21/11	\$ 6.00
			<b>Total: \$Copies</b>		<b>\$ 14.40</b>
CM	I07-01-022	\$Meals	Travel Meals	10/19/10	\$ 14.23
CM	I07-01-022	\$Meals	Travel Meals	10/19/10	\$ 37.37
			<b>Total: \$Meals</b>		<b>\$ 51.60</b>
			Comments on the Workshop Summary. 10pp x 2cc	1/14/11	\$ 2.10
CM	I07-01-022	\$Postage	Joint Consumer Comments on Proposed Decision. 15pp x 2cc	4/21/11	\$ 2.16
			<b>Total: \$Postage</b>		<b>\$ 4.26</b>
			<b>Grand Total:</b>		<b>\$ 799.26</b>