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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Continue Implementation
and Administration of California Renewables Portfolio
Standard Program.

Rulemaking 11-05-005
(Filed May 5, 2011)

**REQUEST FOR AN AWARD OF COMPENSATION TO
THE UNION OF CONCERNED SCIENTISTS
FOR SUBSTANTIAL CONTRIBUTIONS TO DECISIONS
D. 11-12-052 AND D. 11-12-020**

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Dated: February 9, 2012

TABLE OF CONTENTS

| | |
|---|-----------|
| I. INTRODUCTION | 2 |
| II. UCS MADE SUBSTANTIAL CONTRIBUTIONS TO D.11-12-052 and D.11-12-020 IN THIS PROCEEDING | 3 |
| A. Standards for Finding of Substantial Contribution | 3 |
| B. UCS’s Substantial Contributions to D.11-12-052..... | 4 |
| C. UCS’s Substantial Contributions to D.11-12-020..... | 11 |
| III. UCS’S PARTICIPATION HAS BEEN EFFICIENT AND PRODUCTIVE | 12 |
| IV. UCS’S CLAIM IS REASONABLE..... | 14 |
| A. The Hours Claimed Are Reasonable and Properly Detailed..... | 14 |
| B. The Hourly Rates Claimed Are Reasonable | 15 |
| V. CONCLUSION | 16 |
| APPENDICES..... | 17 |

I. INTRODUCTION

In accordance with §1804(c) of the Public Utilities Code, the Union of Concerned Scientists (UCS) submits this request for an award of intervenor compensation for its substantial contributions to Decisions (D.) 11-12-052, *Decision Implementing Portfolio Content Categories for the Renewables Portfolio Standard Program* and D.11-12-020, *Decision Setting Procurement Quantity Requirements for Retail Sellers for the Renewables Portfolio Standard Program*. UCS requests \$14,278.95 for its contributions in 2011 to the California Public Utilities Commission's (Commission) deliberations regarding these decisions.

UCS timely filed an updated Notice of Intent to Claim Intervenor Compensation (NOI) in this proceeding on June 6, 2011. On September 14, 2006, an Administrative Law Judge (ALJ) ruling was issued in the precursor proceeding to R.11-05-005, R.06-02-012,¹ that found UCS eligible to receive intervenor compensation, and also found UCS to be a "Category 3" customer meeting the standard of significant financial hardship within the meaning and definition of Public Utilities (P.U.) Code Sections 1802(b)(1)(C) and 1802(g). UCS's circumstances with respect to eligibility have not changed.

In accordance with P.U. Code §1804(c), this request is being filed within 60 days of the mailing date of D.11-12-052, the latest relevant decision in this proceeding. This request includes a description of UCS's substantial contributions to D.11-12-052 and D.11-12-020, as well as a detailed description of services. UCS has previously been awarded intervenor compensation in D.96-08-040, D.98-01-007, D.03-10-085, D.04-03-033, D.05-06-025, D.06-04-022, D.07-06-032, D.07-05-028, D.08-12-017, D.10-04-022,

¹ *Administrative Law Judge's Ruling Regarding Notices of Intent to Claim Intervenor Compensation*, September 14, 2006, in R.06-02-012.

and D.10-03-021. Finally, as requested by the Commission in D.04-03-033, UCS attests that no grant monies from any source were used to fund work for which UCS is requesting intervenor compensation.

II. UCS MADE SUBSTANTIAL CONTRIBUTIONS TO D.11-12-052 and D.11-12-020 IN THIS PROCEEDING

A. Standards for Finding of Substantial Contribution

UCS's participation in R.11-05-005 has clearly met the requirements for establishing a substantial contribution, as defined in Sections 1802(i) and 1803 of the Public Utilities Code. Section 1802(i) states:

'Substantial contribution' means that, in the judgment of the commission, the customer's presentation has substantially assisted the commission in the making of its order or decision because the order or decision has adopted in whole or in part one or more factual contentions, legal contentions, or specific policy or procedural recommendations presented by the customer. Where the customer's participation has resulted in a substantial contribution, even if the decision adopts that customer's contention or recommendations only in part, the commission may award the customer compensation for all reasonable advocate's fees, reasonable expert fees and other reasonable costs incurred by the customer in preparing or presenting that contention or recommendation.

Section 1803 states in part:

The commission shall award reasonable advocate's fees, reasonable expert witness fees, and other reasonable costs of preparation for and participation in a hearing or proceeding to any customer who...satisfies...the following requirements:

(a) The customer's presentation makes a substantial contribution to the adoption, in whole or in part, of the commission's order or decision.

The Commission has elaborated on this statutory standard as follows:

A party may make a substantial contribution to a decision in various ways. It may offer a factual or legal contention upon which the Commission relied in making a decision. Or it may advance a specific policy or procedural recommendation that the ALJ or Commission adopted. A substantial contribution includes evidence or

argument that supports part of the decision, even if the Commission does not adopt a party's position in total. The Commission has provided compensation even when the position advanced by the intervenor is rejected. (D.99-08-006)

With respect to the last sentence in the quoted section immediately above, the Commission has made clear that a substantial contribution may consist of "...provid[ing] a unique perspective that enriched the Commission's deliberations and the record..."² even if the position advanced is not adopted.

B. UCS's Substantial Contributions to D.11-12-052

This Decision provides guidance to retail sellers about how RPS procurement will meet the criteria for inclusion in each of the new RPS portfolio content categories that apply to RPS procurement associated with contracts and ownership agreements executed after June 1, 2010. In contributing to this Decision, UCS filed opening and reply comments on the Commission's *Order Instituting Rulemaking Regarding Implementation and Administration of the Renewables Portfolio Standard Program* (OIR), filed May 31, 2011 and June 9, 2011. UCS filed opening and reply comments on the Commission's *Ruling Requesting Comments on Implementation of New Portfolio Content Categories for the Renewables Portfolio Standard Program*, filed August 8, 2011 and August 19, 2011. In addition, UCS filed opening and reply comments on the Commission's *Proposed Decision Implementing Portfolio Content Categories for the Renewables Portfolio Standard Program*, filed October 27, 2011 and November 1, 2011. Appendix C contains a detailed timesheet of UCS staff hours in this proceeding.

The areas in which UCS made substantial contributions to the record for D.11-12-052 include urging the Commission to separate and fast-track the implementation of new § 399.20 (per SB 32) into a parallel proceeding, clarifying that the "delivery" requirement

² D. 07-06-032 at 4.

for RPS eligibility ceases to exist once SB 2 (1X) goes into effect, removing the “two tenets” included in the Proposed Decision to determine RPS eligibility, clarifying which balancing authorities should be considered the Commission’s definition of a California Balancing Authority for the purposes of the RPS, clarifying that “real-time ancillary services” do not necessarily need to be provided by the host balancing authority, asserting that SB 2 (1X) does not require firm transmission rights for an RPS transaction to meet the requirements of the Public Utilities Code § 399.16(b)(1), rejecting the notion that products meeting the § 399.16(b)(1) criteria and delivering renewable energy into California on an hourly or sub-hourly basis without substitution from another source can be verified with WREGIS data, clarifying instead that the § 399.16(b)(1) requires proof of generation data at the hourly level, urging the Commission to refrain from clarifying whether pipeline biomethane meets the criteria of § 399.16(b)(1), and submitting several detailed proposals for how transactions meeting the criteria of § 399.15(b)(2) should be handled.

Specifically, UCS assisted the Commission in developing a record and otherwise informing D.11-12-052 in the following ways:

- (1) The Commission’s OIR filed May 5, 2011 requesting comments on RPS implementation priorities asked parties how the Commission should prioritize the implementation of § 399.20 (per SB 32). UCS rejected the comments of the IOUs which suggested this issue is a “Tier 3 priority” and instead strongly encouraged the Commission to prioritize this issue, but in a track that is separate and parallel to a proceeding dealing with more

overarching RPS implementation needs.³ Commissioner Ferron’s *Scoping Memo and Ruling of Assigned Commissioner*, filed July 8, 2011, contained a schedule prioritizing RPS implementation issues that mirrored the priorities suggested by UCS.⁴

- (2) One of the fundamental aspects of D.11-12-052 was redefining the delivery requirements for RPS-eligible products that fall into one of the three new portfolio content categories described in § 399.16(b). Before imposing requirements on certain products, the Commission needed to verify that the previous definition of RPS “delivery” was amended by SB 2 (1X). UCS made this point in its reply comments to the OIR, specifically pointing out that the Commission should reject proposals from Shell Energy and Western Power Trading Forum to simply adopt the California Energy Commission’s (CEC’s) definition of “firmed and shaped” electricity and the delivery requirements associated with that definition of products.⁵ Decision 11-12-052 affirms the fact that the definition of RPS “delivery” must change since the meaning was changed by SB 2 (1X) and references UCS’s comments.⁶
- (3) The *Proposed Decision Implementing Portfolio Content Categories for the Renewables Portfolio Standard Program* contained two basic tenets to employ in the process of deciding into which category an RPS-eligible transaction should fall.⁷ UCS’s initial comments included several concrete

³ UCS Comments on the OIR Regarding Implementation and Administration of the RPS Program, May 31, 2011, at 3-4.

⁴ CPUC Scoping Memo and Ruling of Assigned Commissioner, filed July 8, 2011, at 2-3.

⁵ UCS Reply Comments on the OIR, June 9, 2011, at 4-5.

⁶ D.11-12-052, at 14-15 and Conclusion of Law 2.

⁷ Proposed Decision Implementing Portfolio Content Categories for the Renewables Portfolio Standard Program, filed October 7, 2011, at 14-15.

reasons why including such tenets into a CPUC decision-making framework could be problematic and confusing.⁸ The Commission removed this language from the final D.11-12-052.

- (4) The July 12 Commission *Ruling Requesting Comments on Implementation of New Portfolio Content Categories for the Renewables Portfolio Standard Program* asked parties how the Commission should define “California Balancing Authority” (CBA) for the purposes of the RPS. UCS submitted a detailed suggestion to the Commission.⁹ Decision 11-12-052 defines “California Balancing Authority” in a way that is consistent with the UCS suggestion.¹⁰
- (5) UCS provided substantial information to the record to determine what types of data would be necessary to verify an RPS transaction that fits the criteria of § 399.16(b)(1). In its opening comments responding to the July 12 Commission *Ruling Requesting Comments on Implementation of New Portfolio Content Categories for the Renewables Portfolio Standard Program*, UCS explained that the Commission could assume transactions that use firm transmission are directly delivering into a California balancing authority without substituting electricity from another source (except for real-time ancillary services) but clarified that firm transmission was not a *necessary* criterion for meeting this category.¹¹ D.11-12-052 verifies that

⁸ UCS Opening Comments on Proposed Decision, filed Oct. 27, 2011; at 1-2.

⁹ UCS Comments on the Implementation of New Portfolio Content Categories for the Renewables Portfolio Standard Program, filed August 8, 2011, at 2.

¹⁰ D.11-12-052, at 20. And Findings of Fact 1.

¹¹ UCS Comments on the Implementation of New Portfolio Content Categories for the Renewables Portfolio Standard Program, filed August 8, 2011, at 2-3.

firm transmission is not a necessary criterion, and cites UCS in its explanation.¹²

- (6) In its opening comments on the Proposed Decision, UCS points out that “real-time ancillary services” will not necessarily always be provided by the host balancing authority, and therefore the Commission should not require that such services come from one specific area of the country.¹³ While the final D.11-12-052 stops short of changing the text in the body of the Decision, footnote 42 acknowledges UCS’s comments and the reality that a market for real-time ancillary services could develop, which may make such situations possible in the future. The footnote goes on to say that if retail sellers find themselves able to purchase real-time ancillary services from a market and not a discrete balancing authority, they should adequately document the provision of ancillary services.¹⁴
- (7) UCS provided information to the record regarding the data verification needs for RPS transactions that do not have a direct interconnection to a CBA, are not dynamically transferred into California, but would still fall into the portfolio content category described by § 399.16(b)(1). UCS urged the Commission to require retail sellers to submit hourly metered data for these transactions since the statute specifically requires delivered electricity on an hourly or sub-hourly basis, and WREGIS would be insufficient in providing this information because it aggregates generation data on a monthly basis. In its comments, UCS rejected the specific proposals from Pacific Gas and

¹² D.11-12-052, at 26-27.

¹³ UCS Opening Comments on Proposed Decision, filed Oct. 27, 2011; at 2.

¹⁴ D.11-12-052, Footnote 42, at 23-24.

Electric (PG&E), the Los Angeles Department of Water and Power (LADWP), and San Diego Gas and Electric (SDG&E), which suggested such transactions could be verified with WREGIS certificates.¹⁵ D.11-12-052 confirms that the delivery schedule for such transactions must at least be hourly¹⁶ and specifically rejects PG&E suggestion: “PG&E’s suggestion is not viable. The statutory criterion is maintenance of an hourly schedule.”¹⁷ D.11-12-052 agrees with UCS that the retail seller must be prepared to prove real-time delivery of RPS-eligible electricity with hourly generation data if the generator is not directly interconnected to a CBA or dynamically transferred, if it is to be classified under § 399.16(b)(1).¹⁸

- (8) UCS contributed substantially to the discussion of how the language of § 399.16(b)(2) should be interpreted and how transactions falling into this category should be verified. UCS’s opening comments on the Commission’s July 12 Ruling contained detailed information on the value that “firmed and shaped” transactions provide ratepayers and a propose for interpreting the word “incremental” as it appears in statute. In these comments, UCS also offered three specific criteria to guide verification of § 399.16(b)(2) products.¹⁹ In its reply comments on the July 12 Ruling, UCS urged the Commission to reject the IOU proposal to simply define “incremental” electricity as any electricity that is affixed to a contract signed on or after

¹⁵ UCS Reply Comments on the Implementation of Portfolio Content Categories for the Renewables Portfolio Standard Program, filed August 19, 2011, at 1-2.

¹⁶ D.11-12-052, at 23.

¹⁷ D.11-12-052, at 39.

¹⁸ D.11-12-052, at 41 and Ordering Paragraph 1

¹⁹ UCS Comments on the Implementation of New Portfolio Content Categories for the Renewables Portfolio Standard Program, filed August 8, 2011, at 4-8.

June 1, 2010. UCS also suggested a definition for “incremental” which was “electricity that is not in the portfolio of the retail seller at the time the contract is executed.”²⁰ D. 11-12-052 rejects the IOU’s proposed definition of “incremental” and specifically references UCS suggested definition of “incremental” and adopts language that is consistent with the UCS suggestion.²¹

(9) UCS also contributed substantially to defining RPS transactions that fall into the category described in § 399.16(b)(2) by offering three criteria that each transaction should meet in order to maximize ratepayer value. These criteria included combining a renewable energy credit (REC) purchase and substitute energy purchase in one set of transactions without selling the renewable energy back to the generator, ensuring the length of each purchase is for at least five years, and fixing the price for the life of the contract(s). In these comments, UCS offered substantial evidence to support the value of these criteria.²² Decision 11-12-052 adopts all but one of UCS’s proposed criteria for “firmed and shaped” transactions meeting the requirements of § 399.16(b)(2).²³

(10) UCS also contributed to the record by urging the Commission to refrain from determining the portfolio content category for pipeline biomethane until the

²⁰ UCS Reply Comments on the Implementation of Portfolio Content Categories for the Renewables Portfolio Standard Program, filed August 19, 2011, at 2-4. *See also* UCS Comments on the Proposed Decision, filed Oct. 27, 2011, at 4-5.

²¹ D.11-12-052, at 47-49 and Conclusion of Law 16.

²² UCS Comments on the Implementation of New Portfolio Content Categories for the Renewables Portfolio Standard Program, filed August 8, 2011, at 4-8. *See also* UCS Reply Comments on the Implementation of Portfolio Content Categories for the Renewables Portfolio Standard Program, filed August 19, 2011, at 2-4. *See also* UCS Comments on the Proposed Decision, filed Oct. 27, 2011, at 3-6. *See also* UCS Reply Comments on the Proposed Decision, filed Nov. 1, 2011, at 1-2.

²³ D.11-12-052, at 46-47 and 50.

CEC has made a determination on overall RPS eligibility.²⁴ The Commission's Proposed Decision included a product content category for pipeline biomethane that was removed from the final D.11-12-052.²⁵

C. UCS's Substantial Contributions to D.11-12-020

This Decision sets the new RPS procurement quantities required by § 399.15(b) for all retail sellers. In contributing to this Decision, UCS filed opening and reply comments on the Commission's *Order Instituting Rulemaking Regarding Implementation and Administration of the Renewables Portfolio Standard Program* (OIR), filed May 31, 2011 and June 9, 2011. UCS filed opening comments on the Commission's *Ruling Requesting Comments on Procurement Targets and Certain Compliance Requirements for the Renewables Portfolio Standard Program*, filed August 30, 2011. In addition, UCS filed opening and reply comments on the Commission's *Proposed Decision Setting Procurement Quantity Requirements for Retail Sellers for the Renewables Portfolio Standard Program*, filed November 17, 2011 and November 22, 2011. Appendix C contains a detailed timesheet of UCS staff hours in this proceeding.

The areas in which UCS made substantial contributions to the record for D.11-12-020 include urging the Commission prioritize clarifying the total RPS procurement requirement as a "Tier 1" issue, and emphasizing the legal requirement and importance of adopting a total procurement requirement that advances procurement throughout the compliance periods, which formed the basis on which to support the Commission's proposal to adopt a linear trend for calculating the total procurement obligation.

²⁴ UCS Reply Comments on the Proposed Decision, filed Nov. 1, 2011, at 3.

²⁵ Proposed Decision Implementing Portfolio Content Categories for the Renewables Portfolio Standard Program, filed October 7, 2011, at 35-36.

Specifically, UCS contributed to developing the record for D.11-12-020 in the following ways:

- (1) The Commission's OIR filed May 5, 2011 also asked parties to rank the implementation priority of establishing the total procurement requirement created by SB 2 (1X). UCS urged the Commission to classify this issue as a "Tier 1" priority, and the subsequent Commission Ruling identified this issue as "Tier 1."^{26 27}
- (2) UCS urged the Commission to adopt a linear trend as a way to calculate "reasonable progress" in RPS procurement throughout the second two compliance years.²⁸ Decision 11-12-020 adopts this linear trend method as the way to calculate the total compliance requirement throughout the second and third compliance periods.²⁹

III. UCS'S PARTICIPATION HAS BEEN EFFICIENT AND PRODUCTIVE

In conducting its work, UCS consistently coordinated its efforts in this proceeding with other parties to avoid duplication of effort and to ensure efficiency. Any duplication that occurred in this proceeding was unavoidable due to parties' sometimes similar interests, and the overwhelming number and scope of issues addressed in the decision. However, UCS avoided duplication to the extent possible and tried to minimize it where it was unavoidable. In an effort to minimize duplication, UCS coordinated with several parties over the course of the proceeding, including participating in a joint meeting with

²⁶ UCS Comments on the OIR Regarding Implementation and Administration of the RPS Program, May 31, 2011, at 1-4.

²⁷ CPUC Scoping Memo and Ruling of Assigned Commissioner, filed July 8, 2011, at 2-3.

²⁸ UCS Comments on New Procurement Targets and Certain Compliance Requirements for the Renewables Portfolio Standard Program, filed Aug. 30, 2011, at 1-3.

²⁹ D.11-12-020, at 10-15 and Conclusions of Law 4,8,9 and 10.

the IOUs related to D.11-12-052. UCS addressed distinct issues and provided unique analysis and proposals as noted above in detail to demonstrate its contributions to record for D.11-12-052 and D.11-12-020.

In D.98-04-059, the Commission adopted a requirement that a customer must demonstrate that its participation was “productive,” as that term is used in §1801.3. The Commission directed customers to demonstrate productivity by attempting to assign a reasonable dollar value to the benefits of their participation to ratepayers. UCS requests that the Commission treat this compensation request as it has treated similar past requests with regard to the difficulty of establishing specific monetary benefits associated with the participation of consumer and environmental intervenors.

In a policy proceeding such as this one, particularly one concerned as much with environmental benefits as economic benefits, it is extremely difficult to estimate the monetary benefits of UCS’s participation. However, UCS submits that its contributions to developing clear, reasonable, enforceable, and effective rules for defining portfolio content categories and total RPS compliance requirements will benefit ratepayers. The Legislature has found that increasing the amount of renewable energy resources “may promote stable electricity prices, protect public health, improve environmental quality, stimulate sustainable economic development, create new employment opportunities, and reduce reliance on imported fuels,” among other benefits.³⁰ California’s extensive deployment of renewable energy resources will also provide protection from the risk of volatile market energy prices in the years and decades to come. The RPS Program will entail many billions of dollars of ratepayer expenditures in the pursuit of these vitally important environmental and energy policy goals. UCS’s work materially assisted the

³⁰ Pub. Util. Code §399.11(b); *see also* §399.11(c).

Commission in developing RPS program requirements that will result in the development of cost-effective renewable resources and as such has contributed to more productive and efficient expenditure of the billions of dollars of RPS-related expenditures. UCS submits that its work in this case therefore can be expected to save ratepayers many times the cost of our participation. As such, the Commission should find that the costs of UCS's participation bear a reasonable relationship to the magnitude of UCS's contributions, and that UCS's overall participation was productive.

IV. UCS'S CLAIM IS REASONABLE

The hours and expenses claimed by UCS are reasonable and properly detailed, and the hourly rates requested are reasonable and consistent with rates requested by other intervenors for staff of similar experience and expertise, as well as with rates paid by IOUs to their staff and to outside consultants with similar experience and expertise.

A. The Hours Claimed Are Reasonable and Properly Detailed

UCS has maintained detailed records of time spent on this proceeding, which are provided in Appendix C. UCS is seeking compensation for time spent by staff to develop the record for D.11-12-052 and D.11-12-020 and prepare this intervenor compensation request. The hours claimed are reasonable given the scope of this proceeding and the complexity of the issues presented. No compensation for administrative time or local travel time is requested, in accordance with Commission practice.

The individual who worked on this phase of the proceeding and for whom UCS is requesting compensation is Laura Wisland. A summary of the hours, requested rates, and amount of request is provided below:

| Proceeding Participation and Preparation | | | | | |
|---|-----------------------|-------------------------------|-------------------|-------------------------|----------------------|
| Name | Title | Organization | 2011 Hours | 2011 Hourly Rate | Total Request |
| Laura Wisland | Senior Energy Analyst | Union of Concerned Scientists | 102.52 | \$135 | \$13,840.20 |

| Intervenor Claim Preparation | | | | | |
|-------------------------------------|-----------------------|-------------------------------|-------------------|-------------------------|----------------------|
| Name | Title | Organization | 2011 Hours | 2011 Hourly Rate | Total Request |
| Laura Wisland | Senior Energy Analyst | Union of Concerned Scientists | 6.5 | \$67.50 | \$438.75 |

| |
|---------------------------------|
| Grand Total: \$14,278.95 |
|---------------------------------|

B. The Hourly Rates Claimed Are Reasonable

This section provides justification for the hourly rates requested for UCS staff member Laura Wisland. The rates requested are consistent with rates awarded to other intervenors with commensurate experience and expertise performing similar tasks, and with D.08-04-010, which set 2006-2008 intervenor representatives' hourly rates.

Laura Wisland. UCS requests an hourly rate of \$135 for Ms. Wisland's work in 2011, which is consistent with the rate requested for Ms. Wisland's work in the intervenor compensation claim awarded by the Commission on July 25, 2011 in R.06-02-012.

Ms. Wisland manages UCS's participation in Commission proceedings as a Senior Energy Analyst in the Climate and Energy Program at UCS, a position she assumed in 2008. Ms. Wisland has an M.P.P from the Goldman School of Public Policy at the University of California at Berkeley, and a Bachelor's degree in Environmental Public

Policy from the University of North Carolina at Chapel Hill. Prior to joining UCS, Ms. Wisland worked as a demand response analyst for Pacific Gas and Electric Company and served as an energy intern with the California Public Utilities Commission, where she worked on rules to develop a tradable renewable energy credit market for the California RPS. Ms. Wisland also served as the Director of the California Hydropower Reform Coalition from 2004-2006. Ms. Wisland's professional qualifications are provided in Appendix B. During the proceeding, Ms. Wisland was the sole person contributing to UCS's comments, participating in meetings with Commissioners and stakeholders, and preparing UCS's request for intervenor compensation.

V. CONCLUSION

UCS made significant contributions to D. 11-12-052 and D.11-12-020 in the ways described above. The hourly rates and costs claimed are reasonable and consistent with awards to other intervenors and utility experts and advocates with comparable experience and expertise, and consistent with the Commission's decisions regarding hourly rates. UCS has met the procedural requirements for intervenor compensation set forth in §1801 *et seq* of the Public Utilities Code. UCS respectfully requests that the Commission grant UCS's claim in its entirety.

Respectfully submitted,

By



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Dated: February 9, 2011

APPENDIX A

LIST OF UCS FILINGS RELEVANT TO D.11-12-052 and D.11-12-020

Decision 11-12-052

| Date | Title |
|------------------|--|
| May 31, 2011 | “Comments of the Union of Concerned Scientists on the Order Instituting Rulemaking Regarding Implementation and Administration of the Renewables Portfolio Standard Program” |
| June 9, 2011 | “Reply Comments of the Union of Concerned Scientists on the Order Instituting Rulemaking Regarding Implementation and Administration of the Renewables Portfolio Standard Program” |
| August 8, 2011 | “Comments of the Union of Concerned Scientists on the Implementation of New Portfolio Content Categories for the Renewables Portfolio Standard Program” |
| August 19, 2011 | “Reply Comments of the Union of Concerned Scientists on the Implementation of New Portfolio Content Categories for the Renewables Portfolio Standard Program” |
| October 27, 2011 | “Opening Comments of the Union of Concerned Scientists on Proposed Decision Implementing Portfolio Content Categories for the Renewables Portfolio Standard Program” |
| November 1, 2011 | “Reply Comments of the Union of Concerned Scientists on Proposed Decision Implementing Portfolio Content Categories for the Renewables Portfolio Standard Program” |

Decision 11-12-020

| Date | Title |
|-------------------|---|
| May 31, 2011 | “Comments of the Union of Concerned Scientists on the Order Instituting Rulemaking Regarding Implementation and Administration of the Renewables Portfolio Standard Program” |
| June 9, 2011 | “Reply Comments of the Union of Concerned Scientists on the Order Instituting Rulemaking Regarding Implementation and Administration of the Renewables Portfolio Standard Program” |
| August 30, 2011 | “Comments of the Union of Concerned Scientists on New Procurement Targets for the Renewables Portfolio Standard Program” |
| November 17, 2011 | “Initial Comments of the Union of Concerned Scientists on the Proposed Decision Setting Procurement Quantity Requirements for Retail Sellers for the Renewables Portfolio Standard Program” |
| November 22, 2011 | “Reply Comments of the Union of Concerned Scientists on the Proposed Decision Setting Procurement Quantity Requirements for Retail Sellers for the Renewables Portfolio Standard Program” |

APPENDIX B

UCS STAFF QUALIFICATIONS

LAURA M. WISLAND

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EDUCATION

UNIVERSITY OF CALIFORNIA, Berkeley, CA, Goldman School of Public Policy (GSPP)

Master of Public Policy, May 2008

Honors: Robert and Patricia Switzer Fellow, 2007-2008

Graduate Student Researcher, GSPP Center for Environmental Public Policy, 2006-present

Courses: Energy Markets and Policy, Water Resources Law, Financial Management for Non-Profits, Microeconomics

UNIVERSITY OF NORTH CAROLINA, Chapel Hill, NC, 1996-2000

Bachelor of Arts, Public Policy Analysis-Environmental Protection, Highest Honors awarded May 2000

Honors: John Motley Morehead Scholar (full academic scholarship), Morris K. Udall Scholar, Phi Beta Kappa

EXPERIENCE

UNION OF CONCERNED SCIENTISTS, Berkeley, CA

Senior Energy Analyst, June 2008 – Present

- Analyzing and advocating for clean and renewable energy policies pertaining to implementation of California's Renewables Portfolio Standard and AB 32 greenhouse gas reduction efforts.

PACIFIC GAS AND ELECTRIC COMPANY, INC., San Francisco, CA

Energy Policy Analyst, Demand Response Division, Spring 2008

- Developed recommendations to the CPUC on spinning reserve programs for the California ancillary services market.

CALIFORNIA PUBLIC UTILITIES COMMISSION, San Francisco, CA

Energy Policy Analyst, Renewable Portfolio Standard (RPS) Division, Summer 2007

- Analyzed the supply, demand, and price effects of a tradable renewable energy credit (REC) market in California, and worked with CPUC staff to develop draft compliance rules to shape a REC program as part of the state's RPS program.
- Delivered a presentation on price transparency and REC forward price curves at the CPUC's public workshop for the proposed REC ruling, R-06-02-012.

SONOMA COUNTY WATER AGENCY, Santa Rosa, CA

Policy Analyst, Spring 2007

- Valued the costs and benefits of building a landfill gas-to-energy project in Marin County.
- Presented findings to SCWA senior management and the Marin County Board of Supervisors.

CALIFORNIA HYDROPOWER REFORM COALITION, Berkeley, CA

Director, 2004-2006; Assistant Director, 2003-2004

- Directed a statewide coalition of organizations that pursue ecological enhancements and protections for California rivers by improving the operation of hydropower dams. Managed a \$600,000 budget and two staff.
- Successfully amended AB 2189, a state bill that redefined hydropower eligible for credits under California's RPS program.
- Analyzed and inserted hydropower reform concepts into the CA Energy Commission's 2005 Integrated Energy Policy Report.
- Conceived amendment language and successfully lobbied a U.S. Senator, which ultimately improved hydropower provisions in the Energy Policy Act of 2005.
- Designed a practitioner workshop to explore the impact of climate change on hydropower operations and aquatic communities.

APPENDIX C

UCS STAFF TIME RECORDS FOR D.11-12-052 and D.11-12-020

Appendix C: UCS Timesheets for Laura Wisland in R.11-05-005 related to D.11-12-052 and D.11-12-020

| Name | Date | Length (hr) | Rate | Amount | Proceeding | Issue | Decision | Task |
|-------------|-------------|--------------------|-------------|---------------|-------------------|----------------------------------|-----------------|---|
| L. Wisland | 5/10/11 | 1 | \$135 | \$135.00 | R.11-05-005 | RPS Portfolio Content Categories | D.11-12-052 | Read OIR which includes preliminary list of issues to address in proceeding |
| L. Wisland | 5/26/11 | 0.25 | \$135 | \$33.75 | R.11-05-005 | RPS Portfolio Content Categories | D.11-12-052 | Phone call with S.Kelly from IEPA on initial comments on OIR |
| L. Wisland | 5/27/11 | 0.5 | \$135 | \$67.50 | R.11-05-005 | RPS Portfolio Content Categories | D.11-12-052 | Phone call with S.Meyers from CEERT on initial comments on OIR |
| L. Wisland | 5/27/11 | 3.5 | \$135 | \$472.50 | R.11-05-005 | RPS Portfolio Content Categories | D.11-12-052 | Prepare initial comments on OIR |
| L. Wisland | 5/31/11 | 3.25 | \$135 | \$438.75 | R.11-05-005 | RPS Portfolio Content Categories | D.11-12-052 | Prepare initial comments on OIR |
| L. Wisland | 6/1/11 | 2 | \$135 | \$270.00 | R.11-05-005 | RPS Portfolio Content Categories | D.11-12-052 | Read party initial comments on OIR |
| L. Wisland | 6/3/11 | 1.5 | \$135 | \$202.50 | R.11-05-005 | RPS Portfolio Content Categories | D.11-12-052 | Read party initial comments on OIR |
| L. Wisland | 6/8/11 | 3 | \$135 | \$405.00 | R.11-05-005 | RPS Portfolio Content Categories | D.11-12-052 | Prepare reply comments on OIR |
| L. Wisland | 6/9/11 | 4 | \$135 | \$540.00 | R.11-05-005 | RPS Portfolio Content Categories | D.11-12-052 | Prepare reply comments on OIR |
| L. Wisland | 6/13/11 | 2 | \$135 | \$270.00 | R.11-05-005 | RPS Portfolio Content Categories | D.11-12-052 | Attended pre-hearing conference |
| L. Wisland | 7/13/11 | 0.5 | \$135 | \$67.50 | R.11-05-005 | RPS Portfolio Content Categories | D.11-12-052 | Read ALJ Ruling requesting comments on RPS portfolio content categories |
| L. Wisland | 7/18/11 | 0.75 | \$135 | \$101.25 | R.11-05-005 | RPS Procurement Targets | D.11-12-020 | Read ALJ Ruling requesting comments on RPS procurement targets |
| L. Wisland | 7/27/11 | 1.2 | \$135 | \$162.00 | R.11-05-005 | RPS Portfolio Content Categories | D.11-12-052 | Prepare comments on RPS portfolio content categories |
| L. Wisland | 7/28/11 | 5 | \$135 | \$675.00 | R.11-05-005 | RPS Portfolio Content Categories | D.11-12-052 | Participate in multistakeholder meeting to discuss RPS portfolio content categories |
| L. Wisland | 8/3/11 | 0.75 | \$135 | \$101.25 | R.11-05-005 | RPS Portfolio Content Categories | D.11-12-052 | Phone call with G.Jackson of PG&E to discuss comments on RPS portfolio content categories |
| L. Wisland | 8/4/11 | 4.45 | \$135 | \$600.75 | R.11-05-005 | RPS Portfolio Content Categories | D.11-12-052 | Prepare initial comments on RPS portfolio content categories |
| L. Wisland | 8/5/11 | 4 | \$135 | \$540.00 | R.11-05-005 | RPS Portfolio Content Categories | D.11-12-052 | Prepare initial comments on RPS portfolio content categories |

Appendix C: UCS Timesheets for Laura Wisland in R.11-05-005 related to D.11-12-052 and D.11-12-020

| Name | Date | Length (hr) | Rate | Amount | Proceeding | Issue | Decision | Task |
|-------------|-------------|--------------------|-------------|---------------|-------------------|----------------------------------|-----------------|--|
| L. Wisland | 8/8/11 | 6 | \$135 | \$810.00 | R.11-05-005 | RPS Portfolio Content Categories | D.11-12-052 | Prepare initial comments on RPS portfolio content categories |
| L. Wisland | 8/9/11 | 3 | \$135 | \$405.00 | R.11-05-005 | RPS Portfolio Content Categories | D.11-12-052 | Read party initial comments on RPS portfolio content categories |
| L. Wisland | 8/15/11 | 3.5 | \$135 | \$472.50 | R.11-05-005 | RPS Portfolio Content Categories | D.11-12-052 | Read party comments and prepare reply comments on portfolio content categories |
| L. Wisland | 8/18/11 | 2.15 | \$135 | \$290.25 | R.11-05-005 | RPS Portfolio Content Categories | D.11-12-052 | Read party comments and prepare reply comments on portfolio content categories |
| L. Wisland | 8/19/11 | 5.1 | \$135 | \$688.50 | R.11-05-005 | RPS Portfolio Content Categories | D.11-12-052 | Read party comments and prepare reply comments on portfolio content categories |
| L. Wisland | 8/24/11 | 3 | \$135 | \$405.00 | R.11-05-005 | RPS Procurement Targets | D.11-12-020 | Participate in multistakeholder meeting (convened by PG&E) to discuss RPS procurement targets |
| L. Wisland | 8/26/11 | 2.5 | \$135 | \$337.50 | R.11-05-005 | RPS Procurement Targets | D.11-12-020 | Prepare initial comments on RPS procurement targets ruling |
| L. Wisland | 8/30/11 | 4.75 | \$135 | \$641.25 | R.11-05-005 | RPS Procurement Targets | D.11-12-020 | Prepare initial comments on RPS procurement targets ruling |
| L. Wisland | 8/31/11 | 3 | \$135 | \$405.00 | R.11-05-005 | RPS Procurement Targets | D.11-12-020 | Read party initial comments on RPS procurement targets ruling |
| L. Wisland | 10/12/11 | 0.75 | \$135 | \$101.25 | R.11-05-005 | RPS Portfolio Content Categories | D.11-12-052 | Read PD on RPS portfolio content categories and prepared initial comments |
| L. Wisland | 10/19/11 | 1 | \$135 | \$135.00 | R.11-05-005 | RPS Portfolio Content Categories | D.11-12-052 | Read PD on RPS portfolio content categories and prepared initial comments |
| L. Wisland | 10/26/11 | 1.25 | \$135 | \$168.75 | R.11-05-005 | RPS Portfolio Content Categories | D.11-12-052 | Phone call with S.Meyers from CEERT to discuss comments on PD for RPS portfolio content categories |
| L. Wisland | 10/26/11 | 4 | \$135 | \$540.00 | R.11-05-005 | RPS Portfolio Content Categories | D.11-12-052 | Prepare initial comments on PD for RPS portfolio content categories |
| L. Wisland | 10/27/11 | 5.5 | \$135 | \$742.50 | R.11-05-005 | RPS Portfolio Content Categories | D.11-12-052 | Prepare initial comments on PD for RPS portfolio content categories |
| L. Wisland | 10/28/11 | 1.5 | \$135 | \$202.50 | R.11-05-005 | RPS Portfolio Content Categories | D.11-12-052 | Read party comments on PD for RPS portfolio content categories |
| L. Wisland | 10/31/11 | 2 | \$135 | \$270.00 | R.11-05-005 | RPS Portfolio Content Categories | D.11-12-052 | Read party comments on PD for RPS portfolio content categories and prepare reply comments |

Appendix C: UCS Timesheets for Laura Wisland in R.11-05-005 related to D.11-12-052 and D.11-12-020

| Name | Date | Length (hr) | Rate | Amount | Proceeding | Issue | Decision | Task |
|-------------|-------------|--------------------|-------------|---------------|-------------------|----------------------------------|-----------------|--|
| L. Wisland | 11/1/11 | 3.5 | \$135 | \$472.50 | R.11-05-005 | RPS Portfolio Content Categories | D.11-12-052 | Prepare reply comments on PD for RPS portfolio content categories |
| L. Wisland | 11/2/11 | 1 | \$135 | \$135.00 | R.11-05-005 | RPS Portfolio Content Categories | D.11-12-052 | Read party reply comments on RPD for RPS portfolio content categories |
| L. Wisland | 11/2/11 | 2.5 | \$135 | \$337.50 | R.11-05-005 | RPS Procurement Targets | D.11-12-020 | Read PD on RPS procurement requirements |
| L. Wisland | 11/9/11 | 1.25 | \$135 | \$168.75 | R.11-05-005 | RPS Procurement Targets | D.11-12-020 | Prepare initial comments on PD for RPS procurement requirements |
| L. Wisland | 11/15/11 | 1.12 | \$135 | \$151.20 | R.11-05-005 | RPS Portfolio Content Categories | D.11-12-052 | Phone call with S. Murtishaw, advisor to Cmmr. Peevey on PD for RPS portfolio content categories |
| L. Wisland | 11/18/11 | 1 | \$135 | \$135.00 | R.11-05-005 | RPS Portfolio Content Categories | D.11-12-052 | Met with S. Kamins, advisor to Cmmr. Ferron on PD for RPS portfolio content categories |
| L. Wisland | 11/18/11 | 1.5 | \$135 | \$202.50 | R.11-05-005 | RPS Procurement Targets | D.11-12-020 | Read party initial comments on PD for RPS procurement requirements |
| L. Wisland | 11/21/11 | 1.75 | \$135 | \$236.25 | R.11-05-005 | RPS Procurement Targets | D.11-12-020 | Prepare reply comments on PD for RPS procurement requirements |
| L. Wisland | 11/22/11 | 2.25 | \$135 | \$303.75 | R.11-05-005 | RPS Procurement Targets | D.11-12-020 | Prepare reply comments on PD for RPS procurement requirements |
| L. Wisland | 2/6/11 | 3 | \$67.50 | \$202.50 | R.11-05-005 | Intv. Comp | Intv. Comp | Prepare Intervenor Compensation Request |
| L. Wisland | 2/7/11 | 3.5 | \$67.50 | \$236.25 | R.11-05-005 | Intv. Comp | Intv. Comp | Prepare Intervenor Compensation Request |

Laura Wisland Summary

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|----------------------------------|--------------------|
| RPS Portfolio Content Categories | \$10,701.45 |
| RPS Procurement Targets | \$3,138.75 |
| Total Intervenor Comp Prep | \$438.75 |
| TOTAL | \$14,278.95 |

VERIFICATION

I, Laura Wisland, am a representative of the Union of Concerned Scientists and am authorized to make this verification on the organization's behalf. The statements in the foregoing document are true to the best of my knowledge, except for those matters that are stated on information and belief, and as to those matters I believe them to be true.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 9, 2011, in Berkeley, California.



Laura Wisland
Union of Concerned Scientists
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