

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Implement the
California Renewables Portfolio Standard
Program.

Rulemaking R.04-04-026
(Filed April 22, 2004)

**OPINION GRANTING INTERVENOR COMPENSATION
TO THE GREEN POWER INSTITUTE AND THE UNION OF CONCERNED
SCIENTISTS FOR SUBSTANTIAL CONTRIBUTIONS TO DECISION 05-05-011**

This decision awards the Green Power Institute (Green Power) \$23,531.00, and the Union of Concerned Scientists (UCS) \$4,531.88, in compensation for their substantial contributions to Decision (D.) 05-05-011. These awards represent a decrease, respectively, of \$1,050.00 and \$494.10, from the amounts requested. In both instances, the decreases occur because we employ the policy, established in D.05-11-031, that awards for 2005 generally should be calculated at the same hourly rate authorized for 2004.

1. Background

In the Renewable Portfolio Standards (RPS) phase of Rulemaking (R.) 01-10-024 and in this rulemaking, the Commission has issued a series of decisions in its ongoing implementation of Senate Bill 1078, which created the California Renewables Portfolio Standard Program.¹

¹ See, Pub. Util. Code §§ 399.11 through 399.16. Senate Bill (SB) 1078, chaptered on September 12, 2002, requires the Commission to establish a program whereby the utilities must purchase a specified minimum percentage of electricity generated by

Footnote continued on next page

This is the Commission's second intervenor compensation award to Green Power in this proceeding. D.05-01-053 awarded Green Power \$104,864.25 in compensation for its contributions to three earlier decisions: D.04-06-014, which adopted standard contract terms and conditions for participants in the RPS program; D.04-06-015, which adopted a methodology for determining the market price referent; and D.04-07-029, which adopted criteria for the selection of least-cost and best-fit resources.

D.05-05-011, the subject of this request for intervenor compensation, concerns participation of renewable distributed generation (DG) in the RPS program. D.05-05-011 determined that as a general policy, eligible renewable DG facilities should be treated equivalently to other types of eligible renewable generation; it also established that the owner of a renewable DG facility owns the Renewable Energy Credits (RECs) associated with the generation of energy from that facility.

This proceeding remains open to continue implementation and refinement of the RPS program.

2. Requirements for Awards of Compensation

The intervenor compensation program, enacted in Pub. Util. Code §§ 1801-1812, requires California jurisdictional utilities to pay the reasonable costs of an intervenor's participation if the intervenor makes a substantial contribution to the Commission's proceedings. The statute provides that the

renewable energy resources. The utilities must increase their total procurement of eligible renewable energy resources by at least one percent per year so that twenty percent of their retail sales are procured from eligible renewable energy resources by December 31, 2017.

utility may adjust its rates to collect the amount awarded from its ratepayers. (Subsequent statutory references are to the Public Utilities Code unless otherwise indicated.)

All of the following procedures and criteria must be satisfied for an intervenor to obtain a compensation award:

1. The intervenor must satisfy certain procedural requirements including the filing of a sufficient notice of intent (NOI) to claim compensation within 30 days of the prehearing conference (PHC), or in special circumstances at other appropriate times that we specify. (§ 1804(a).)
2. The intervenor must be a customer or a participant representing consumers, customers, or subscribers of a utility subject to our jurisdiction. (§ 1802(b).)
3. The intervenor should file and serve a request for a compensation award within 60 days of our final order or decision in a hearing or proceeding. (§ 1804(c).)
4. The intervenor must demonstrate “significant financial hardship.” (§§ 1802(g), 1804(b)(1).)
5. The intervenor’s presentation must have made a “substantial contribution” to the proceeding, through the adoption, in whole or in part, of the intervenor’s contention or recommendations by a Commission order or decision. (§§ 1802(i), 1803(a).)
6. The claimed fees and costs are reasonable (§1801), necessary for and related to the substantial contribution (D.98-04-059), comparable to the market rates paid to others with comparable training and experience (§1806), and productive (D.98-04-059).

For discussion here, the procedural issues in Items 1-4 above are combined, followed by separate discussions of Items 5-6.

3. Procedural Issues

Green Power

In making the previous intervenor compensation award, D.05-01-053 found that Green Power’s June 4, 2004 NOI was timely filed and confirmed an

earlier determination, in D.04-01-046, that Green Power qualified as a “customer” under subparagraph C of Section 1802(b)(1), as a representative of a group or organization authorized pursuant to its articles of incorporation or bylaws to represent the interests of residential or small business customers. D.05-01-053 also found that Green Power had established financial hardship. Rule 76.76 of the Commission’s Rules of Practice and Procedure (Rule or Rules) provides that a customer’s eligibility finding in an earlier phase of a proceeding carries over into subsequent phases of that same proceeding. As Green Power’s pending request states that its “circumstances with respect to eligibility have not changed,” we confirm Green Power’s continuing eligibility. (Green Power Request, p. 1.) Green Power filed this request for compensation on June 13, 2005, within 60 days of D.05-05-011 being issued, and supplemented its request on March 1, 2006. In view of the above, we find that Green Power has satisfied all the procedural requirements necessary to make its request for compensation. No party opposes the request.

UCS

UCS timely filed its NOI on June 3, 2004, as the prehearing conference in this matter was held on May 5, 2004. Since there has been no eligibility ruling for UCS in this proceeding as yet, we review below all procedural issues necessary to determine eligibility.

UCS has attached its Bylaws to its NOI. The Bylaws expressly authorize this non-profit corporation to “conduct scientific and technical analysis and research in the public interest” and “present its views and assist members of the public in presenting their views before administrative agencies and the courts”. (Attachment to UCS Request.) Therefore, we find UCS is a customer as defined in subparagraph C of Section 1802(b)(1). Such a finding is consistent with the

Commission's determination, on other proceedings, that UCS met the statutory requirements for customer status.

An intervenor seeking compensation must show that, without undue hardship, it cannot pay the reasonable costs of effective participation in the proceeding. In the case of groups or organizations defined as customers under subparagraph C of Section 1802(b)(1), significant financial hardship is demonstrated by showing that the economic interest of individual members is small compared to the overall costs of effective participation. (Pub. Util. Code § 1802(g).) The UCS NOI affirmatively asserts that participation in this proceeding without intervenor compensation would pose a significant financial hardship for UCS. Referring to a guideline the Commission has used in the past, UCS states that its individual members' average, annual residential utility bills do not exceed \$50,000. In its request, UCS states that its circumstances relevant to eligibility have not changed in the intervening year and also "attests that no grant monies from any source were used to fund work for which UCS is requesting intervenor compensation." (UCS Request, p.1.) We find that UCS has borne its burden to establish financial hardship.

UCS filed its request for compensation on July 11, 2005, within 60 days of D.05-05-011 being issued. In view of the above, we find that UCS has satisfied all the procedural requirements necessary to make its request for compensation. No party opposes the request.

4. Substantial Contribution

In evaluating whether a customer made a substantial contribution to a proceeding we look at several things. First, did the Administrative Law Judge (ALJ) or Commission adopt one or more of the factual or legal contentions, or specific policy or procedural recommendations put forward by the customer?

(See §1802(i).) Second, if the customer's contentions or recommendations paralleled those of another party, did the customer's participation materially supplement, complement, or contribute to the presentation of the other party or to the development of a fuller record that assisted the Commission in making its decision? (See §§1802(i) and 1802.5.) As described in §1802(i), the assessment of whether the customer made a substantial contribution requires the exercise of judgment.

In assessing whether the customer meets this standard, the Commission typically reviews the record, composed in part of pleadings of the customer and, in litigated matters, the hearing transcripts, and compares it to the findings, conclusions, and orders in the decision to which the customer asserts it contributed. It is then a matter of judgment as to whether the customer's presentation substantially assisted the Commission.²

Should the Commission not adopt any of the customer's recommendations, compensation may be awarded if, in the judgment of the Commission, the customer's participation substantially contributed to the decision or order. For example, if a customer provided a unique perspective that enriched the Commission's deliberations and the record, the Commission could find that the customer made a substantial contribution. With this guidance in mind, we turn to the claimed contributions each intervenor made to the proceeding.

Green Power

Green Power points to its active participation in the form of specific comments and reply comments on DG/RPS issues raised in the course of this

portion of the proceeding, as well as comments and reply comments on the proposed decision. Green Power also notes that in October and November of 2003, prior to the commencement of this proceeding, it responded to a data request issued by California Public Utilities Commission-California Energy Commission (CPUC-CEC) Collaborative Staff, and thus contributed to the record which underlies the ALJ's September 1, 2004 ruling on DG/RPS in this proceeding. As Green Power claims, this participation resulted in substantial contributions in a number of areas, including provision of the guiding principle for formulating DG-specific regulations, which D.05-05-011 characterizes as "the most reasoned, neutral and fair approach." (D.05-05-011, mimeo p. 3.) Green Power also made substantial contributions toward measurement of the output of renewable DG generators, context for counting DG-generated energy towards an Investor-owned Utility's (IOU) RPS, and adjustment of provider's retail load when counting customer-side-of-the-meter RECs towards a provider's RPS obligation - D.05-05-011 specifically notes the value of Green Power's assistance on many of these issues.

UCS

UCS likewise filed comments and reply comments in this proceeding and also filed comments and reply comments on the draft decision. UCS claims that its participation made a substantial contribution in the following areas: ownership of DG RECs, coordination with other proceedings, providing clarification on whether DG RECs remain bundled with electricity, adjustment to utility retail sales to account for DG electrical output, drawing distinctions

² D.98-04-059, 79 CPUC2d, 628 at 653.

between capacity- and energy-based subsidies, and measurement requirements for participation in the RPS program. UCS concedes that D.05-05-011 did not adopt all UCS's position in full, but that is not a requirement for full compensation. UCS achieved a high level of success on the issues it raised. We agree that UCS's participation informed the record and our decision-making; in areas where we did not wholly adopt UCS's position, we benefited from UCS's analysis and discussion.

Overall, we find that Green Power and UCS both made substantial contributions to D.05-05-011. After we have determined the scope of a customer's substantial contribution, we then look at whether the compensation requested is reasonable. Each party represents that it undertook efforts to ensure efficiency of effort, and the record developed supports these assertions. Thus, we will make no adjustment to the individual claims on this account.

5. Reasonableness of Requested Compensation

Green Power requests \$24,581 for its participation in this proceeding for the work of its director, Dr. Gregory Morris, and for expenses, as follows:

GPI Staff Time, Morris, 2003 hrs	27 hrs @ \$200 /hr	\$ 5,400
GPI Staff Time, Morris, 2004 hrs	51 hrs @ \$210 /hr	\$ 10,710
GPI Staff Time, Morris, 2005 hrs	29 hrs @ \$240 /hr	\$ 6,960
Comp Request Prep Time, Morris, 2005	12 hrs @ \$120 /hr	\$ 1,440
Document Filing and Serving		\$ 71
Total Compensation Request		\$ 24,581

UCS requests \$5,025.98 for its participation in this proceeding, as follows:

Proceeding Preparation and Participation							
First Name	Last Name	Type	Organization/ Firm	Hours	Hourly Rate	Year	Total
Alan	Nogee	Energy Program Director	Union of Concerned Scientists	1.75	232	2004	\$ 406.00

Alan	Nogee	Energy Program Director	UCS	0.7	250	2005	\$ 175.00
Dian	Grueneich	Senior Attorney	Grueneich Resource Advocates	1.2	415.00	2004	\$ 498.00
Jody	London	Senior Policy Analyst	GRA	9.65	173.00	2004	\$ 1,669.45
Clyde	Murley	Consultant	Clyde Murley	1	230.00	2005	\$ 230.00
Proceeding Preparation and Participation Subtotal							\$ 2,978.45

Intervenor Claim Preparation and Activities							
First Name	Last Name	Type	Organization/ Firm	Hours	Hourly Rate	Year	Total
Alan	Nogee	Energy Program Director	Union of Concerned Scientists	0.75	125.00	2004	\$ 93.75
John	Galloway	Senior Energy Analyst	Union of Concerned Scientists	12.5	90.00	2005	\$ 1,125.00
Dian	Grueneich	Senior Attorney	Grueneich Resource Advocates	0.3	207.5	2004	\$ 62.25
Jody	London	Senior Policy Analyst	Grueneich Resource Advocates	4.6	86.5	2004	\$ 397.90
Clyde	Murley	Consultant	Clyde Murley	1.5	115	2005	\$ 172.50
Intervenor Claim Preparation and Activities Subtotal							\$ 1,851.40

Expenses	
Organization/Firm	Total Expenses
Grueneich Resource Advocates	\$ 148.65
Union of Concerned Scientists	\$ 47.48
Expenses Subtotal	\$ 196.13

Totals	
Proceeding Preparation and Participation Subtotal	\$ 2,978.45
Intervenor Claim Preparation and Activities Subtotal	\$ 1,851.40
Expenses Subtotal	\$ 196.13
Grand Total	\$ 5,025.98

In general, the components of this request must constitute reasonable fees and costs of the customer's preparation for and participation in a proceeding that resulted in a substantial contribution. The issues we consider to determine reasonableness are discussed below:

5.1 Hours and Costs Related to and Necessary for Substantial Contribution

We first assess whether the hours claimed for the customer's efforts that resulted in substantial contributions to Commission decisions are reasonable by determining to what degree the hours and costs are related to the work performed and necessary for the substantial contribution.

Green Power documented its claimed hours by attaching a daily breakout of the hours for Morris, who acted both as party representative and witness. The hourly breakout reasonably supports the claim for total hours, but it would be useful if, in the future, Green Power would describe more particularly the nature of the tasks accomplished or issues addressed on any given date. Since we found that Green Power's efforts made a substantial contribution to D.05-05-011, we do not exclude any of this time from the calculation of its award. However, had we needed to eliminate certain issues from the award, we either would have had to request this information in a supplemental filing or would have had to rely upon our own approximation of a reasonable time expenditures/issue.

UCS has documented its claimed hours by presenting a detailed, daily breakdown of the hours of its staff and consultants, accompanied by a brief description of each activity. The hourly breakdowns reasonably support the claim for total hours. Since we found that UCS's efforts made a substantial contribution to D.05-05-011, we do not exclude any issues from UCS's award. However, we note that UCS broke down its efforts by issue; had we needed to

eliminate certain issues from the award, this breakdown would have facilitated the process.

5.2 Market Rate Standard

We next take into consideration whether the claimed fees and costs are comparable to the market rates paid to experts and advocates having comparable training and experience and offering similar services.

Green Power requests an hourly rate for Morris of \$200 per hour for work performed in 2003, \$210 per hour in 2004, and \$240 per hour in 2005. We previously approved the 2003 rate (in D.04-01-046) and the 2004 rate (in D.05-01-053), and we adopt both here. We calculate the award for 2005 at the same rate level as 2004, consistent with D.05-11-031.

UCS requests rates for 2004 that we previously have approved, and adopt here: \$232 per hour (in D.05-06-025) for Nogee, UCS's Clean Energy Program Director; \$415 per hour (in D.05-06-025) for attorney Grueneich, at that time the principal of Grueneich Resource Advocates; and \$173 per hour (in D.05-06-025) for London, then a Senior Program Manager at Grueneich Resource Advocates. Consistent with D.05-11-031, we do not increase Nogee's rate for 2005, but calculate that part of the award at the same rate level set in 2004.

UCS requests \$230/hour for Murley, a consultant to UCS, for work in 2005. In D.03-10-085, the Commission approved a rate of \$160 per hour for Murley for work in 2003. In support of the rate increase, UCS relates Murley's experience and education and notes that, in setting attorney and expert rate levels for 2004, the Commission's Resolution ALJ-184 generally authorized an 8% increase over previously approved rates.

In summary, Murley's qualifications include over 19 years of experience working on energy issues and over 12 of these years in the electric utility and

regulatory arena. Prior to becoming a consultant, he was a Senior Program Manager and Senior Policy Analyst at Grueneich Resource Advocates for more than four years. He also has worked for the Commission (for some three years), for the Natural Resources Defense Council (NRDC), and for Pacific Gas and Electric Company (PG&E). Murley holds a Bachelor of Arts degree in Environmental Science and a Masters of Arts degree in Energy and Resources.

We agree that Murley's qualifications and the precedent of Resolution ALJ-184 warrant increasing his current rate above the level authorized for 2003. Escalating Murley's 2003 hourly rate by 8% yields an increase of \$13, for a total of \$173. This is very close to the mid-point of the range of expert rates (\$110-\$360) which D.05-11-031 found reasonable for 2005. It is also the same rate we have approved for London, and Murley's experience and education appear reasonably comparable to hers. Therefore, we approve the rate of \$173 per hour as a reasonable rate for Murley for 2005.

UCS requests a \$180/hour rate for 2005 for Galloway, a Senior Energy Analyst for UCS's Clean Energy Program, who previously has not applied for intervenor compensation. In this proceeding, Galloway's work was limited to preparing the request for intervenor compensation, which UCS bills at one half the requested rate, or \$90 per hour.

Before joining UCS in 2004, Galloway was a member of the Commission staff for more than five years and worked on renewable energy and distributed generation policy. Prior to that, he worked for two years for a regulated telecommunications company. Galloway holds a Bachelors degree in Electrical Engineering and a Masters degree in Energy and Resources.

For persons like Galloway, for whom no rates have been established previously, D.05-11-031 instructs us to set rates within the adopted range. We

necessarily must compare Galloway's qualifications to the qualifications of other experts for whom rates have been established. Here, \$180/hour is excessive, as it is above the rates authorized for London and Murley, who have two to three times as many years of experience. Galloway's qualifications appear to be similar to those of Devra Bachrach (now Wang), whose experience and education are described in D.03-12-009 (at that time, four years' employment with NRDC, Lawrence Berkeley National Lab, the CEC and this Commission; a Bachelor's degree in engineering and an advanced degree in Energy and Resources). D.03-12-009 set her hourly rate for work performed in 2003 at \$100. More recently, D.05-10-030 increased her rate to \$120, for work performed in 2005. We approve the same rate here, \$120 per hour, for Galloway's 2005 work.

5.3 Productivity

D.98-04-059 directed customers to demonstrate productivity by assigning a reasonable dollar value to the benefits of their participation to ratepayers. The costs of a customer's participation should bear a reasonable relationship to the benefits realized through their participation. This showing assists us in determining the overall reasonableness of the request.

Both intervenors state that the value of their contributions to D.05-05-011 cannot be readily translated into a monetary benefit to ratepayers. Green Power points out that the Commission's RPS program is premised, in part, on an assumption that price spikes will be tempered, to the benefit of ratepayers. Other benefits, for example to the environment and to human health, are not only hard to quantify, but will result only if rules and procedures adopted in this proceeding actually lead to the achievement of RPS program goals. UCS's arguments are similar. We agree that the value of these contributions is not easily quantified, but the same may be said of many programs intended to

benefit health and the environment. Under these circumstances, and given the nature of the work each intervenor did, and the reasonable lack of overlap, we find that the participation of each was productive.

5.4 Direct Expenses

Green Power requests reimbursement of \$71, in total, for the direct costs associated with filing and serving documents. Attachment A to the request itemizes these costs by date incurred, including charges for copies, postage, and Federal Express. We find these costs reasonable.

UCS requests reimbursement of direct costs totaling \$196.13, comprised of \$148.65 for Grueneich Resource Advocates and \$47.48 for UCS. Attachment D to the request itemizes these charges by date incurred, including the long distance telephone charges and the costs for photocopies, messenger service and postage. We find these costs reasonable.

6. Award

As set forth in the table below, we award Green Power \$23,531:

GPI Staff Time, Morris, 2003 hrs	27 hrs @ \$200 /hr	\$ 5,400
GPI Staff Time, Morris, 2004 hrs	51 hrs @ \$210 /hr	\$ 10,710
GPI Staff Time, Morris, 2005 hrs	29 hrs @ \$210 /hr	\$ 6,090
Comp Request Prep Time, Morris, 2005	12 hrs @ \$105 /hr	\$ 1,260
Document Filing and Serving		\$ 71

Total Compensation Request \$ 23,531

We award UCS \$4,531.88:

Proceeding Preparation and Participation							
First Name	Last Name	Type	Organization/ Firm	Hours	Hourly Rate	Year	Total
Alan	Nogee	Energy Program Director	Union of Concerned Scientists	1.75	232	2004	\$ 406.00
Alan	Nogee	Energy Program Director	UCS	0.7	232	2005	\$ 162.40

Dian	Grueneich	Senior Attorney	Grueneich Resource Advocates	1.2	415.00	2004	\$ 498.00
Jody	London	Senior Policy Analyst	GRA	9.65	173.00	2004	\$ 1,669.45
Clyde	Murley	Consultant	Clyde Murley	1	173.00	2005	\$ 173.00
Proceeding Preparation and Participation Subtotal							\$ 2,908.85

Intervenor Claim Preparation and Activities							
First Name	Last Name	Type	Organization/ Firm	Hours	Hourly Rate	Year	Total
Alan	Nogee	Energy Program Director	Union of Concerned Scientists	0.75	116.00	2004	\$ 87.00
John	Galloway	Senior Energy Analyst	UCS	12.5	60.00	2005	\$ 750.00
Dian	Grueneich	Senior Attorney	Grueneich Resource Advocates	0.3	207.5	2004	\$ 62.25
Jody	London	Senior Policy Analyst	GRA	4.6	86.5	2004	\$ 397.90
Clyde	Murley	Consultant	Clyde Murley	1.5	86.5	2005	\$ 129.75
Intervenor Claim Preparation and Activities Subtotal							\$ 1,426.90

Expenses	
Total Expenses	\$ 196.13

Totals	
Proceeding Preparation and Participation Subtotal	\$ 2,908.85
Intervenor Claim Preparation and Activities Subtotal	\$ 1,426.90
Total Expenses	\$ 196.13
Grand Total	\$ 4,531.88

Consistent with previous Commission decisions, we order that interest be paid on the award amounts to Green Power and UCS (at the rate earned on prime, three-month commercial paper, as reported in Federal Reserve Statistical Release H.15) commencing, for Green Power, on August 6, 2005, the 75th day after Green Power filed its compensation request, and continuing until full payment of the award is made; and for UCS, commencing on September 3, 2005,

the 75th day after UCS filed its compensation request, and continuing until full payment of the award is made.

We direct PG&E, San Diego Gas & Electric Company and Southern California Edison to allocate payment responsibility among themselves based upon their California-jurisdictional gas and electric revenues for the 2005 calendar year, to reflect the year in which the proceeding was primarily litigated.

We remind all intervenors that Commission staff may audit their records related to this award and that intervenors must make and retain adequate accounting and other documentation to support all claims for intervenor compensation. The records of Green Power and UCS should identify specific issues for which each intervenor requested compensation, the actual time spent by each employee or consultant, the applicable hourly rate, fees paid to consultants, and any other costs for which compensation was claimed.

7. Waiver of Comment Period

This is an intervenor compensation matter. Accordingly, as provided by Rule 77.7(f)(6) of our Rules of Practice and Procedure, we waive the otherwise applicable 30-day comment period for this decision.

8. Assignment of Proceeding

Michael R. Peevey is the Assigned Commissioner, and Burton Mattson is the assigned ALJ in this proceeding.

Findings of Fact

1. Green Power and UCS have satisfied all the procedural requirements necessary to claim compensation in this proceeding.
2. Green Power and UCS made substantial contributions to D.05-05-011 as described herein.

3. Green Power and UCS requested hourly rates for its representatives that, as adjusted herein, are reasonable when compared to the market rates for persons with similar training and experience.

4. Green Power and UCS requested related expenses that are reasonable and commensurate with the work performed.

5. The total of the reasonable compensation for Green Power is \$23,531.00 and for UCS is \$4,531.88.

6. The appendix to this opinion summarizes today's award.

Conclusions of Law

1. Green Power and UCS have fulfilled the requirements of Pub. Util. Code §§ 1801-1812, which govern awards of intervenor compensation, and are entitled to intervenor compensation for their claimed compensation, as adjusted herein, incurred in making substantial contributions to D.05-05-011.

2. Green Power should be awarded \$23,531.00, and UCS should be awarded \$4,531.88 for their contributions to D.05-05-011.

3. Per Rule 77.7(f)(6), the comment period for this compensation decision may be waived.

4. This order should be effective today so that Green Power and UCS may be compensated without further delay.

O R D E R

IT IS ORDERED that:

1. The Green Power Institute (Green Power) is awarded \$23,531.00 as compensation for substantial contributions to Decision (D.) 05-05-011.

2. The Union of Concerned Scientists (UCS) is awarded \$4,531.88 as compensation for its substantial contributions to D.05-05-011.

3. Within 30 days of the effective date of this decision, Pacific Gas and Electric Company, San Diego Gas & Electric Company and Southern California Edison shall pay their respective shares of the award. Each utility's share shall be calculated based upon its California-jurisdictional gas and electric revenues for the 2005 calendar year. 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. For Green Power interest shall be included beginning on August 6, 2005, the 75th day after the filing date of Green Power's request for compensation, and continuing until full payment is made. For UCS interest shall be included beginning on September 3, 2005, the 75th day after the filing date of UCS's request for compensation, and continuing until full payment is made.

4. The comment period for today's decision is waived.

This order is effective today.

Dated March _____, 2006, at San Francisco, California.

Appendix A**Compensation Decision Summary Information**

Compensation Decision:		Modifies Decision? No
Contribution Decision(s):	D0505011	
Proceeding(s):	R0404026	
Author:	ALJ Burton Mattson	
Payer(s):	Pacific Gas and Electric, Southern California Edison, San Diego Gas & Electric Company	

Intervenor Information

Intervenor	Claim Date	Amount Requested	Amount Awarded	Multiplier?	Reason Change/Disallowance
Green Power Institute	June 13, 2005	\$24,581.00	\$23,531.00	N/A	Failure to justify hourly rate change for 2005
Union of Concerned Scientists	July 11, 2005	\$5,025.95	\$4,531.88	N/A	Failure to justify hourly rate change for 2005

Advocate Information

First Name	Last Name	Type	Intervenor	Hourly Fee Requested	Year Hourly Fee Requested	Hourly Fee Adopted
Gregory	Morris	Policy Expert/Scientist	Green Power Institute	\$200	2003	\$200
Gregory	Morris	Policy Expert/Scientist	Green Power Institute	\$210	2004	\$210
Gregory	Morris	Policy Expert/Scientist	Green Power Institute	\$240	2005	\$210
Alan	Nogee	Policy Expert	Union of Concerned Scientists	\$232	2004	\$232
Alan	Nogee	Policy Expert	Union of Concerned Scientists	\$250	2005	\$232
Dian	Grueneich	Attorney	Union of Concerned Scientists/Grueneich Resource Advocates	\$415	2004	\$415
Jody	London	Analyst	Union of Concerned Scientists/Grueneich Resource Advocates	\$173	2004	\$173
Clyde	Murley	Policy Expert	Union of Concerned Scientists/Grueneich Resource Advocates	\$230	2005	\$173
John	Galloway	Analyst	Union of Concerned Scientists	\$180	2005	\$120

(End Appendix A)