



BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

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| Application of Pacific Gas and Electric Company (U39M) for Approval of Modifications to its SmartMeter Program and Increased Revenue Requirements to Recover the Costs of the Modifications. | A. 11-03-014 |
| And related matters. | A. 11-03-015 |
| | A.11-07-020 |

NOTICE OF INTENT TO CLAIM INTERVENOR COMPENSATION AND, IF REQUESTED (and checked), ALJ RULING ON SHOWING OF SIGNIFICANT FINANCIAL HARDSHIP

| | | | |
|--|---------------|----------------------------|----------------|
| Customer (party intending to claim intervenor compensation): | | | |
| The Utility Reform Network (TURN) | | | |
| Assigned Commissioner: Peevey | | Assigned ALJ: Yip-Kikugawa | |
| I hereby certify that the information I have set forth in Parts I, II, III and IV of this Notice of Intent (NOI) is true to my best knowledge, information and belief. I further certify that, in conformance with the Rules of Practice and Procedure, this NOI and has been served this day upon all required persons (as set forth in the Certificate of Service attached as Attachment 1). | | | |
| Signature: /s/ | | | |
| Date: | June 15, 2012 | Printed Name: | Marcel Hawiger |

PART I: PROCEDURAL ISSUES

(To be completed by the party (“customer”) intending to claim intervenor compensation)

| A. Status as “customer” (see Pub. Util. Code § 1802(b)): The party claims “customer” status because it (check one): | Applies (check) |
|--|------------------------|
| 1. Category 1: Represents consumers, customers, or subscribers of any electrical, gas, telephone, telegraph, or water corporation that is subject to the jurisdiction of the Commission (§ 1802(b)(1)(A)) | |
| 2. Category 2: Is a representative who has been authorized by a “customer” (§ 1802(b)(1)(B)). | |
| 3. Category 3: Represents a group or organization authorized pursuant to its articles of incorporation or bylaws to represent the interests of residential customers, to represent “small commercial customers” (§ 1802(h)) who receive bundled electric service from an electrical corporation (§ 1802(b)(1)(C)), or to represent another eligible group. | X |
| 4. The party’s explanation of its customer status, economic interest (if any), with any | |

documentation (such as articles of incorporation or bylaws) that supports the party's "customer" status. Any attached documents should be identified in Part IV.

TURN is a Category 3 "group or organization authorized pursuant to its articles of incorporation or bylaws to represent the interests of residential ratepayers." TURN provided the relevant portion of our articles of incorporation in the NOI submitted in A.98-02-017, and again in A.99-12-024. The articles of incorporation have not changed since the time of those earlier submissions. TURN has approximately 20,000 dues-paying members, of whom we believe the vast majority are residential ratepayers. TURN does not poll our members in a manner that would allow a precise breakdown between residential and small business members, so a precise percentage is not available.

- a. Describe if you have any direct economic interest in outcomes of the proceeding.

No.

| B. Timely Filing of NOI (§ 1804(a)(1)): | Check |
|---|------------------------------------|
| 1. Is the party's NOI filed within 30 days after a Prehearing Conference? Date of Prehearing Conference: <u> May 16, 2012 </u> | Yes <u> X </u> No <u> </u> |
| 2. Is the party's NOI filed at another time (for example, because no Prehearing Conference was held, the proceeding will take less than 30 days, the schedule did not reasonably allow parties to identify issues within the timeframe normally permitted, or new issues have emerged)? | Yes <u> </u> No <u> X </u> |
| 2a. The party's description of the reasons for filing its NOI at this other time: n/a | |
| 2b. The party's information on the proceeding number, date, and decision number for any Commission decision, Commissioner ruling, or ALJ ruling, or other document authorizing the filing of its NOI at that other time: n/a | |

PART II: SCOPE OF ANTICIPATED PARTICIPATION

(To be completed by the party ("customer") intending to claim intervenor compensation)

| A. Planned Participation (§ 1804(a)(2)(A)(i)): |
|--|
| <ul style="list-style-type: none"> • The party's statement of the issues on which it plans to participate. <p>TURN intends primarily to address the utility cost forecasts for the opt-out service and the issue of the allocation of costs among participants, non-participants and shareholders. TURN may also address ratemaking issues and other policy or factual issues that might arise during the proceeding.</p> |

- The party's explanation as to how it plans to avoid duplication of effort with other parties and intervenors.

TURN has followed closely the interests and matters addressed by the multiple other intervenors in this proceeding, and TURN has limited its participation to issues which not addressed by other parties, issues on which ratepayer interests diverge, or issues where we can make an independent contribution.

- The party's description of the nature and extent of the party's planned participation in this proceeding (as far as it is possible to describe on the date this NOI is filed).

TURN intends to participate actively in this proceeding by conducting discovery, submitting expert testimony, filing any necessary pleadings and participating in evidentiary hearings. TURN has already filed a protest and submitted data requests to PG&E.

B. The party's itemized estimate of the compensation that the party expects to request, based on the anticipated duration of the proceeding (§ 1804(a)(2)(A)(ii)):

| Item | Hours | Rate \$ | Total \$ | # |
|--|-------|------------------|----------|---|
| ATTORNEY FEES | | | | |
| Marcel Hawiger | 120 | 325 | \$39,000 | |
| | | Subtotal: | \$39,000 | |
| EXPERT FEES | | | | |
| JBS Energy Inc. | | | \$15,000 | |
| Other unidentified consultant | | | \$8,000 | |
| | | Subtotal: | \$18,000 | |
| OTHER FEES | | | | |
| [Person 1] | | | | |
| [Person 2] | | | | |
| | | Subtotal: | | |
| COSTS | | | | |
| Xerox | | | \$100 | |
| Postage and Delivery | | | \$50 | |
| Travel Costs | | | \$400 | |
| | | Subtotal: | \$550 | |
| TOTAL ESTIMATE \$: | | | \$62,550 | |
| Comments/Elaboration (use reference # from above): | | | | |

This cost estimate assumes limited hearings of 3-5 days. The estimate includes all work for Phase 1 and Phase 2.

TURN has previously filed an NOI in A.11-03-014 on June 6, 2011. The Commission has not ruled on that NOI.

When entering items, type over bracketed text; add additional rows to table as necessary. Estimate may (but does not need to) include estimated claim preparation time. Claim preparation is typically compensated at ½ of preparer’s normal hourly rate.

PART III: SHOWING OF SIGNIFICANT FINANCIAL HARDSHIP

(To be completed by party (“customer”) intending to claim intervenor compensation; see Instructions for options for providing this information)

| A. The party claims “significant financial hardship” for its claim for intervenor compensation in this proceeding on the following basis: | Applies (check) |
|--|------------------------|
| 1. “[T]he customer cannot afford, without undue hardship, to pay the costs of effective participation, including advocate’s fees, expert witness fees, and other reasonable costs of participation” (§ 1802(g)); or | |
| 2. “[I]n the case of a group or organization, the economic interest of the individual members of the group or organization is small in comparison to the costs of effective participation in the proceeding” (§ 1802(g)). | |
| 3. A § 1802(g) finding of significant financial hardship in another proceeding, made within one year prior to the commencement of this proceeding, created a rebuttable presumption of eligibility for compensation in this proceeding (§ 1804(b)(1)). | X |
| ALJ ruling (or CPUC decision) issued in proceeding number: <p style="text-align: center;">P.10-08-016</p> Date of ALJ ruling (or CPUC decision): November 22, 2010 | |

B. The party’s explanation of the factual basis for its claim of “significant financial hardship” (§ 1802(g)) (necessary documentation, if warranted, is attached to the NOD):

**PART IV: THE PARTY’S ATTACHMENTS DOCUMENTING SPECIFIC
ASSERTIONS MADE IN THIS NOTICE**

(The party (“customer”) intending to claim intervenor compensation identifies and attaches documents (add rows as necessary.) Documents are not attached to final ALJ ruling.)

| Attachment No. | Description |
|----------------|------------------------|
| 1 | Certificate of Service |
| | |

ADMINISTRATIVE LAW JUDGE RULING¹
(ALJ completes)

| | Check all that apply |
|--|----------------------|
| 1. The Notice of Intent (NOI) is rejected for the following reasons: | |
| a. The NOI has not demonstrated status as a “customer” for the following reason(s): | |
| b. The NOI has not demonstrated that the NOI was timely filed (Part I(B)) for the following reason(s): | |
| c. The NOI has not adequately described the scope of anticipated participation (Part II, above) for the following reason(s): | |
| 2. The NOI has demonstrated significant financial hardship for the reasons set forth in Part III of the NOI (above). | |
| 3. The NOI has not demonstrated significant financial hardship for the following reason(s): | |
| 4. The ALJ provides the following additional guidance (see § 1804(b)(2)): | |

¹ An ALJ Ruling will not be issued unless: (a) the NOI is deficient; (b) the ALJ desires to address specific issues raised by the NOI (to point out similar positions, areas of potential duplication in showings, unrealistic expectations for compensation, or other matters that may affect the customer’s claim for compensation); or (c) the NOI has included a claim of “significant financial hardship” that requires a finding under § 1802(g).

IT IS RULED that:

| | Check all that apply |
|---|----------------------|
| 1. The Notice of Intent is rejected. | |
| 2. Additional guidance is provided to the customer as set forth above. | |
| 3. The customer has satisfied the eligibility requirements of Pub. Util. Code § 1804(a). | |
| 4. The customer has shown significant financial hardship. | |
| 5. The customer is preliminarily determined to be eligible for intervenor compensation in this proceeding. However, a finding of significant financial hardship in no way ensures compensation. | |

Dated _____, at San Francisco, California.

ADMINISTRATIVE LAW JUDGE

**Attachment 1:
Certificate of Service by Customer**

I hereby certify that I have this day served a copy of the foregoing **NOTICE OF INTENT TO CLAIM 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:

[Insert names and addresses from official Service List]

Executed this [day] day of [month], 200_, at [city], California.

[Signature]

[Printed name and address]