

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Joint Application of Southern California Gas Company (U 904G) and San Diego Gas and Electric Company (U 902M) for Authority to Continue Funding of LEV Programs.

Application 02-03-047
(Filed March 25, 2002)

Application of Southern California Edison Company (U 338-E) to Extend the Operation of its Electric Vehicle Adjustment Clause Mechanism and Related Accounts Until the Date of the Commission's Final Decision in SCE's Test Year 2003 General Rate Case Proceeding.

Application No. 02-03-048
(Filed March 25, 2002)

Application of Pacific Gas and Electric Company for Review of and Authorization for Recovery of Costs Relating to its Low Emission Vehicle (LEV) Program for 2002 through 2005. (U 39-E)

Application No. 02-03-049
(Filed March 25, 2002)

**OPINION ON REQUEST FOR COMPENSATION BY
THE ENVIRONMENTAL COALITION FOR
CONTRIBUTIONS TO DECISION 03-10-086**

1. Summary

This decision grants \$61,787.88 to the Environmental Coalition (Intervenor) for substantial contributions to Decision (D.) 03-10-086 regarding utility low-emission vehicle (LEV) programs. The Environmental Coalition is composed of the Natural Resources Defense Council, the Planning and Conservation League, the Coalition for Clean Air, and the American Lung

Association of California. Grueneich Resource Advocates provided legal and regulatory representation of the Environmental Coalition.

2. Background

In D.03-10-086, the Commission approved continued ratepayer funding of utility low-emission vehicle (LEV) programs pursuant to Pub. Util. Code Section 740.3.¹ These programs generally consist of customer education and training regarding available LEV technologies and safe fueling and operations of LEVs, and activities that enhance utility system reliability by assessing the load impacts of various types of LEVs, such as electric, natural gas, and fuel cell vehicles.

Intervenor seeks compensation for its contribution to D.03-10-086. In a ruling by the assigned Administrative Law Judge (ALJ) on July 9, 2002, Intervenor was found to be an eligible customer to file a request for compensation.

3. Requirements for Awards of Compensation

Intervenors who seek compensation for their contributions in Commission proceedings must file requests for compensation pursuant to §§ 1801-1812. Section 1804(a) requires an intervenor to file a Notice of Intent (NOI) to claim compensation within prescribed time periods. Intervenor met this requirement. Under § 1804(c), an intervenor requesting compensation must provide “a detailed description of services and expenditures and a description of the customer’s substantial contribution to the hearing or proceeding.” Section 1802(h) states that “substantial contribution” means that,

¹ All code references are to the Public Utilities Code, unless otherwise stated.

... 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 1804(e) requires the Commission to issue a decision that determines whether the customer has made a substantial contribution and what amount of compensation to award. The level of compensation must take into account the market rate paid to people with comparable training and experience who offer similar services, consistent with § 1806.

3.1 Timeliness of Request

Section 1804(c) directs that an eligible customer should file a request for an award within 60 days of issuance of a final order or decision by the Commission in the proceeding. D.03-10-086 was issued on October 30, 2003. Therefore, requests were due on December 29, 2003. The Environmental Coalition's request for compensation was timely filed on December 23, 2003. No opposition to the Environmental Coalition's request was filed.

4. Substantial Contribution to Resolution of Issues

Pursuant to § 1802(h), a party may make a substantial contribution to a decision in several 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.

In D.98-04-059, the Commission noted that an element of a customer's demonstration of "substantial contribution" is a showing that the customer's participation was "productive," as that term is used in § 1801.3, where the Legislature provided guidance on program administration.² D.98-04-059 explained that participation must be productive in the sense that the costs of participation should bear a reasonable relationship to the benefits realized through such participation. D.98-04-059 directed customers to demonstrate productivity by assigning a reasonable dollar value to the ratepayer benefits of their participation. This exercise assists us in determining the reasonableness of the request and in avoiding unproductive participation.

4.1 The Environmental Coalition's Contribution to Resolution of the Issues

The Environmental Coalition actively participated in the evidentiary hearings and filed briefs. It also submitted comments on the proposed decision of ALJ Prestidge (which significantly reduced funding for LEV programs), the alternate decision of Commissioner Lynch, and the alternate decision of Commissioner Kennedy, which was ultimately adopted by the Commission as D.03-10-086 and which approved continued ratepayer funding of utility LEV programs.

The Environmental Coalition took positions in the proceeding that were reflected in D.03-10-086. For example, the Environmental Coalition successfully argued that continued funding for utility LEV programs would help the utilities

² See D.98-04-059, *mimeo.* at 31-33, and Finding of Fact 42.

to meet their statutory obligation under § 451 to ensure the safety, reliability, and cost effectiveness of the electricity and natural gas grid, and to assess the impact of the added load resulting from LEVs on utility distribution systems. The Environmental Coalition also pointed out that continued funding of utility customer training programs aimed at the safe fueling of LEVs at often unstaffed compressed natural gas (CNG) stations serves ratepayer interests by ensuring a safe and reliable natural gas system. In addition, the Environmental Coalition presented testimony regarding the role of LEVs in reducing the environmental and public health impacts of air pollution caused by traditionally-fueled vehicles and argued that LEV programs that reduce air pollution thereby serve ratepayer interests. D.03-10-086 also adopted the suggestion made by Environmental Coalition that the Commission conduct workshops to develop criteria in evaluating whether utility LEV programs will receive future funding.

By virtue of the Commission's adoption of those contentions and recommends the Environmental Coalition made a substantial contribution to D.03-10-086.

4.2 Productive Participation

In addition, we believe that the costs of the Environmental Coalition's activities were reasonable in view of the effectiveness of its advocacy and the benefits of its participation to ratepayers. We note that the Environmental Coalition failed to assign a reasonable dollar amount to the value of its participation, as required by our previous decisions. However, its participation clearly benefited ratepayers by raising issues that resulted in continued funding of LEV programs that will contribute to the health and safety of ratepayers and the safety and reliability of the electric and natural gas systems. The reduction of environmental externalities benefits millions of Californians. Even a very

conservative approach to putting a value on improved air quality and system safety would result in a large dollar number relative to the costs of this intervenor's participation.

The Environmental Coalition's recommendation that the Commission conduct workshops to develop criteria for future funding of LEV programs will also help to ensure that in the future, ratepayer dollars are spent only on appropriate, cost-effective LEV programs. Environmental Coalition reduced the costs of its participation in this proceeding by using non-attorney advocates whenever possible. We therefore find that the Environmental Coalition's participation in this proceeding was productive.

5. Reasonableness of Requested Compensation

5.1 Environmental Coalition's Request

The Environmental Coalition's claim includes hours spent preparing for and participating in the evidentiary hearings in this matter, preparing opening and reply briefs, and preparing comments in response to two proposed decisions, one issued in December 2002 and one issued in June 2003, and two alternate decisions, one issued in September 2003 and one issued in October 2003.

Table 1 shows the requested hours in the Environmental Coalition's claim for intervenor compensation.

A summary of the hours and costs claimed by individual is provided below:

Table 1

First Name	Last Name	Type	Intervenor	Hours	Hourly Rate	Year	Total
Roland	Hwang	Senior Policy Analyst	National Resources Defense Council	41.95	135.00	2002	\$5,663.25
				17.21	150.00	2003	\$2,581.50
Dian	Grueneich	Attorney	Grueneich Resource Advocates	15.65	350.00	2002	\$5,477.50
				.96	385.00	2003	\$369.60
Jody	London	Senior Policy Analyst	Grueneich Resource Advocates	117.40	150.00	2002	\$17,610.00
				32.93	160.00	2003	\$5,268.80
Michael	McCormick	Junior Policy Analyst	Grueneich Resource Advocates	115.75	90.00	2002	\$10,417.50
				50.15	100.00	2003	\$5,015.00
Bonnie	Holmes-Gen	Vice Pres., Government Relations	American Lung Assoc.	10.00	135.00	2002	\$1,350.00
				2.25	150.00	2003	\$337.50
Ken	Smith	ZEV Project Manager	American Lung Assoc.	11.75	150.00	2002	\$1,762.50
Kevin	Finney	Climate Change Program Director	Coalition for Clean Air	16.20	100.00	2002	\$1,782.00
Sandra	Spelliscy	General Counsel	Planning & Conservation League	7.00	250.00	2002	\$1,750.00
Tim	McRae	Director, Special Projects	Planning & Conservation League	1.00	110.00	2003	\$110.00
Claim Preparation Time:							
Bonnie	Holmes-Gen	Vice Pres., Government Relations	American Lung Assoc.	2.25	75.00	2003	\$168.75
Jody	London	Senior Policy Analyst	Grueneich Resource Advocates	13.00	80.00	2003	\$1,040.00
Jack	McGowan	Firm Administrator	Grueneich Resource Advocates	13.78	60.00	2003	\$826.80
Copying			Grueneich Resource Advocates				\$433.60
Other Expenses			Grueneich Resource Advocates				\$214.33
Total Claim							\$62,178.63

We find that the hours spent by Environmental Coalition on this proceeding are generally reasonable. However, in some instances, Environmental Coalition requested compensation for work related to intervenor compensation-related matters at the advocate's regular hourly rate, rather than at half of the hourly rate as required by our previous decisions. We therefore shift the following hours from professional time to compensation-related time:

Hwang, October 31, 2003 (.30 hrs, compiling hrs for compensation claim)

Grueneich, June 19, 2002 (.75 hours, editing NOI)

London, May 23, 2002 (.50 hours, phone calls, voicemail and email messages regarding NOI)

London, June 20, 2002 (.50 hours reviewing and editing NOI)³

³ London's time record for this date indicate that she spent one hour reviewing and editing the draft NOI and providing direction to W. Miller regarding preparation of a client contact list, but do not state the exact time spent on each task. Since the amount of compensation sought for this time is small, we estimate that she spent ½ of this time on the NOI and allocate this half hour to compensation-related time.

We therefore reduce the hourly rate awarded for the above work by half.⁴

5.2 Hourly Rates

Section 1806 requires the Commission to compensate eligible parties at a rate that reflects the “market rate paid to persons of comparable training and experience who offer similar services.”

1. Grueneich Resource Advocates

Grueneich Resource Advocates represented the Environmental Coalition at the evidentiary hearings and prepared and filed opening and reply briefs and comments on the proposed and alternate decisions. As legal counsel for the Environmental Coalition, Dian Grueneich prepared and sponsored Roland Hwang as an expert witness at the evidentiary hearings, reviewed documents, and provided strategic assistance for the Environmental Coalition. Other tasks related to representation of the Environmental Coalition, such as drafting briefs and comments, were performed by Jody London, Senior Policy Analyst, and Michael McCormick, Junior Policy Analyst, at a considerable cost savings.

⁴ Environmental Coalition has requested a relatively low hourly rate, \$60.00, for work performed by McGowan in researching and compiling data for the intervenor compensation request, (\$60 per hour) and by Kevin Finney (\$100 per hour) for phone calls regarding the NOI. The requested amount we award for time preparing a compensation request depends on whether the requested rate is relatively high or low. For highly compensated persons, such as an attorney, we generally award half of the hourly rate. For persons who receive a relatively low hourly rate, we may award the full hourly rate to encourage delegation of tasks related to preparation of the intervenor compensation request, when appropriate. Since McGowan and Finney have relatively low hourly rates, we will allow compensation for this time at their full hourly rates. *See* D.03-10-085.

The requested hourly rates are consistent with rates awarded to these advocates in our previous decisions.⁵ The approved hourly rates for these advocates are as follows:

- Dian Grueneich, Attorney - \$350 for work performed in 2002 and \$385 for work performed in 2003.
 - Jody London, Senior Policy Analyst-\$150 for work performed in 2002 and \$160 for work performed in 2003.
 - Michael McCormick, Junior Policy Analyst - \$90 for work performed in 2002 and \$100 for work performed in 2003.
 - Jack McGowan, Firm Administrator - \$60 for work performed in 2003 on the intervenor compensation request.
2. Roland Hwang, Natural Resources Defense Council - \$135 for work performed in 2002 and \$150 for work performed in 2003.

Hwang is a Senior Policy Analyst and has over 15 years of experience as a scientist, advocate, and policy expert on energy transportation issues. He is the author or co-author of several NRDC reports on energy and transportation. Before joining NRDC, Hwang was the Director of the Transportation Program for the Union of Concerned Scientists in its Berkeley, California office. Hwang previously worked for the United States Department of Energy at the Lawrence Berkeley National Laboratory and the California Air Resources Board as an Air Pollution Engineer. Hwang received a Bachelors degree from the University of California at Davis in 1986 and a Master of Science in Mechanical Engineering from the same institution in 1988. He received a Masters degree in public policy from the University of California at Berkeley in 1992. The Commission has previously awarded Sheryl Carter, Hwang's peer at

⁵ See D.03-10-085.

NRDC, an hourly rate of \$135 for 2002 and \$150 for 2003.⁶ Carter's responsibilities and professional experience are similar to those of Hwang. We therefore find the hourly rates requested for Hwang to be reasonable, and we grant the request.

3. Bonnie Holmes-Gen, American Lung Association - \$135 for work performed in 2002, \$150 for work performed in 2003.

Holmes-Gen is the Assistant Vice President, Government Relations, for the American Lung Association of California (ALAC) and specializes in air quality and environmental health issues. In this proceeding, Holmes-Gen participated in developing the Environmental Coalition's strategy, testimony, briefs and comments on the proposed and alternate decisions.

As Assistant Vice President for Government Relations, Holmes-Gen is responsible for articulating the public policy concerns of ALAC and the California Thoracic Society before the California Legislature and state agencies such as the California Air Resources Board. She also provides information and resources on ALAC public policy positions and issues to staff and volunteers at 15 local ALAC offices statewide. Holmes-Gen has approximately 20 years of experience as an advocate on air quality and environmental health issues, and she previously worked with the Sierra Club of California and V. John White Associates. She holds a Bachelor of Science degree in Environmental Policy Analysis and Planning from the University of California at Davis (1982) and a Master of Arts degree from New College, Berkeley (1993).

⁶ D.03-12-014.

The rates for Holmes-Gen are the same as those for other advocates of comparable experience, including Hwang and Carter of NRDC. We find the requested hourly rates for Holmes-Gen reasonable, and we grant the request.

4. Ken Smith, American Lung Association - \$150 per hour for work performed in 2002 and 2003.

Smith provided technical review and comments on the Environmental Coalition's testimony in this proceeding, as a consultant to ALAC on alternative fuel vehicles. Smith has 25 years of experience in the environmental field, including energy and transportation technology, air quality, and waste treatment and removal. He holds a Bachelor of Science in Business Administration (1970) and a Master of Science with an emphasis on environmental planning and studies from the University of Texas-Austin (1980). The Commission has previously awarded an hourly rate of \$150 for work performed in 2003 to expert witness Tim Woolf,⁷ who had 19 years of experience in his area of specialization, and \$175 to TURN's expert witness William Marcus,⁸ who had approximately 20 years of experience in his area of specialization, for work performed in 2001-02. Based on Smith's experience in the environmental field, we find the requested rate for Smith reasonable, and we grant the request.

5. Kevin Finney, Coalition for Clean Air - \$100 per hour for work performed in 2002.

Finney participated in developing the Environmental Coalition's strategy, testimony, and briefs. As the Climate Change Program Director at the

⁷ D.03-10-085.

⁸ D.02-11-020; D.03-04-011

Coalition for Clean Air, Finney served as the Coalition's lead staff member on global warming and energy issues. The Climate Change program encourages local cities to adopt climate action plans, supports statewide efforts to reduce greenhouse gas emissions, advocates for stronger federal fuel economy standards for vehicles, and participates in efforts to educate citizens on energy conservation and global warming. Finney has served as an advocate in support of the Coalition's Zero Emission Vehicle program and has represented the Coalition at conferences, workshops, hearings, community forums and in collaboration with other organizations. Finney has approximately 10 years of experience in this area. He holds a Bachelor of Arts in history from the University of California at Santa Cruz (1983), a Master of Arts in political science from Kent State University (1985), and is on leave from the doctoral program in political science at the University of California at Los Angeles.

The requested rate for Finney is similar to the Commission's award of an hourly rate of \$100 to TURN expert witness Jeff Nahigan for work performed in 2000-2001⁹ and \$115 per hour for work performed in 2001-2002.¹⁰ Nahigan holds a Bachelor of Science in environmental policy analysis and planning from the University of California at Davis and has approximately 10 years of experience in analyzing utility operations and rate design. Based on Finney's education and 10 years of experience, we find the requested rate reasonable, and we grant the request.

⁹ D.01-10-008.

¹⁰ D.02-11-017.

4. Sandra Spellicsy, Planning and Conservation League - \$250 per hour for work performed in 2002.

Spellicsy participated in developing the Environmental Coalition's strategy, testimony, and briefs in this proceeding.

As General Counsel for Planning and Conservation League (PCL) until earlier this year, Spellicsy represented PCL before the California State Legislature and other state agencies on air and water quality, land use, California Environmental Quality Act (CEQA), energy, toxics, solid waste and other regulatory issues. Spellicsy previously worked as an air quality specialist for the Natural Resources Defense Council in Washington D. C., a staff attorney for the California Energy Commission, and a judicial attorney for the state courts in California and Alaska. In addition, from 1993 through 1997, Spellicsy served as a member of the Planning Commission for the City of Davis. She has 18 years of experience as an attorney and received her law degree from the University of California at Davis Law School in 1985. She also holds a Bachelor of Arts in political science from the University of California, Los Angeles (1977).

The Environmental Coalition has requested an hourly rate of \$250 per hour for Ms. Spellicsy. We have previously awarded an hourly rate of \$255 to attorneys Enrique Gallardo and Itzel Barrio, who are both 1997 law school graduates¹¹ and \$250 per hour to attorney Christine Mailloux, who is a 1993 law school graduate for work performed in 2001. Based on Spellicsy's 18

¹¹ D.03-04-050.

years of legal experience, we find the requested hourly rate reasonable, and we grant the request.¹²

5. Tim McRae, Planning and Conservation League - \$110 per hour for work performed in 2003.

As Director of Special Projects at PCL, McRae participated in the development of comments on the alternate decisions of Commissioner Lynch and Commissioner Kennedy in the fall of 2003. McRae has over five years of experience as an advocate and analyst on issues including transportation, air quality and off-road vehicles. He has also worked on several ballot measure campaigns and Air Resources Board regulations, including the zero-emission vehicle program and the transit bus fuel path rule. He holds a Bachelor's degree in English and government (1993) and a Master of Arts degree in English language and literature (1997), both from Georgetown University.

The Environmental Coalition argues that an hourly rate of \$110 for McRae's work is reasonable, because in D.03-12-009, we awarded NRDC \$100 per hour for work performed by Devra Bachrach, staff scientist, in R.02-10-001 in 2003. Bachrach has a graduate degree, in addition to a bachelor's degree, and at that time, had approximately four years of related experience. In view of McRae's five years of experience in the areas of air quality and transportation, we find requested hourly rate reasonable, and we grant the request.

5.3 Other Costs

The Environmental Coalition has listed \$647.93 in expenses associated with this case for its travel, photocopying, messenger service, and postage. The cost breakdown included with Environmental Coalition's claim shows its

¹² D.03-01-074.

miscellaneous expenses to be commensurate with the work performed. We find these costs reasonable.

5.4 Total Award

We award Environmental Coalition \$61,787.88 for its contribution to D.03-10-086, as shown below:

First Name	Last Name	Type	Intervenor	Hours	Hourly Rate	Year	Total
Roland	Hwang	Senior Policy Analyst	National Resources Defense Council	41.95	135.00	2002	\$5,663.25
				16.91	150.00	2003	\$2,536.50
Dian	Grueneich	Attorney	Grueneich Resource Advocates	14.90	350.00	2002	\$5,215.00
				.96	385.00	2003	\$369.60
Jody	London	Senior Policy Analyst	Grueneich Resource Advocates	116.40	150.00	2002	\$17,460.00
				32.93	160.00	2003	\$5,268.80
Michael	McCormick	Junior Policy Analyst	Grueneich Resource Advocates	115.75	90.00	2002	\$10,417.50
				50.15	100.00	2003	\$5,015.00
Bonnie	Holmes-Gen	Vice Pres., Government Relations	American Lung Assoc.	10.00	135.00	2002	\$1,350.00
				2.25	150.00	2003	\$337.50
Ken	Smith	ZEV Project Manager	American Lung Assoc.	11.75	150.00	2002	\$1,762.50
Kevin	Finney	Climate Change Program Director	Coalition for Clean Air	16.20	100.00	2002	\$1,620.00
Sandra	Spelliscy	General Counsel	Planning & Conservation League	7.00	250.00	2002	\$1,750.00
Tim	McRae	Director, Special Projects	Planning & Conservation League	1.00	110.00	2003	\$110.00
Compensation Related Time:							
Bonnie	Holmes-Gen	Vice Pres., Government Relations	American Lung Assoc.	2.25	75.00	2003	\$168.75
Jody	London	Senior Policy Analyst	Grueneich Resource Advocates	1.0	75.00	2002	\$75.00
				13.00	80.00	2003	\$1,040.00
Jack	McGowan	Firm Administrator	Grueneich Resource Advocates	13.78	60.00	2003	\$826.80
Roland	Hwang	Senior Policy Analyst	National Resources Defense Council	.30	75.00	2003	\$22.50
Dian	Grueneich	Attorney	Grueneich Resource Advocates	.75	175.00	2002	\$131.25
Copying			Grueneich Resource Advocates				\$433.60
Other Expenses			Grueneich Resource Advocates				\$214.33

Total Claim							\$61,787.88
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6. Interest on Awards

Consistent with previous Commission decisions, we will order that the Environmental Coalition receive the award amount plus interest (calculated at the three-month commercial paper rate as reported in Federal Reserve Statistical Release H.15) commencing on the 75th day after it filed its compensation requests, continuing until full payment has been made.

7. Allocation of Compensation Between the Utilities

We direct Pacific Gas and Electric Company, San Diego Gas & Electric Company, Southern California Gas Company, and Southern California Edison Company to each pay a proportional share of this award based upon their California-jurisdictional gas and electric revenues for the 2002 calendar year, to reflect the year in which the proceeding was primarily litigated.

8. Preservation of Documentation

As in all intervenor compensation decisions, we put the Environmental Coalition on notice that it must make and retain adequate accounting and other documentation to support the intervenor compensation claims, and that the Commission staff may audit its records related to this award. Those records should identify specific issues for which it has requested compensation, the actual time spent, the applicable hourly rate, and any other costs for which compensation is claimed.

9. Waiver of Comment Period

Pursuant to Rule 77.7(f)(6), the otherwise applicable 30-day period for public review and comment is being waived.

10. Assignment of Proceeding

Carl Wood is the Assigned Commissioner and Sarah R. Thomas is the assigned Administrative Law Judge in this proceeding.

Findings of Fact

1. The assigned ALJ found Environmental Coalition to be eligible for compensation by ruling in response to Environmental Coalition's timely NOI.
2. Environmental Coalition made a timely request for compensation for contributions to D.03-10-086.
3. Environmental Coalition made a substantial contribution to D.03-10-086.
4. The participation of Environmental Coalition was productive in that the costs claimed for participation were less than the benefits realized.
5. Environmental Coalition requested hourly rates for Hwang, Holmes-Gen, Smith, Finney, Spellicsy, and McRae that are reasonable based on the rates we have awarded other advocates with similar education, training and experience.
6. Environmental Coalition requested hourly rates for Grueneich, London, McCormick, and McGowan that have previously been approved by the Commission.
7. Environmental Coalition's hours are reasonable.
8. The compensation awarded is less than claimed because Environmental Coalition requested compensation for certain hours related to the intervenor compensation request at the advocates' regular hourly rate, rather than half of the hourly rate.
9. The miscellaneous costs incurred by Environmental Coalition are reasonable.

10. It is appropriate that the obligation for paying the awards be allocated on the basis of the utilities' California-jurisdictional gas and electric revenues for the calendar year 2002.

Conclusions of Law

1. The Environmental Coalition has fulfilled the requirements of §§ 1801-1812, which govern awards of intervenor compensation.
2. Except for McGowan and Finney, all work performed by Environmental Coalition related to preparation of the intervenor compensation request should be compensated at half of the advocate's regular rates.
3. The Environmental Coalition should be awarded \$61,787.88 for its contribution to D.03-10-086.
4. Per Rule 77.7(f)(6) of the Commission's Rules of Practice and Procedure, the comment period for this compensation decision may be waived.
5. This order should be effective today so that Environmental Coalition may be compensated without unnecessary delay.

O R D E R

IT IS ORDERED that:

1. Pacific Gas and Electric Company (PG&E), San Diego Gas & Electric Company (SDG&E), Southern California Gas Company (SoCal Gas) and Southern California Edison Company (SCE) shall pay the award granted by Ordering Paragraph 2 below. The payment obligation shall be allocated among the utilities in proportion to their California-jurisdictional gas and electric revenues for calendar year 2002.
2. Environmental Coalition is awarded \$61,787.88 in compensation for its substantial contribution to Decision 03-10-086.

3. PG&E, SDG&E, SoCal Gas, and SCE shall make payment within 30 days of the effective date of this order. PG&E, SDG&E, SoCal Gas, and SCE shall also pay interest on the award at the rate earned on prime, three-month commercial paper, as reported in Federal Reserve Statistical Release H.15, beginning on March 8, 2004, the 75th day after December 23, 2003, the date the request was filed, and continuing until full payment has been made.

The comment period for this decision is waived.

This order is effective today.

Dated _____, at San Francisco, California.

APPENDIX A Compensation Decision Summary Information

Compensation Decision(s):	
Contribution Decision(s):	D0310086
Proceeding(s):	A0203047, A0203048, and A0203048
Author:	ALJ Thomas
Payer(s):	Pacific Gas and Electric Company; San Diego Gas & Electric Company; Southern California Gas Company; Southern California Edison Company

Intervenor Information

Intervenor	Claim Date	Amount Requested	Amount Awarded	Multiplier ?	Reason Change/ Disallowance
Environmental Coalition	December 23, 2003	\$62,178.63	\$61,787.88	No	Failure to discount intervenor compensation preparation time

Advocate Information

First Name	Last Name	Type	Intervenor	Hourly Fee Requested	Year Hourly Fee Requested	Hourly Fee Adopted
Dian	Gruneich	Attorney	Environmental Coalition	\$350 \$385	2002 2003	\$350 \$385
Jody	London	Policy Expert	Environmental Coalition	\$150 \$160	2002 2003	\$150 \$160
Michael	McCormick	Policy Expert	Environmental Coalition	\$90 \$100	2002 2003	\$90 \$100
Jack	McGowan	Other	Environmental Coalition	\$60	2003	\$60
Roland	Hwang	Policy Expert	Environmental Coalition	\$135 \$150	2002 2003	\$135 \$150
Bonnie	Holmes-Gen	Attorney	Environmental Coalition	\$135 \$150	2002 2003	\$135 \$150
Ken	Smith	Policy Expert	Environmental Coalition	\$100	2002	\$100
Kevin	Finney	Policy Expert	Environmental Coalition	\$100	2002	\$100
Spellicy	Sandra	Attorney	Environmental Coalition	\$250	2002	\$250
Tim	McRae	Policy Expert	Environmental Coalition	\$110	2003	\$110