

Decision 09-08-020 August 20, 2009

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

Rulemaking Regarding Whether to Adopt, Amend, or Repeal Regulations Governing the Retirement by Incumbent Local Exchange Carriers of Copper Loops and Related Facilities Used to Provide Telecommunications Services.

Rulemaking 08-01-005  
(Filed January 10, 2008)

**DECISION GRANTING INTERVENOR COMPENSATION TO  
THE UTILITY REFORM NETWORK FOR SUBSTANTIAL  
CONTRIBUTIONS TO DECISION 08-11-033**

<b>Claimant: The Utility Reform Network (TURN)</b>	<b>For contribution to Decision (D.) 08-11-033</b>
<b>Claimed (\$): 106,764.76</b>	<b>Awarded (\$): 93,379.86 (reduced 13%)</b>
<b>Assigned Commissioner: Rachelle Chong</b>	<b>Assigned ALJ: Timothy J. Sullivan</b>

**PART I: PROCEDURAL ISSUES**

- A. Brief Description of Decision:** The Commission opened this rulemaking to consider the need for rules regarding the replacement of copper wire local loops with fiber optic-based equipment. D.08-11-033 declined to adopt rules, as requested by the CA Association of Competitive Telecommunications Companies (CALTEL), requiring incumbent local exchange carriers (ILECs) to seek Commission approval before permanently retiring copper wire local loops from the telephone network. The Commission did establish a notice and negotiation process for ILECs to follow when retiring copper loops.

**B. Claimant must satisfy intervenor compensation requirements set forth in Public Utilities Code §§ 1801-1812:**

	<b>Claimant</b>	<b>CPUC Verified</b>
<b>Timely filing of notice of intent to claim compensation (§ 1804(a)):</b>		
1. Date of Prehearing Conference:	N/A	<b>Yes</b>
2. Other Specified Date for NOI:	See Note	<b>Yes</b>
3. Date NOI Filed:	November 10, 2008	<b>Yes</b>
4. Was the notice of intent timely filed?		<b>Yes</b>
<b>Showing of customer or customer-related status (§ 1802(b)):</b>		
5. Based on ALJ ruling issued in proceeding number:	R.08-01-005	<b>Yes</b>
6. Date of ALJ ruling:	December 22, 2008	<b>Yes</b>
7. Based on another CPUC determination (specify):	N/A	
8. Has the claimant demonstrated customer or customer-related status?		<b>Yes</b>
<b>Showing of “significant financial hardship” (§ 1802(g)):</b>		
9. Based on ALJ ruling issued in proceeding number:	A.07-12-021	<b>Yes</b>
10. Date of ALJ ruling:	April 18, 2008	<b>Yes</b>
11. Based on another CPUC determination (specify):	N/A	
12. Has the claimant demonstrated significant financial hardship?		<b>Yes</b>
<b>Timely request for compensation (§ 1804(c)):</b>		
13. Identify Final Decision	D.08-11-033	<b>Yes</b>
14. Date of Issuance of Final Decision:	November 13, 2008	<b>Yes</b>
15. File date of compensation request:	January 12, 2009	<b>Yes</b>
16. Was the request for compensation timely?		<b>Yes</b>

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

<b>#</b>	<b>Claimant</b>	<b>CPUC</b>	<b>Comment</b>
2	TURN		There was no prehearing conference in this docket and the ALJ did not specify any date for filing of NOIs. Verizon California Inc. filed a response to TURN’s NOI on November 25, 2008 opposing TURN’s NOI as untimely. Pursuant to authorization from ALJ Thomas, TURN filed on December 10, 2008 a reply to Verizon’s opposition. On December 22, 2008 ALJ Thomas found that TURN’s NOI was timely and denied Verizon’s request.

**PART II: SUBSTANTIAL CONTRIBUTION** (completed by Claimant)

**A. In the fields below, describe in a concise manner Claimant’s contribution to the final decision** (see § 1802(i), § 1803(a) & D.98-04-059) (For each contribution, support with specific reference to final or record.)

<b>Contribution</b>	<b>Citation to Decision or Record</b>	<b>Showing Accepted by CPUC</b>
<p>1. The OIR was instituted as a result of a petition for rulemaking by CALTEL supported by, among others, TURN. The OIR identified several issues for parties to address. One issue was whether the Commission had legal authority to issue rules on copper retirement and whether the FCC had preempted Commission action. Consistent with TURN’s arguments, D.08-11-033 held that it did have the authority pursuant to §§ 709 and 851 to act and that it was not preempted by the FCC. Nonetheless, the decision granted the ILECs a § 853(b) exemption thus holding that it was not necessary in the public interest for ILECs to obtain § 851 approval for retiring copper loops. However, Commissioner Simon, in his Alternate Decision (AD) found that § 851 should apply and that a § 853(b) exemption was inappropriate. Furthermore, Commissioner Grueneich issued a dissenting opinion objecting to the grant of a § 851 exemption, again consistent with the arguments made by TURN.</p> <p>On a related legal point, the original draft PD dismissed the proceeding on ripeness grounds since no harm was found to exist. TURN argued that this ruling constituted an improper application of legal doctrine to a petition for rulemaking and thus legal error. The PD was revised to eliminate the ripeness argument consistent with TURN’s position.</p>	<p>OIR, Appendix A, Section A.</p> <p>TURN Comments on OIR (March 14, 2008), pp. 4-9; TURN Reply Comments on OIR (May 28, 2008), pp. 3-6.</p> <p>D.08-11-033 pp. 8-12.</p> <p>Simon AD, p. 14 and COL 5.</p> <p>TURN/DRA Comments on AD (October 21, 2008), pp. 3-5.</p> <p>Dissent of Commissioner Grueneich, pp. 2-3.</p> <p>PD, pp. 15, 17 and COL 2.</p> <p>TURN Comments on PD (August 25, 2008), p. 2.</p> <p>D.08-11-033 p. 30.</p>	<p><b>Yes</b></p>
<p>2. The OIR also asked parties to address safety and redundancy issues associated</p>	<p>OIR Appendix A, Section D.</p> <p>TURN Comments on OIR (March 14,</p>	<p><b>Yes</b></p>

<p>with copper retirement. TURN argued that allowing ILECs to retire copper loops with no Commission and public review could have major negative impacts on consumers in emergency situations. TURN documented the significant safety concerns faced by consumers who are no longer served by copper and instead have been migrated to all fiber facilities including:</p> <ul style="list-style-type: none"> <li>- a declaration from Verizon customer Dr. Robert Loube about his experiences coping with telephone service outages on the FiOS network during power outages and the insufficiency of the battery back-up provided by Verizon;</li> <li>- data demonstrating that power outages in CA are frequent and extensive due to fires, floods, earthquakes and other disasters and that affected customers are more at risk if they are served by fiber versus copper facilities, as are a growing number in Verizon CA territories;</li> <li>- data demonstrating that Verizon presented significant obstacles to customers that desired to return to copper after moving to the FiOS network, in spite of Verizon’s commitment to return customers to copper upon request; and</li> <li>- evidence that in spite of protestations to the contrary, both AT&amp;T and Verizon were accelerating copper retirements and that Verizon was providing misinformation to CA consumers regarding their ability to retain service provided over copper facilities.</li> </ul> <p>In D.08-11-033, the Commission declined to examine the public safety issues choosing instead to consider them in a different proceeding, R.07-04-015, the “Backup Power” Rulemaking. While the Commission did not adopt TURN’s position on these issues, TURN played a valuable role in highlighting the public safety concerns related to copper retirements and the critical relationship to the issue of back-up battery power for fiber networks. In addition, the AD specifically recognized, consistent with TURN’s</p>	<p>2008), pp. 17-22; and Declaration in Attachment 1. TURN Reply Comments on OIR (May 28, 2008), Confidential Version, pp. 11-12 and Proprietary Attachments 1 and 2.</p> <p>TURN Reply Comments on PD (September 2, 2008), pp. 3-4.</p> <p>D.08-11-033, pp. 27-28.</p> <p>Simon AD, p. 26.</p>	
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<p>arguments, that emergency preparedness issues are another factor justifying the rules proposed in the AD.</p>		
<p>3. A major contention of the ILECs was that any Commission rules requiring review of copper retirements would have devastating economic consequences for broadband investment. TURN argued that the ILECs presented no evidence to support this contention. Further, TURN demonstrated, particularly in the case of Verizon, that the carrier failed to provide, in response to data requests, any business case, business plan or other documents to support the contention that its fiber investments are dependent upon copper retirement. While D.08-11-033 disagreed with TURN's arguments, Commissioner Grueneich, in her dissent, expressed the opinion that the decision "tips the scales in the direction of promoting ILEC fiber investment at the expense of the competitors that use the copper network for the same advanced services" and that the "exemption of § 851 requirements further facilitates the elimination of competition" consistent with TURN's arguments.</p>	<p>TURN Comments on OIR (March 14, 2008), pp. 4-9; TURN Reply Comments on OIR (May 28, 2008), Confidential Version, pp. 6-9. Dissent of Commissioner Grueneich, p. 3.</p>	<p><b>No, we disagree that TURN made a substantial contribution on this issue. Even though Commissioner Grueneich's dissent mentioned the issue, it did not cite TURN's input. We reduce TURN's request for Nusbaum's 2008 work accordingly. In this claim, TURN lists the hours logged for this issue under activity "I".</b></p>
<p>4. The OIR asked parties to comment on the rules CALTEL proposed in its petition. TURN suggested specific modifications of the proposed rules that would require: that the rules specifically be part of the § 851 application and review process; that the definition of "copper facility" be expanded to be consistent with the FCC's broad definition; that the rules include a provision that the retirement of copper facilities does not harm customers or deprive them of competitive choices; and that an ILEC who applies to retire copper provide public notice to affected customers. In particular, TURN argued for notice to be provided to any customer who will be directly impacted by the withdrawal of any copper in their loops. While the final decision declined to provide such notice, the AD ordered that ILECs retiring copper loops must file a Tier 2 Advice Letter which</p>	<p>OIR, Appendix A, Section B and C. TURN Comments on OIR (March 14, 2008), pp. 9-16. TURN/DRA Comments on Revised PD (October 14, 2008), pp. 2-4. TURN/DRA Comments on AD (October 21, 2008), pp. 3-5. TURN Response to CALTEL Petition (August 13, 2007), pp. 2-3; TURN Comments on OIR (March 14, 2008), pp. 11-13. Simon AD, p. 23 and OP 2a.</p>	<p><b>Yes, although TURN did not prevail entirely, the Commission did ask for questions and addressed § 851 in the decision and defined copper facility to include loops in addition to granting a form of notice.</b></p>

<p>would at least give notice to parties representing consumers such as TURN.</p> <p>TURN also provided independent support that ILEC copper retirement would deprive CA consumers of the alternatives offered by competitive carriers who provide services utilizing copper facilities such as ethernet over copper.</p> <p>TURN also addressed the substantive rules arguing that the ILECs should generally be precluded from permanently removing retiring copper facilities and that the ILECs should be required to maintain those facilities and bear the cost of such maintenance.</p>		
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**B. Duplication of Effort (§§ 1801.3(f) & 1802.5):**

	Claimant	CPUC Verified
<b>a. Was DRA a party to the proceeding? (Y/N)</b>	Y	Yes
<b>b. Were there other parties to the proceeding? (Y/N)</b>	Y	Yes
<b>c. If so, provide name of other parties: CALTEL, Integra Telecom of CA Inc, DOD/FEA, AT&amp;T, Verizon, SureWest, Small LECs</b>		Yes
<p><b>d. Describe how you coordinated with DRA and other parties to avoid duplication or how your participation supplemented, complemented, or contributed to that of another party:</b></p> <p>TURN coordinated very closely with DRA and the other intervenors in this proceeding. TURN had numerous interactions with CALTEL and DRA and collaborated in developing strategy, arguments and discovery. DRA referenced and supported TURN's arguments (e.g., DRA Reply Comments on OIR, May 28, 2008, pp. 7-8; 10-11). Further, TURN and DRA filed joint pleadings in comments on the Chong Revised PD (October 14, 2007) as well as in comments and reply comments on the Simon AD (October 21, 2008 and October 27, 2008) thereby avoiding duplicative efforts.</p>		Yes

**PART III: REASONABLENESS OF REQUESTED COMPENSATION** (completed by Claimant)

**A. General Claim of Reasonableness (§§ 1801 & 1806):**

<b>Concise explanation as to how the cost of claimant's participation bears a reasonable relationship with benefits realized through participation (include references to record, where appropriate)</b>	<b>CPUC Verified</b>
<p>As with many quasi-legislative proceedings, the precise benefits to consumers from TURN's participation in this docket are difficult to quantify. However, the issues addressed in this proceeding that directly affected consumers including access to competitive alternatives and public safety were important enough for the Commission to institute a rulemaking and seek public input. Further, although the Commission ultimately declined to adopt rules requiring Commission review of ILEC copper retirements there was sufficient difference of opinion among the Commissioners as to justify both an Alternate Decision and a dissent, each of which in part advocated outcomes consistent with TURN's positions (see discussion in Part II A above). TURN participated in all aspects of this proceeding including supporting the CALTEL petition for rulemaking and engaging in fact-finding discovery. TURN addressed the majority of issues raised in the OIR and supplied significant information on the potential consumer impacts of copper retirements not provided by any other party. Under the circumstances here, because of the importance and complexity of the policy issues addressed, the Commission should find TURN's efforts constituted a substantial contribution warranting compensation for all of TURN's reasonable efforts addressing those issues.</p>	<p><b>Yes, excluding the disallowance we have made to this claim, the remaining hours and costs reasonably support TURN's claim for compensation.</b></p>

**B. Specific Claim:**

<b>CLAIMED</b>						<b>CPUC AWARD</b>			
<b>ATTORNEY AND ADVOCATE FEES</b>									
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Year	Hours	Rate \$	Total \$
Regina Costa	2007	61.45	255	D.08-04-037	15,669.75	2007	37.88	255	9,659.40
Regina Costa	2008	172.50	275	D.09-04-029	47,437.50	2008	165.82	275	45,600.50
William Nusbaum	2008	91.50	435	D.09-04-029	39,802.50	2008	82.27	435	35,787.45
<b>Subtotal:</b>					<b>\$102,909.75</b>	<b>Subtotal: \$91,047.35</b>			
<b>INTERVENOR COMPENSATION CLAIM PREPARATION (1/2 rate)</b>									
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Year	Hours	Rate \$	Total \$
William Nusbaum	2008	5.00	217.5	D.09-04-029	1,087.50	2008	5.00	217.50	1,087.50
William Nusbaum	2009	12.00	217.5	2008 rate in D.09-04-029	2,610.00	2009	5.00	217.50	1,087.50
<b>Subtotal:</b>					<b>\$3,697.50</b>	<b>Subtotal: \$2, 175</b>			

COSTS				
#	Item	Detail	Amount \$	Total \$
1	Copies	Various Pleadings	44.00	44.00
2	Phone	Conference Calls	10.04	10.04
3	Lexis	Legal Research	103.47	103.47
<b>Subtotal:</b>			<b>\$157.51</b>	<b>Subtotal: \$157.51</b>
<b>TOTAL REQUEST \$:</b>			<b>\$106,764.76</b>	<b>TOTAL AWARD \$: \$93,379.86<sup>1</sup></b>

**c. Attachments or Comments Documenting Specific Claim:** (not attached to final Decision)

Attachment or Comment #	Description/Comment
1	Certificate of Service
2	Time sheets detailing attorney hours
3	Expenses
4	<p>TURN has allocated its time entries by activity codes. The list of codes and their description:</p> <p>GP - General Preparation: time for activities necessary to participate in the docket  L - Issues associated with Commission jurisdiction; § 851; and FCC preemption  SR - Issues associated with public safety and redundancy  I - Issues associated with ILEC arguments that any Commission rules would negatively impact fiber investment  PR - Issues associated with proposed rules to review copper retirements including competitive impacts  # - Where time entries cannot easily be identified with a specific activity code. For these entries the allocation of time spent on activities can be broken down as such, L 30%, SR 40%, I 10%, PR 20%</p>
5	For this compensation request, TURN is utilizing 2008 rates for the 2009 hours for William Nusbaum.
6	The Commission has held that a substantial contribution to a final decision may also be supported by contributions to an ALJ's PD, even where the Commission's final decision adopts different outcomes (D.99-11-006 (SDG&E PBR A.98-01-014), pp. 9-10 (citing D.99-04-004 and D.96-08-023); D.01-06-063 (SoCalGas CEMA A.99-03-049), pp. 6-7). Such logic should equally apply where, as here, a Commissioner's alternate decision relies upon significant contributions from an intervenor even though the final decision does not agree with the alternate. After all, an ALJ's proposed decision might not receive the support of even a single Commissioner; an alternate decision presumably has the support of at least the sponsoring Commissioner. In the instant proceeding, if Commissioner Simon's Alternate Decision had been adopted rather than the Assigned Commissioner's proposed decision that became D.08-11-033, TURN's substantial contribution would have been evident in a number of significant areas. In addition, the dissenting opinion to the final decision agreed with TURN's positions in several respects.

<sup>1</sup> Subtotalled categories rounded to nearest dollar.

**D. CPUC Disallowances & Adjustments:**

Participant	Reason
2007-Costa	<p>TURN filed a reply to both Verizon and Pacific Bell Telephone Company on February 26, 2009 and admits that Verizon and Pacific Bell Company (AT&amp;T) are correct that TURN did not file a NOI in P.07-07-009, and included hours and expenses associated with work on P.07-07-009 in its request for compensation in R.08-01-005. However, TURN claims it did so based on the same procedure it followed in the Commission’s “Direct Access” rulemaking in R.07-05-025. In the Direct Access proceeding, TURN also included the hours associated with preparing its response to the initial petition and comments on the proposed decision granting the petition.<sup>2</sup> In the Direct Access decision, the Commission noted TURN’s inclusion of its pre-rulemaking hours,<sup>3</sup> and went on to award all hours, including those hours dedicated to work on the petition for rulemaking. TURN asserts that the Commission should adopt a similar outcome in this proceeding and award TURN full compensation for pre-rulemaking hours, despite TURN’s failure to file a notice of intent in the petition for rulemaking proceeding.</p> <p>TURN states that the petition-specific work is limited to 22.7 hours of Costa’s time in 2007, which totals \$5,788.50.</p> <p>We have reviewed the objections of Verizon and AT&amp;T and TURN’s rationale for compensation. The Direct Access decision does not apply here. There was a Prehearing Conference during the petition for rulemaking phase of this case, and there was none in the Direct Access proceeding. When a Prehearing Conference takes place, it is an obvious trigger to file an NOI, and TURN failed to make the filing. When there is no Prehearing Conference, as in the Direct Access proceeding, the timing and process for filing an NOI may be less clear to intervenors. Thus, the two cases are distinguishable. Based on our assessment, we agree with Verizon and AT&amp;T that TURN’s costs associated with its work related to P.07-07-009 should be disallowed. Based on TURN’s assessment of these costs, we reduce Costa’s 2007 hours by 22.7 hours (\$5,788.50).</p>
2008-Nusbaum’s hours categorized as activity “I”.	Reduced hours by 7.25 for lack of substantial contribution
2007-Costa 2008-Costa 2008-Nusbaum	<p>TURN classified the hours (95.25) listed under activity “#,” as time entries not easily identified with a specific issue. It does however; provide estimates of the percentage of time in this activity assigned to each issue. TURN allocates 10% of these hours spent on “I” activities. We reduce Costa and Nusbaum’s hours in the “#” category by 10% to reflect the same reduction rationale used previously for lack of substantial contribution. To achieve this disallowance, we reduce Costa’s 2007 hours by .87, Costa’s 2008 hours by 6.68 and Nusbaum’s 2008 hours by 1.98.</p>

<sup>2</sup> TURN Request for Compensation in R.07-05-025, filed April 29, 2008 at 5.

<sup>3</sup> D.08-11-055, issued November 13, 2008, at 5.

<p>2008- Nusbaum's hours for intervenor compensation preparation</p>	<p>The hours billed for intervenor compensation preparation (17.0) are excessive, given the scope of the work and the fact that this is a short request related to a single Commission decision. We allow a total of 10 hours, which we believe to be more reasonable and a closer reflection of our standards of reasonableness.</p>
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**PART IV: OPPOSITIONS AND COMMENTS**  
**Within 30 days after service of this claim, Commission Staff**  
**or any other party may file a response to the claim (see § 1804(c))**

**A. Opposition: Did any party oppose the claim (Y/N)?**

Yes
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If so:

Reason for Opposition	CPUC Disposition
<p>Verizon argued that TURN's NOI was untimely filed and that all compensation should be disallowed.</p> <p>Pacific Bell submits that TURN's Request For Compensation in Rulemaking 08-01-005 improperly claims fee and expenses for TURN's participation in P.07-07-09. TURN did not file a notice of intent to claim compensation in P.07-07-009, a proceeding in which there was a prehearing conference and which has been closed since January 2008. As a result, TURN cannot properly claim compensation for its participation in P.07-07-009.</p> <p>Verizon reiterated the same arguments of Pacific Bell Telephone Company, that TURN did not file a NOI in P.07-07-009 to seek compensation for its work in that proceeding, nor did TURN file a request for compensation within the sixty-day deadline following the closure of P.07-07-009 for its work in that case. Accordingly, Verizon requests that the Commission disallow amounts associated with such work in their entirety for work related to P.07-07-009.</p>	<p>ALJ's Ruling of 12-22-08, Granting the Request of TURN To File a Notice of Intent to File Request for Intervenor Compensation made Verizon's argument moot.</p> <p>These arguments are addressed above and TURN's request for compensation is adjusted accordingly.</p> <p>These arguments are addressed above and TURN's request for compensation is adjusted accordingly.</p>

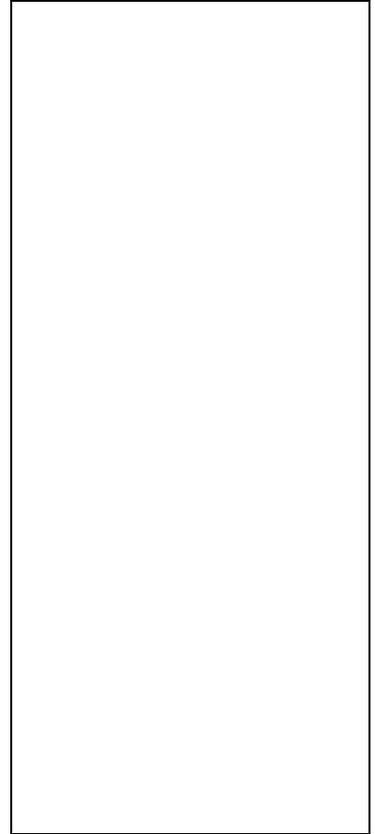
**B. Comment Period: Was the 30-day comment period waived (see Rule 14.6(c)(6)) (Y/N)?**

No
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TURN filed comments on the Proposed Decision on August 4, 2009 objecting to the Commissions reductions based on the determination that TURN failed to make a substantial contribution on safety and redundancy issues. TURN argued that the proposed reduction is unreasonably harsh, particularly because it is based on the application

of an incorrect standard and is inconsistent with prior Commission decisions awarding intervenor compensation. TURN submits that the Commission specifically asked parties to provide input on the issues of safety and redundancy citing to Appendix A of the Order Instituting Investigation when the Commission asked “Does removal of copper loops pose any safety concerns?”<sup>4</sup> TURN states that it devoted substantial time and resources developing the record on this point, consistent with the rulemaking’s invitation and while the Commission did not adopt TURN’s views on these issues for the purpose of considering new rules for copper retirement, neither did it reject the position that there continues to be safety and emergency preparedness concerns associated with fiber facilities. Instead, D.08-11-033 is assigned as the “Backup Power” Rulemaking (R.07-04-015), the appropriate venue to consider such issues.<sup>5</sup> Under these circumstances TURN believes that the Commission should find that TURN did in fact make a substantial contribution on safety and redundancy issues, and it asks for a reversal of the proposed reductions.

Upon consideration of TURN’s arguments, we approve the hours previously disallowed under categories “SR” and “#” for lack of substantial contribution. We make no adjustments to the remaining disallowances.



### **FINDINGS OF FACT**

1. Claimant has made a substantial contribution to Decision 08-11-033.
2. The claimed fees and costs, as adjusted herein, are comparable to market rates paid to experts and advocates having comparable training and experience and offering similar services.
3. The total of reasonable contribution is \$93,379.86.

### **CONCLUSION OF LAW**

The claim, with any adjustment set forth above, satisfies all requirements of Public Utilities Code Sections 1801-1812.

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<sup>4</sup> Order Granting Petition for Rulemaking, App. A, at 2.

<sup>5</sup> D.08-11-033, at 27.

**ORDER**

1. Claimant is awarded \$93,379.86.
2. Within 30 days of the effective date of this decision, the Intervenor Compensation Fund shall pay claimant the total award. Payment of the award shall include interest at the rate earned on prime, three-month commercial paper as reported in Federal Reserve Statistical Release H.15, beginning March 28, 2009, the 75<sup>th</sup> day after the filing of claimant's request, and continuing until full payment is made.
3. This proceeding is closed.

This decision is effective today.

Dated August 20, 2009, at San Francisco, California.

MICHAEL R. PEEVEY  
President  
DIAN M. GRUENEICH  
JOHN A. BOHN  
RACHELLE B. CHONG  
TIMOTHY ALAN SIMON  
Commissioners

**APPENDIX****Compensation Decision Summary Information**

<b>Compensation Decision:</b>	D0908020	<b>Modifies Decision?</b> No
<b>Contribution Decision(s):</b>	D0811033	
<b>Proceeding(s):</b>	R0801005	
<b>Author:</b>	ALJ Timothy J. Sullivan	
<b>Payer(s):</b>	CPUC Intervenor Compensation Fund	

**Intervenor Information**

<b>Intervenor</b>	<b>Claim Date</b>	<b>Amount Requested</b>	<b>Amount Awarded</b>	<b>Multiplier?</b>	<b>Reason Change/Disallowance</b>
The Utility Reform Network	01-12-09	\$106,764.76	\$93,379.86	No	Disallowance of hours related to work in P.07-07-009, excessive hours and lack of substantial contribution.

**Advocate Information**

<b>First Name</b>	<b>Last Name</b>	<b>Type</b>	<b>Intervenor</b>	<b>Hourly Fee Requested</b>	<b>Year Hourly Fee Requested</b>	<b>Hourly Fee Adopted</b>
Costa	Regina	Attorney	The Utility Reform Network	\$255	2007	\$255
Costa	Regina	Attorney	The Utility Reform Network	\$275	2008	\$275
Nusbaum	William	Attorney	The Utility Reform Network	\$435	2008	\$435
Nusbaum	William	Attorney	The Utility Reform Network	\$435	2009	\$435

**(END OF APPENDIX)**