

Decision 10-11-028 November 19, 2010

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking Regarding Policies, Procedures and Rules for the California Solar Initiative, the Self-Generation Incentive Program and Other Distributed Generation Issues.

Rulemaking 08-03-008
(Filed March 13, 2008)

**DECISION GRANTING REQUEST OF THE UTILITY REFORM NETWORK FOR
SUBSTANTIAL CONTRIBUTIONS
TO DECISIONS 08-12-004, 09-01-013, AND 10-01-022**

Claimant: The Utility Reform Network	For contribution to D.08-12-004, D.09-01-013, D.10-01-022
Claimed (\$): 30,586.05	Awarded (\$): \$29,281.20
Assigned Commissioner: Michael Peevey	Assigned ALJ: Dorothy Duda
Claim Filed: August 2, 2010	

PART I: PROCEDURAL ISSUES

A. Brief Description of Decision:	The decisions in this rulemaking address various policies and budgets for the California Solar Initiative, the Self Generation Incentive Program and the Solar Water Heating Program.
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B. Claimant must satisfy intervenor compensation requirements set forth in Public Utilities Code §§ 1801-1812:

	As Stated by Claimant	CPUC Verified
Timely filing of notice of intent to claim compensation (§ 1804(a)):		
1. Date of Prehearing Conference:		April 22, 2008
2. Other Specified Date for NOI:	Eligibility based on R.06-03-004	Correct
3. Date NOI Filed:	n/a	
4. Was the notice of intent timely filed?		
Showing of customer or customer-related status (§ 1802(b)):		
5. Based on ALJ ruling issued in proceeding number:	R.06-03-004	Correct

6. Date of ALJ ruling:	May 16, 2006	Correct
7. Based on another CPUC determination (specify):		
8. Has the claimant demonstrated customer or customer-related status?		Yes
Showing of “significant financial hardship” (§ 1802(g)):		
9. Based on ALJ ruling issued in proceeding number:	R.06-03-004	Correct
10. Date of ALJ ruling:	May 16, 2006	Correct
11. Based on another CPUC determination (specify):		
12. Has the claimant demonstrated significant financial hardship?		Yes
Timely request for compensation (§ 1804(c)):		
13. Identify Final Decision	D.10-06-019	Correct
14. Date of Issuance of Final Decision:	June 3, 2010	Correct
15. File date of compensation request:	August 2, 2010	Correct
16. Was the request for compensation timely?		Yes

C. Additional Comments on Part I:

#	Claimant	CPUC	Comment
I.B.2			The Scoping Ruling issued on May 15, 2008 in R.08-03-008 specified that parties who have been found eligible for compensation in R.06-03-004 need not file an NOI in this proceeding. TURN was found eligible for compensation in R.06-03-004 via ALJ Ruling on May 16, 2006.
I.B		X	We accept TURN’s comment and references above. TURN did not need to prove its eligibility to claim intervenor compensation in this proceeding. See, Scoping Ruling of May 15, 2008, at 17 and May 16, 2006 ruling on TURN’s NOI in R06-03-004.

PART II: SUBSTANTIAL CONTRIBUTION**A. Claimant's description of its contributions to the final decisions (see § 1802(i), § 1803(a) & D.98-04-059)**

Contribution	Citation to Decision or Record	Showing Accepted by CPUC
<p>1. CSI budget collection for 2009: TURN supported utility petitions to suspend CSI revenue collections for 2009 due to historical overcollections. The Commission agreed and authorized the proposed ratemaking modifications.</p>	<p>“Response Of The Utility Reform Network To The Petition To Modify D.06-01-024,” October 14, 2008. D.08-12-004, <i>mimeo.</i> at 5 and COL 2.</p>	<p>Yes</p>
<p>2. SGIP budget for 2009-11: TURN recommended that the Commission reduce SGIP revenue collections based on an examination of data concerning account overcollections and the future demand for SGIP funds. TURN recommended against adopting any long-term budgets for 2009-2011. The Commission only authorized a budget for 2009 and agreed that further analysis is necessary before adopting budgets for 2010 and 2011.</p>	<p>TURN Comments and Reply Comments on Continued Operation of the SGIP, October 1 and 7, 2008. D.09-01-013, <i>mimeo.</i> at 7. “We find it is premature to establish a budget for 2010 and 2011. As TURN and DRA suggest, we should assess the participation rate and demand for SGIP funds before establishing a future program budget. We agree with TURN that more information is needed on unspent funds, the ratemaking treatment of SGIP revenues, and the status of applications.” (p. 7)</p>	<p>Yes</p>
<p>3. CSI Evaluation Plan – Data Collection TURN recommended that the Commission require the collection of income data from CSI applicants. While the Commission did not <i>require</i> such data collection, it noted that the data would be useful and ordered voluntary disclosure of such data.</p>	<p>“Comments of TURN on Proposed CSI Evaluation Plan,” June 17, 2008, p. 2. Assigned Commissioner’s Ruling, July 29, 2008, p. 5-6 (“While we do not require individual household, or commercial net income from participants, this data could nevertheless inform such an inquiry. Therefore, such information should be collected from participants. However, income and financial information are sensitive and should be obtained through a survey from willing participants rather than through the application process.”)</p>	<p>Yes</p>

<p>4. CSI Solar Thermal Project – Cost Effectiveness:</p> <p>TURN argued that the proposed solar thermal program did not meet the statutory cost effectiveness requirement because the Itron methodology was not consistent with Commission guidelines and the assumptions were unreasonable.</p> <p>The Commission agreed with TURN’s analysis but authorized the program because it found that the statutory obligation pursuant to AB 1470 allowed for the use of different cost effectiveness assumptions and methods.</p>	<p>TURN Comments on Staff Proposal, August 12, 2009. TURN Reply Comments on Staff Proposal, August 24, 2009. TURN Comments on PD, November 5, 2009.</p> <p>D.10-01-022, <i>mimeo.</i> p. 11-12 : “Turning to cost-effectiveness, TURN, DRA, and the utilities are correct that the methodology used by Itron to examine the cost-effectiveness of an SWH incentive program is not entirely consistent with how we examine cost-effectiveness of our energy efficiency programs or our recently adopted methodology for DG programs. (See D.09-08-026.) Itron has included items as benefits that have not previously been included when we run TRC or Societal Tests, and certain inputs, such as carbon price and Market Price Referent (MPR)¹ assumptions, differ from those used in other programs. At the same time, AB 1470 charges the Commission with a unique obligation, to evaluate data from the CCSE SWH pilot and determine the cost-effectiveness of a statewide SWH program <i>prior</i> to its implementation. We did not make prior findings of cost-effectiveness for our Self-Generation Incentive Program (SGIP) or general market CSI programs. Further, there is no requirement that the Commission apply a specific methodology to meet the cost-effectiveness requirement in the statute.”</p>	<p>Yes</p>
<p>5. CSI Solar Thermal Project – allocation of goals between customer classes:</p> <p>TURN argued that a higher percentage of</p>	<p>D.10-01-022, <i>mimeo.</i> p. 34 (“While we do not specify percentages for multifamily and commercial within this category, we do expect that not all of these funds will</p>	<p>Yes</p>

¹ As required by Section 399.15(c), the Commission adopted a MPR methodology to estimate the long-term market price of electricity for use in evaluating the reasonableness of prices of long-term power purchase agreements for Renewable Portfolio Standard (RPS)-eligible generation. (See D.08-10-026, where the Commission refined the MPR methodology.)

<p>program goals should be allocated to the multifamily customer class, and that multifamily customers should be considered part of the commercial class.</p> <p>While the Commission did not adopt this recommendation, it did agree with the principle that a significant portion of funds should be allocated to multifamily projects.</p>	<p>be spent on commercial projects and that a significant portion will be made available to multifamily projects. In addition, we will allow the PAs the flexibility to move funds from the commercial/multifamily budget to the single-family residential budget, but not vice versa.”</p>	
<p>6. CSI Solar Thermal Project – incentive structure for electric-only water heating systems:</p> <p>The staff proposal suggested only one incentive for displacing electric water heating system. TURN recommended that incentives should decline similar to those for gas-displacing systems, and the Commission adopted TURN’s recommendation.</p>	<p>D.10-01-022, <i>mimeo.</i> p. 38 (“We find that staff’s proposed incentive caps are reasonable, but we agree with TURN that electric incentives should decline in the same manner as gas-displacing incentives, because the systems fundamentally rely on the same technology with the only difference being the fuel they replace.”)</p>	<p>Yes</p>
<p>7. CSI Solar Thermal Project – ratemaking accounting:</p> <p>TURN recommended that utilities collect only actual expenses rather than forecast budgets to minimize balancing account overcollections, and the Commission adopted TURN’s recommendation.</p>	<p>D.10-01-022, <i>mimeo.</i> p. 52 (“In comments on the proposed decision, TURN requests that to avoid unnecessary overcollections, the Commission should authorize the utilities to establish memorandum accounts to track actual projects costs and then amortize these account balances in rates on an annual basis to collect the funds actually spent. We agree with TURN’s proposal and will adopt it.”)</p>	<p>Yes</p>

B. Duplication of Effort (§§ 1801.3(f) & 1802.5):

	Claimant	CPUC Verified
<p>a. Was DRA a party to the proceeding?</p>	<p>Y</p>	<p>Correct</p>
<p>b. Were there other parties to the proceeding?</p>	<p>Y</p>	<p>Correct</p>
<p>c. If so, provide name of other parties: Numerous intervenors representing solar industry interests, low-income customer interests and ratepayer interests.</p>	<p>Yes</p>	
<p>d. Claimant’s description of how Claimant coordinated with DRA and other parties to avoid duplication or how Claimant’s participation supplemented, complemented, or contributed to that of another party:</p> <p>TURN’s participation in this proceeding was fairly limited in part due to the</p>	<p>Yes</p>	

<p>participation of numerous other intervenors. TURN monitored the issues and positions advanced by other intervenors and limited our participation to prevent duplication. For example, TURN did not at all address issues related to the SASH and MASH (low income programs) due to the positions taken by the utilities, DRA and WISH. TURN participated most extensively in the implementation of the solar thermal program because the positions taken by certain intervenors appeared to overstep the statutory guidelines for the program.</p> <p>TURN's compensation in this proceeding should not be reduced for duplication of the showings of other parties. In a proceeding involving multiple participants, it is virtually impossible for TURN to completely avoid some duplication of the work of other parties. In this case, TURN took all reasonable steps to keep such duplication to a minimum, and to ensure that when it did happen, our work served to complement and assist the showings of the other parties.</p>	
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C. Additional Comments on Part II:

#	Claimant	CPUC	Comment
4-7	Partial Success and Contribution to Decision Making		<p>Not all of TURN’s recommendations or contentions concerning the solar thermal program were adopted by the Commission in D.10-01-022. For example, the Commission disagreed with TURN’s primary recommendation not to authorize the program, and also disagreed with a couple of minor recommendations concerning program administration and the use of on-bill financing. However, TURN believes that the adoption of several other recommendations (incentive structure, ratemaking, goal allocation) as well as the discussion concerning program cost effectiveness illustrates that TURN made a substantial contribution on several issues and influenced the Commission’s decision-making process on the primary issue of program cost-effectiveness. TURN thus requests full compensation for the approximately 50 hours devoted to this decision.</p> <p>Section 1802(i) defines “substantial contribution” as assisting the Commission when the Commission adopts “in whole or in part” the recommendations and/or contentions of the intervenor. The Commission has interpreted the Section 1802 definition, in conjunction with Section 1801.3, so as to effectuate the legislature’s intent to encourage effective and efficient intervenor participation. The statutory provision of “in whole or in part,” as interpreted by multiple Commission decisions on intervenor compensation requests, has established as a general proposition that when a party makes a substantial contribution in a multi-issue proceeding, it is entitled to compensation for time and expenses even if it does not prevail on some of the issues. See, for example, D.98-</p>

		<p>04-028 (awarding TURN full compensation in CTC proceeding, even though TURN did not prevail on all issues); D.98-08-016, pp. 6, 12 (awarding TURN full compensation in SoCalGas PBR proceeding); D.00-02-008, pp. 4-7, 10 (awarding TURN full compensation even though we unsuccessfully opposed settlement).</p> <p>The Commission has granted compensation where a parties’ participation contributed to the decision-making process even if specific recommendations were not adopted, and where a parties’ showing assisted the Commission in its analysis of an issue. E.g. D.98-11-014, p. 8 (“TURN contributed to D.97-08-055 by raising this issue and developing the record on the implications of this conflict.”); D.00-07-015 (the Commission found that an intervenor had made a substantial contribution even where a settlement was adopted over the intervenor’s objection, because its participation “contributed to the . . . development of the record” and enhanced the Commission’s understanding of the underlying issues).</p>
	<p>Issues not Directly Addressed in Decisions</p>	<p>TURN requests compensation for 8.25 hours (coded as CSI-Incent) spent 1) attending the July 14, 2008 Commission-sponsored workshop on CSI budgets and dropouts, and 2) writing comments in response to an ALJ Ruling concerning the impact of federal tax changes on CSI incentives. Both of these tasks addressed salient ongoing issues related to CSI incentive levels and program guidelines. However, the Commission did not take any specific action concerning these items. TURN suggests that given the long-term nature of the CSI program, these tasks should be fully compensable in the same way that the Commission has encouraged the use of working groups to resolve complex issues among multiple stakeholders (D.96-08-040, 67 CPUC 2d 562, 568); and has held that compensation for working group activities is consistent with these goals. (D.97-02-047, mimeo. p. 2).</p>

PART III: REASONABLENESS OF REQUESTED COMPENSATION

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

<p>Explanation by Claimant of how the cost of Claimant’s participation bore a reasonable relationship with benefits realized through participation</p>	<p>CPUC Verified</p>
<p>TURN’s participation in this proceeding primarily involved policy issues that are difficult to quantify as direct financial benefits, but should translate into eventual tangible benefits due to more effective operation of the CSI solar PV, SGIP and CSI solar thermal programs, which provide a ratepayer subsidy for particular distributed generation projects.</p> <p>The most tangible financial benefit resulted from the suspension of the 2009 CSI revenue collections, which reduced present rates. The direct financial benefit to</p>	<p>Yes</p>

<p>ratepayers will eventually depend on the difference between short term interest rates and the time value of money to ratepayers.</p> <p>TURN’s participation in the design of the solar thermal program resulted in several program modifications (incentive structure and allocation to multifamily) that will hopefully improve the long-term cost-effectiveness of the program.</p> <p>TURN suggests that our contribution to the policies adopted in this rulemaking concerning the three major subsidy programs for distributed generation warrants a full award of the hours claimed in this proceeding. As explained in Section B below, TURN has not requested compensation for approximately 60% of our time in this proceeding, as we have not requested compensation for any time devoted to several issues concerning CSI solar PV program and to the SGIP program budget for 2010-2011.</p>	
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B. Specific Claim*:

CLAIMED						CPUC AWARD			
ATTORNEY AND ADVOCATE FEES									
Item	Year	Hours	Rate	Basis for Rate*	Total \$	Year	Hours	Rate	Total \$
Marcel Hawiger	2008	31.00	\$325	D.08-08-027 at 5	\$10,075.00	2008	30.75	\$325	\$9,993.75
Marcel Hawiger	2009	45.50	\$325	D.10-04-050 at 7	\$14,787.50	2009	45.50	\$325	\$14,787.50
Marcel Hawiger	2010	3.25	\$325		\$1,056.25	2010	3.25	\$325	\$1,056.25
Hayley Goodson	2008	0.25	\$280	D.08-08-027 at 5	\$70.00				
Hayley Goodson	2009	6.50	\$280	D.09-10-051 at 20	\$1,820.00	2009	2.38	\$280	\$666.40
Subtotal:					\$27,808.75	Subtotal:			\$26,503.90
EXPERT FEES									
Item	Year	Hours	Rate	Basis for Rate*	Total \$	Year	Hours	Rate	Total \$
Jeff Nahigian	2009	1.25	\$190	D.09-04-027 at 10	\$237.50	2009	1.25	\$190	\$237.50
Subtotal:					\$237.50	Subtotal:			\$237.50
INTERVENOR COMPENSATION CLAIM PREPARATION**									
Item	Year	Hours	Rate	Basis for Rate*	Total \$	Year	Hours	Rate	Total \$
Marcel Hawiger	2010	15.25	\$162.5	D08-08-027 at 5	\$2,478.13	2010	15.25	\$162.50	\$2,478.13
Subtotal:					\$2,478.13	Subtotal:			\$2,478.13

COSTS				
#	Item	Detail	Amount	Amount
	Xeroxing	Photocopies for pleadings not emailed	\$61.20	\$61.20
	Phone		\$0.47	\$0.47
Subtotal:			\$61.67	Subtotal: \$61.67
TOTAL REQUEST \$:			\$30,586.05	TOTAL AWARD \$: \$29,281.20
<p>* We remind all intervenors that Commission staff may audit their records related to the award and that intervenors must make and retain adequate accounting and other documentation to support all claims for intervenor compensation. Claimant’s records should identify specific issues for which it requested compensation, the actual time spent by each employee or consultant, the applicable hourly rates, fees paid to consultants, and any other costs for which compensation was claimed. The records pertaining to an award of compensation shall be retained for at least three years from the date of the final decision making the award.</p> <p>** Reasonable claim preparation time typically compensated at ½ of preparer’s normal hourly rate (the same applies to the travel time).</p>				

C. Additional Comments on Part III:

#	Description/Comment
1	A daily listing of the specific tasks performed by TURN’s attorneys Hawiger and Goodson that are claimed for compensation in this proceeding is set forth in Attachment 2. TURN’s attorneys maintained detailed contemporaneous time records indicating the number of hours devoted to work on this case. In preparing this appendix, Mr. Hawiger reviewed all of the recorded hours devoted to this proceeding and included only those that were reasonable for the underlying task and that related to decisions to which TURN made a substantial contribution.
2	A daily listing of the specific tasks performed by TURN’s attorneys Hawiger and Florio for work in this proceeding that is <i>not</i> claimed for compensation is set forth in Attachment 3. TURN spent considerable time in this proceeding analyzing and evaluating issues which were 1) not resolved in the proceeding (net energy metering), 2) which TURN monitored but did not formally address in pleadings (low income issues, DG cost effectiveness evaluation), or 3) issues to which TURN did not make a substantial contribution because our recommendations and analyses were rejected (SGIP 2010-2011 budget and application for rehearing). TURN attaches the daily time sheet summaries reflecting this work separately to highlight the fact that our compensation request has explicitly excluded these hours.
3	TURN typically allocates its work activities on an issue-by-issue basis in its compensation requests, when such allocation is possible. In this proceeding, the Commission tended to address discrete issues in each decision. TURN coded its attorney time in the daily time sheets based on the major program categories (CSI, SGIP, SWH). However, based on the time sheet entries TURN further subdivided the time entries by issue area for purposes of segregating compensable and non-compensable hours. This allocation is detailed in the spreadsheet included in Attachment 4.

	<p>TURN used the following activity codes to categorize attorney work time as shown in Attachment 4:</p> <p>GP+GH – general participation work necessary for participation in CPUC proceedings (e.g., reading rulings, reading proposed decisions, reading other pleadings); work that often spans multiple issues and/or would not vary with the number of issues addressed by TURN and attendance at prehearing conferences</p> <p>CSI-M&E: work related to the evaluation plan and to analyzing the CSI database (compensable)</p> <p>CSI-LI: work related to MASH and SASH (non-compensable)</p> <p>CSI-2009RR: work related to suspension of 2009 revenue collection (compensable)</p> <p>CSI-Incent: attending the “budgets and dropouts” CSI workshop and writing comments in response to an ALJ Ruling addressing modification of CSI incentive levels due to federal tax changes (compensable)</p> <p>CSI-NEM+C/E: work addressing various issues concerning solar PV cost-effectiveness and net energy metering (non-compensable)</p> <p>SGIP-09-11: work addressing the setting of the 2009 budget (compensable)</p> <p>SGIP-10-11: work addressing the SGIP budget for 2010-11 (non-compensable)</p> <p>SGIP-Elig: work related to SGIP eligibility criteria (non-compensable)</p> <p>SWH: work related to the CSI solar thermal program (compensable)</p>
4	Attachment 2 includes the very limited (1.25 hours) amount of work performed by TURN’s consultant (Jeff Nahigian of JBS Energy) evaluating the cost-effectiveness analysis of the solar water heating program in the Itron Report.
5	All work on the compensation request was billed at one-half of the authorized rate. TURN suggests that the 15.25 hours spent on the compensation request is reasonable, given that the request covers three decisions as well as non-compensable work in the proceeding related to at least two other decisions.

D. CPUC Disallowances & Adjustments:

#	Reason
a. Hawiger’s 2008 hours (clerical)	On April 14, 2008, attorney Hawiger spent 0.25 hours on the letter to the CPUC Process Office regarding a service list. We consider this task clerical in nature and disallow it in accordance with our practices.
b. Goodson’s hours	According to the attorney’s timesheets, some of the work performed by Hayley Goodson was unproductive. Below we describe our disallowances for those activities.

<p>(b) (1). Goodson's 2008 hours</p>	<p>Goodson's tasks in 2008 consist of a single discussion with Marcel Hawiger, on June 16, 2008. We disallow this time (0.25 hour) as unproductive.</p>					
<p>(b) (2) Goodson's 2009 hours</p>	<p>Attorney Hawiger did the bulk of TURN's work. He prepared all of TURN's documents mentioned in the request, reviewed and researched the related materials and data, participated in meetings, conferences, and workshops, etc. Among numerous other documents prepared by Hawiger, on August 24, 2009, TURN filed reply comments to staff proposal for a solar water heating (SWH) program, and on November 25, 2009 – comments on the proposed decision (PD) establishing a SWH incentive program.</p>					
<p>(b)(2)(A). August 24th comments.</p>	<p>Below is a summary of the tasks completed by the attorneys:</p> <table border="1" data-bbox="396 659 1511 1213"> <thead> <tr> <th data-bbox="396 659 834 716">Hawiger (11.25 hours)</th> <th data-bbox="834 659 1511 716">Goodson (4.75 hours)</th> </tr> </thead> <tbody> <tr> <td data-bbox="396 716 834 1213"> <ol style="list-style-type: none"> 1. Read other parties' opening comments. 2. 8/20/09 Teleconference with DRA to discuss reply comments; focus on issue of dual-test and SWH eligibility as energy efficiency (EE) measure. 3. Write reply comments. </td> <td data-bbox="834 716 1511 1213"> <ol style="list-style-type: none"> 1. Read TURN's opening comments on the staff SWH proposal, Hawiger's memo re reply comments (we note that the opening comments were prepared by Hawiger). 2. Discuss the comments with Hawiger. 3. Research on SWH/EE. 4. Discuss the reply comments with Hawiger. 5. Inc. administration of SWH program. 6. 8/20/09 Teleconference with DRA about SWH reply comments (SWH/EE and administration issues). </td> </tr> </tbody> </table> <p>As follows from the lists, Goodson's involvement was, in the whole, not critical to the preparation of the comments. In addition, her activities, to a large extent, were duplicative of the work done by Hawiger, and, weighed against his involvement, unnecessary. However, instead of disallowing Goodson's time altogether, we made a few assumptions that we consider reasonable. First, we assumed that a task described as "inc. admin of SWH program" (8/18/09) could, possibly, contribute to the SWH program administration issue, at page 5 of the comments (we interpreted "inc." as incorporating or including). We ask that TURN, in the future, provide clearer descriptions in the time records or we will disregard ambiguous entries. Second, we assumed that some research on SWH/EE (no. 3) could also contribute to the comments. With these assumptions, we believe it is appropriate to compensate, in part, Goodson's time here. Upon a generous estimate, we assume that her relevant work occupied approximately one half of Goodson's time. A more precise calculation is impossible since Goodson's timesheet often combines several activities in one entry. We allow, therefore, 2.38 hours of her time.</p>		Hawiger (11.25 hours)	Goodson (4.75 hours)	<ol style="list-style-type: none"> 1. Read other parties' opening comments. 2. 8/20/09 Teleconference with DRA to discuss reply comments; focus on issue of dual-test and SWH eligibility as energy efficiency (EE) measure. 3. Write reply comments. 	<ol style="list-style-type: none"> 1. Read TURN's opening comments on the staff SWH proposal, Hawiger's memo re reply comments (we note that the opening comments were prepared by Hawiger). 2. Discuss the comments with Hawiger. 3. Research on SWH/EE. 4. Discuss the reply comments with Hawiger. 5. Inc. administration of SWH program. 6. 8/20/09 Teleconference with DRA about SWH reply comments (SWH/EE and administration issues).
Hawiger (11.25 hours)	Goodson (4.75 hours)					
<ol style="list-style-type: none"> 1. Read other parties' opening comments. 2. 8/20/09 Teleconference with DRA to discuss reply comments; focus on issue of dual-test and SWH eligibility as energy efficiency (EE) measure. 3. Write reply comments. 	<ol style="list-style-type: none"> 1. Read TURN's opening comments on the staff SWH proposal, Hawiger's memo re reply comments (we note that the opening comments were prepared by Hawiger). 2. Discuss the comments with Hawiger. 3. Research on SWH/EE. 4. Discuss the reply comments with Hawiger. 5. Inc. administration of SWH program. 6. 8/20/09 Teleconference with DRA about SWH reply comments (SWH/EE and administration issues). 					

(b)(2)(B). November 25, 2009 comments	Below is a summary of the work completed by the attorneys:	
	Hawiger (8.75 hours)	Goodson (1.75 hours)
	Read the PD. Write internal memo. Teleconference with Goodson re SWH and EE issues (goals, EE portfolio, EE measures). Research Itron report on multifamily projects. Teleconference with Sarah Thomas. Write comments on PD.	Review PD. Discuss EE overlap and SF/MF/Cmcl with Hawiger Meet with Hawiger for continued discussion re PD Read, edit Hawiger's comments on PD
Goodson's involvement (reviewing, discussing, and editing) appears to be of the marginal importance for the preparation of the comments, and some of her tasks were duplicative of Hawiger's work. We disallow 1.75 hours of her time.		

PART IV: OPPOSITIONS AND COMMENTS

A. Opposition: Did any party oppose the claim	No
B. Comment Period: Was the 30-day comment period waived (see Rule 14.6(2)(6)) (Y/N)?	Yes

FINDINGS OF FACT

1. Claimant has made a substantial contribution to Decision (D.)08-12-004, D.09-01-013, and D.10-01-022.
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 \$29,281.20.

CONCLUSION OF LAW

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

ORDER

1. Claimant is awarded \$29,281.20.
 Within 30 days of the effective date of this decision, Pacific Gas and Electric Company, San Diego Gas & Electric Company, and Southern California Edison Company shall pay Claimant

their respective shares of the award. We direct Pacific Gas and Electric Company, San Diego Gas & Electric Company, and Southern California Edison Company to allocate payment responsibility among themselves, based on their California-jurisdictional gas and electric revenues for the 2009 calendar year, to reflect the year in which the relevant proceeding was primarily litigated. 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 October 16, 2010, the 75th day after the filing of claimant's request, and continuing until full payment is made.

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

3. This decision is effective today.

Dated November 19, 2010, at San Francisco, California.

MICHAEL R. PEEVEY
President
DIAN M. GRUENEICH
JOHN A. BOHN
TIMOTHY ALAN SIMON
NANCY E. RYAN
Commissioners

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APPENDIX**Compensation Decision Summary Information**

Compensation Decision:	D1011028	Modifies Decision? No
Contribution Decision(s):	D0812004, D0901013, D1001022	
Proceeding(s):	R0803008	
Author:	ALJ Dorothy Duda	
Payer(s):	Pacific Gas and Electric Company, San Diego Gas & Electric Company, and Southern California Edison Company	

Intervenor Information

Intervenor	Claim Date	Amount Requested	Amount Awarded	Multiplier?	Reason Change/Disallowance
The Utility Reform Network	08/2/10	\$30,586.05	\$29,281.20	No	Non-compensable costs (clerical); unproductive and/or internally duplicative efforts

Advocate Information

First Name	Last Name	Type	Intervenor	Hourly Fee Requested	Year Hourly Fee Requested	Hourly Fee Adopted
Marcel	Hawiger	Attorney	The Utility Reform Network	\$325	2008	\$325
Marcel	Hawiger	Attorney	The Utility Reform Network	\$325	2009	\$325
Marcel	Hawiger	Attorney	The Utility Reform Network	\$325	2010	\$325
Hayley	Goodson	Attorney	The Utility Reform Network	\$280	2008	\$280
Hayley	Goodson	Attorney	The Utility Reform Network	\$280	2009	\$280
Jeffrey	Nahigian	Expert	The Utility Reform Network	\$190	2009	\$190

(END OF APPENDIX)