

Decision 11-01-021 January 13, 2011

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

In the Matter of the Application of Southern California Edison Company (U338E) for a Certificate of Public Convenience and Necessity for the San Joaquin Cross Valley Loop Transmission Project.

Application 08-05-039  
(Filed May 30, 2008)

**DECISION GRANTING REQUEST OF PROTECT AGRICULTURE COMMUNITIES ENVIRONMENT FOR INTERVENOR COMPENSATION FOR SUBSTANTIAL CONTRIBUTIONS TO DECISION 10-07-043**

<b>Claimant: Protect Agriculture Communities Environment (PACE)</b>	<b>For contribution to Decision (D.) 10-07-043</b>
<b>Claimed (\$): \$115,763<sup>1</sup></b>	<b>Awarded (\$): \$70,292.36</b>
<b>Assigned Commissioner: Dian Grueneich</b>	<b>Assigned ALJ: Hallie Yacknin</b>
<b>Claim Filed:</b>	<b>August 16, 2010</b>

**PART I: PROCEDURAL ISSUES****A. Brief Description of Decision:**

This decision approves the route and conditions for the San Joaquin Cross Valley Loop Transmission Project to be constructed by Southern California Edison Company.

**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 (NOI) to claim compensation (§ 1804(a)):</b>		
1. Date of Prehearing Conference (PHC):	November 19, 2008	Correct
2. Other Specified Date for NOI:		
3. Date NOI Filed:	December 18, 2008	Correct

<sup>1</sup> The claimed amount has been recalculated and corrected, in Part III.B, Specific Claim. The correct amount should be \$115,993.75.

4. Was the notice of intent timely filed?		Yes
<b>Showing of customer or customer-related status (§ 1802(b)):</b>		
5. Based on ALJ ruling issued in proceeding number:	A.08-05-039	Correct
6. Date of ALJ ruling:	January 15, 2009	Correct
7. Based on another CPUC determination (specify):		
8. Has the claimant demonstrated customer or customer-related status?		Yes
<b>Showing of “significant financial hardship” (§ 1802(g)):</b>		
9. Based on ALJ ruling issued in proceeding number:	A.08-05-039	Correct
10. Date of ALJ ruling:	January 15, 2009	Correct
11. Based on another CPUC determination (specify):		
12. Has the claimant demonstrated significant financial hardship?		Yes
<b>Timely request for compensation (§ 1804(c)):</b>		
13. Identify Final Decision	<b>D.10-07-043</b>	Correct
14. Date of Issuance of Final Decision:	July 29, 2010	August 6, 2010
15. File date of compensation request:	August 16, 2010	Correct
16. Was the request for compensation timely?		Yes

## PART II: SUBSTANTIAL CONTRIBUTION

### A. Description by Claimant of its contribution to the final decision (*see* § 1802(i), § 1803(a) & D.98-04-059)

Contribution	Citation to Decision or Record (Provided by Claimant)	Showing Accepted by CPUC
<p>1. <u>Identification of irrigation and groundwater impacts, proposed mitigation measures.</u></p> <p>PACE identified groundwater issues along right of way as a major environmental impact.</p> <p>PACE stated that the DEIR<sup>2</sup> did “a poor job in assessing groundwater resources in the area” (PACE DEIR comments, at</p>	<p>Kenneth D. Schmidt – groundwater consultant for PACE – “Final EIR” at 3.1-6 to 3.1-7;</p> <p>“PACE (Protect Agricultural Communities Environment) Comments on the Draft Environmental Impact Report” July 30, 2009. “Final EIR” at 3.1-49 to 3.1-64;</p>	Yes

<sup>2</sup> Draft Environmental Impact Report.

<sup>3</sup> Final Environmental Impact Report.

<p>4) and the section, particularly on mitigation, needed to be redone.</p> <p>The resultant FEIR<sup>3</sup> was a drastically improved document in this area, as PACE noted:</p> <p>“Considerable progress made in protecting water and groundwater resources and infrastructure in the area from the threat of transmission line impacts since the DEIR was issued.” (Pace Opening Brief, at 7)</p>	<p>“Opening Brief of PACE (Protect Agricultural Communities Environment.)” March 11, 2010, at 7-8;</p> <p>“PACE (Protect Agricultural Communities Environment) Comments on the Proposed Decision” May 24, 2010, at 3-6;</p> <p>Ex Parte Communications: April 26 and May 18, 2010.</p> <p>“Final EIR” [at 4.1-2 through 4.1-4 (irrigation systems discussion), at 4.5-2, 3 (master response on wells)] Mitigation Measure 4.7-11B was modified from Draft EIR to address PACE issues raised and included additional mitigation measures for water system relocation.</p>	
<p>2. <u>Immediate need for line construction.</u></p> <p>PACE countered SCE’s argument that there was an immediate need to construct the transmission line to avoid blackouts in the area.</p>	<p>“Reply Brief of PACE (Protect Agricultural Communities Environment)” March 25, 2010, at 3-6.</p> <p>D.10-07-043, at 34 adopted PACE’s position that demand has dropped in the area and there is not an immediate need for commencing construction, and granted PACE request for official notice of the new CEC demand forecast.</p>	<p>Yes</p>
<p>3. <u>Alternative routes.</u></p> <p>PACE developed and filed an Alternative, called 3A, that resolved the DEIR “unmitigable” impacts of Route 3 and which became a major focus of analysis and discussion in this proceeding. While not adopted as the preferred route, this alternative made a substantial contribution and influenced the Commission’s making in this proceeding.</p>	<p><u>Final EIR:</u></p> <p>“PACE (Protect Agricultural Communities Environment) Comments on the Draft Environmental Impact Report” July 30, 2009. “Final EIR” at 3.1-49 to 3.1-64.</p> <p>“Final EIR” (at 4.6-5 through 4.6-13) alternative Route 3A evaluation.</p> <p><u>Decision:</u></p>	<p>Yes</p>

	<p>“Opening Testimony of PACE (Protect Agricultural Communities Environment)” July 20, 2009, at 3-18;</p> <p>“Rebuttal Testimony of PACE (Protect Agricultural Communities Environment)” July 31, 2009, at 3-4;</p> <p>“Opening Brief of PACE (Protect Agricultural Communities Environment)” March 11, 2010, at 5-7, 8-11;</p> <p>“PACE (Protect Agricultural Communities Environment) Comments on the Proposed Decision)” May 24, 2010. at 2;</p> <p>Ex Parte Communications: April 26 and May 18, 2010;</p> <p>Final Oral Arguments, May 25, 2010.</p> <p>D.10-07-043 addressed Alternative Route 3A at 15, 16, 17, 18, 19, 20, and 42. While not adopting PACE recommended Alternative Route 3A, the final decision did adopt Route 2, a route that PACE identified in both its Opening Brief (at 5-7) and Reply Brief (at 7) as a preferable route to SCE’s proposed Route 1. While not adopted as the preferred route, the development of Route 3A made a substantial contribution and influenced the Commission’s making in this proceeding.</p>	
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**B. Duplication of Effort (§§ 1801.3(f) & 1802.5):**

	<b>Claimant</b>	<b>CPUC Verified</b>
<b>a. Was DRA a party to the proceeding? (Y/N)</b>	No	Correct
<b>b. Were there other parties to the proceeding? (Y/N)</b>	Yes	
<b>c. If so, provide name of other parties:</b> California Farm Bureau, City of Farmersville, City of Visalia, Paramount Citrus (after August 2009), several individual parties.		Correct
<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>  PACE worked with individuals in the area to make sure that complete record was developed with as little redundancy as possible, assisting in comments at the Public Participation Hearing and coordinating comments on the DEIR (see II.A.1 comments below). PACE’s Alternative 3A provided the basis for many parties comments on the DEIR (see II.A.3 comments below).  PACE coordinated with the California Farm Bureau, City of Farmersville, and Paramount Citrus in official comments and briefs in this proceeding to avoid duplication of issues primarily, focusing on water and alternative issues. PACE also focused on water and alternative issues in ex parte meetings, and presented the alternatives portion of Final Oral Arguments.  PACE took all reasonable steps to keep 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.		Yes

**C. Additional Comments on Part II:**

<b>#</b>	<b>Claimant</b>	<b>CPUC</b>	<b>Comment</b>
II.A.1	Contribution to Decision Making: Groundwater and irrigation systems		<p>Groundwater and irrigation systems were identified as a major impact of transmission line construction and operation in this area, and an area in which the DEIR mitigation measures were inadequate. Approximately one third of Chapter 4 (Master Responses) in the FEIR deals with irrigation systems or groundwater impacts. Significant changes in the DEIR were made in the FEIR in response to PACE (and others) comments in this area.</p> <p>The following individuals (primarily members of PACE) commented on irrigation systems and groundwater mitigation measures in the DEIR:                      Alan Hiatt, Terrance Peltzer, Bill and Peggy Pensar, Joseph Ferrara, Bob Hengst, Barbara Peltzer, Larry Peltzer, Lubbert</p>

		<p>VanDellen, Nancy VanDellen, Jay and Nancy Culter, John O. and Shirley B. Kirkpatrick, James K. Jordan, Robert Ward, Eric Meling, Doug Carman, Tricia Stever, John Kirkpatrick, Larry Ronk, Robert and Mary Edmiston, Barbara VanWellen, Elaine Breitbach, Alan Hiatt, Joseph Ferrara, Jose Luis and Rose Ann Guttierrez, Bob Hengst, Tammi Hitchcock, George McEwen, Randy Redfield, Nancy Van Dellen, Douglas and Kaye Rydberg, Doyle Ritchie, James Gordon, Hudson Rose, Mike and Sharon Potts, Tom Logan, Scott Belknap.</p> <p>Additionally, D.10-07-043 (at 27) addressed (but rejected) PACE’s request for additional clarification on groundwater mitigation.</p>
<p>II.A.3</p>	<p>Contribution to Decision Making</p>	<p>PACE’s identification of Alternative 3A had a major impact on this proceeding, in part necessitating a significant revision of the DEIR.</p> <p>The following parties and commenters on the DEIR relied upon PACE’s development of Alternative Route 3A:</p> <p>Dr. and Mrs. David Bockman, Jenna Mattison, Larry Ronk, Robert McKellar, Robert and Mary Edmiston, Evelyn Hodel, LaVerne Hodel, Barbara VanWellen, Barbara Ainley, Elaine Breitbach, Alan Hiatt, Richard Marshall, Terrance Peltzer, Billy and Peggy Pensar, George Walton, Gary and Rebecca Davis, Jacob Deitz, Melissa Deitz, Joseph Ferrara, Joyce Frazier, Jose Luis and Rose Ann Gutierrez, Nancy Hamlin, Bob Hengst, David Hengst, Linda Hengst, Tammi Hitchcock, Tom and Jennifer Logan, George McEwen, Larry Peltzer, Randy Redfield, Del Strange, Gary and Colene Tarbell, Lubbert Van Dellen, Nancy Van Dellen, James Canterbury, Kent and Gail Kaulfuss, Douglas and Kaye Rydberg, Cheryl Turner, Stacy Kelch, B. Davis, Jack and Kathy Pendley, Doyle Ritchie, Cliff Ronk, Connie Sing, Patricia Whitendale, Lenora Graves, Bowe and Brenda McMahan, William Pensar, Joe Sing, Joel Heaton, Trudy Wischemann, Suzanne Bidwell, Lorene Clark, James Gordon, Mary Gordon, Hayley Hengst, IJohn O. and Shirley B. Kirkpatrick, McKenzie Family, Corky and Laura Wynn, Scott Belknap, DeLeondaris Family, Bill Ferry, Robert Bennett Lea III, Gus Marroquin, Mike and Sharon Potts, Tami Tarbell-Lea, Robert Ward, Diane King, David Bean, Tom Logan, Tricia Stever, Meling Brothers, Stone Corral Irrigation District, City of Woodlake, Sentinel Butte Mutual Water Company, City of Farmersville, Kaweah Lemon Company, Wallace Ranch Water Company, Rocky Hill Incorporated, PACE, Paramount Citrus Association, California</p>

			Farm Bureau Federation, and Tulare County Farm Bureau, Donald Lawrence Construction Company, Farmland Conservation Strategies.
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**PART III: REASONABLENESS OF REQUESTED COMPENSATION**

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

<b>Explanation by Claimant as to how the cost of Claimant’s participation bore a reasonable relationship with benefits realized through participation</b>	<b>CPUC Verified</b>
<p>PACE’s requested cost is very small in relationship to the cost of the transmission line, less than 0.09 percentage of the approved cost of this transmission line.</p> <p>Public Utilities Code Section 1801.3(f) recognizes that the intervenor compensation provisions are to be “administered in a manner that encourages the effective and efficient participation of all groups that have a stake in the public utility regulation process,” and “that avoids unproductive or unnecessary participation that duplicates the participation of similar interests otherwise adequately represented....”</p> <p>PACE operated as an “umbrella” group for the local intervenors in this proceeding, coordinating comments and testimony to expedite the proceeding process and avoid duplication of efforts. This coordination effort resulted in substantial cost savings to this Commission and to the intervenors involved.</p> <p>PACE did a very good job of controlling its costs in this proceeding. PACE’s NOI estimated its cost of participation at \$177,500 (Notice of Intent to Claim Compensation of PACE, December 18, 2008, at 7), but PACE is actually requesting substantially less (\$115,763), despite the unanticipated need to develop an alternative transmission route for Commission consideration.</p>	<p>With reductions and adjustments set forth in this decision, the requested amount is reasonable.</p>

**B. Specific Claim\*:**

CLAIMED						CPUC AWARD			
ATTORNEY AND ADVOCATE FEES									
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Year	Hours	Rate \$	Total \$
Lon W. House	2008 2009 2010	133.00	\$275.00	D.05-09-029 (9/22/05) established a rate for Dr. House of \$260/hour (at 15). This was escalated at 3% cost of living allowance for 2006 and 2007 as per D.07-01-009 (1/11/07). <sup>4</sup>	\$36,575.00 <sup>5</sup>	2008 2009 2010	80.16	\$275.00	\$22,044.00
<b>Subtotal:</b>					<b>\$36,575.00</b>	<b>Subtotal:</b>			<b>\$22,044.00</b>
EXPERT FEES									
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Year	Hours	Rate \$	Total \$
Hank Zaininger	2008 2009 2010	347.25	\$180.00	In D.09-10-024 (Rancho Penasquitos compensation in the Sunrise case) their transmission witness (William Stephenson) was granted compensation rate for 2008 of \$225/hour. Mr. Zaininger is only claiming a compensation rate of \$180/hour even though he has substantially more experience testifying in transmission cases before the CPUC (see Attachment 4).	\$62,505.00	2008 2009 2010	199.95	\$180.00	\$35,991.00
<b>Subtotal:</b>					<b>\$62,505.00</b>	<b>Subtotal:</b>			<b>\$35,991.00</b>

<sup>4</sup> The last decision establishing an hourly rate for Lon W. House work was D.05-09-029 issued in A.02-05-046, compensating his work up to November of 2004. In this proceeding, House's earliest work is dated June of 2008. Since less than four years passed between House's latest work in A.02-05-046 and his earliest work in this proceeding, we do not request him to comply with the provisions of D.08-04-010, at 8:

...an individual with no recently authorized rate (within the previous four years) may seek a new rate as if that individual were new to Commission proceedings.

<sup>5</sup> We correct here PACE's erroneous result of \$36,713.00.

<b>OTHER FEES</b>									
<b>Describe here what OTHER HOURLY FEES you are claiming (paralegal, travel, etc.):</b>									
<b>Item</b>	<b>Year</b>	<b>Hours</b>	<b>Rate \$</b>	<b>Basis for Rate*</b>	<b>Total \$</b>	<b>Year</b>	<b>Hours</b>	<b>Rate \$</b>	<b>Total \$</b>
Lon W. House	2008 2009 2010	48.00	\$137.50	One half hourly rate for travel and proceeding time	\$6,600.00 <sup>6</sup>	2008 2009 2010	45.00	\$137.50	\$6,187.50
Hank Zaininger	2008 2009 2010	64.00	\$90.00	One half hourly rate for travel time	\$5,760.00	2008 2009 2010	25.50	\$90.00	\$2,295.00
<b>Subtotal:</b>					<b>\$12,360.00<sup>7</sup></b>	<b>Subtotal:</b>			<b>\$8,482.50</b>
<b>INTERVENOR COMPENSATION CLAIM PREPARATION **</b>									
<b>Item</b>	<b>Year</b>	<b>Hours</b>	<b>Rate \$</b>	<b>Basis for Rate*</b>	<b>Total \$</b>	<b>Year</b>	<b>Hours</b>	<b>Rate \$</b>	<b>Total \$</b>
Lon W. House	2010	6.50	\$137.50	One half hourly rate for compensation claim time	\$893.75 <sup>8</sup>	2008 2010	12.75	\$137.50	\$1,753.13
<b>Subtotal:</b>					<b>\$893.75</b>	<b>Subtotal:</b>			<b>\$1,753.13</b>
<b>COSTS</b>									
<b>#</b>	<b>Item</b>	<b>Detail</b>			<b>Amount</b>	<b>Amount</b>			
1	Lon W. House Expenses	Copies, postage, lodging, parking, and tolls, mileage (see Attachments 2 and 3).			\$1,728.00	\$1,233.24			
2	Hank Zaininger Expenses	All trips claimed by Dr. House and Mr. Zaininger meet the criteria set forth in D.07-10-014: the amount of travel time and expense was reasonable, the travel was not routine commuting, but rather trips that would not have occurred but for PACEs participation in this proceeding; the expenses were reasonably incurred; and there was no less expensive way to participate in the proceeding.			\$1,932.00	\$788.49			
<b>Subtotal:</b>					<b>\$3,660.00</b>	<b>Subtotal:</b>			<b>\$2,021.73</b>
<b>TOTAL REQUEST \$:</b>					<b>\$115,993.75<sup>9</sup></b>	<b>TOTAL AWARD \$:</b>			<b>\$70,292.36</b>
<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</p>									

<sup>6</sup> We correct here PACE's erroneous result of \$6,531.00.

<sup>7</sup> Due to miscalculations, PACE's result here was \$11,991.00.

<sup>8</sup> In the request, PACE rounded the result to \$894.00. We use the exact amount here.

<sup>9</sup> We correct here PACE's mathematically erroneous result of \$115,763.00.

award of compensation shall be retained for at least three years from the date of the final decision making the award.

\*\* Reasonable claim preparation time typically compensated at 1/2 of preparer’s normal hourly rate (the same applies to the travel time).

**C. Additional Comments on Part III:**

#	Description/Comment
1	<p><b>Lon W. House Time and Expenses</b>  <u>PACE used the following activity codes to categorize work time shown in Attachment 2:</u></p> <p><u>General</u> – general participation general hearing work necessary for participation in CPUC proceedings (e.g., reading rulings, reading proposed decisions, reading other pleadings, attending hearings, attending pre hearing conference); work that often spans multiple issues and/or would not vary with the number of issues addressed</p> <p><u>MIT-W</u>: work related to mitigation measures, particularly water and groundwater issues. Scoping Memo Issue #5</p> <p><u>ALT</u>= Preferred and Alternative transmission line evaluation - environmental impact (<u>ALT-E</u>-Scoping Memo Issues 2,3,4), cost (<u>ALT-C</u> -Scoping Memo Issue #9), mitigation (<u>ALT-M</u> - Scoping Memo Issue #5).</p> <p><u>NEED</u>= need for the project (immediately) Scoping Memo Issue #1.</p> <p><u>COMP</u> = time spent preparing compensation request.</p>
2	<p><b>Hank Zaininger Time and Expenses</b>            PACE used the following activity codes to categorize work time as shown in Attachment 3</p> <p><u>ALT</u> = Preferred and Alternative transmission line evaluation - Environmental impact, mitigation measures, cost</p> <p style="padding-left: 40px;">ALT-E - environmental impact - Scoping Memo Issues 2, 3, 4</p> <p style="padding-left: 40px;">ALT-M - mitigation - Scoping Memo Issue 5</p> <p style="padding-left: 40px;">ALT-C - cost - Scoping Memo Issue 9</p> <p><u>General</u> = General Proceeding Support</p>

**D. CPUC Disallowances & Adjustments:**

#	Reason
	<p>We divide PACE’s work into two major areas: (1) professional work preparing PACE’s formal documents and testimony (direct contributions) and (2) PACE’s outreach and advocacy effort (indirect contributions). Sections 1, 2, and 3 below are general for both areas of PACE’s work. Section 4 considers PACE’s professional work creating documents and testimony for the Commission, and Section 5 discusses PACE’s hours claimed for the advocacy and outreach activities. Section 6 includes our opinion on PACE’s contributions not listed in Part II.A of the request.</p>

<p><b>1. Clerical Work</b></p>	<p>PACE requests compensation for clerical tasks, such as document filing, sending, mailing, serving, copying, collecting, downloading, transmitting, or setting up a meeting. These tasks are reflected in Dr. House’s timesheet entries in 2008 of June 23<sup>rd</sup>, July 21<sup>st</sup>, August 20<sup>th</sup>, and December 18<sup>th</sup>; in 2009, of June 23<sup>rd</sup>, July 20<sup>th</sup> and 30<sup>th</sup>, and August 27<sup>th</sup>; and in 2010 of March 11<sup>th</sup>, 13, and 15<sup>th</sup>, and May 21<sup>st</sup> and 24<sup>th</sup>. Zaininger’s time records reflect clerical work in 2009, on February 17<sup>th</sup>, June 16<sup>th</sup>, 29<sup>th</sup>, and 30<sup>th</sup>; and in 2010 on March 2<sup>nd</sup>, 11<sup>th</sup>, 12<sup>th</sup>, 22<sup>nd</sup>, 23<sup>rd</sup>, 24<sup>th</sup>, and 25<sup>th</sup>.</p> <p>Professional fees assume overheads and are set accordingly. We deny additional recovery for clerical work. Where clerical are combined with other tasks,<sup>10</sup> we disallow 0.25 hours, based on the May 24, 2010 single clerical entry. This table summarizes hours of clerical work that are non-compensable:</p> <table border="1" data-bbox="500 745 1062 863"> <thead> <tr> <th data-bbox="500 745 813 785">Name</th> <th data-bbox="813 745 1062 785">Hours</th> </tr> </thead> <tbody> <tr> <td data-bbox="500 785 813 825">Lon W. House</td> <td data-bbox="813 785 1062 825">3.75</td> </tr> <tr> <td data-bbox="500 825 813 863">Hank Zaininger</td> <td data-bbox="813 825 1062 863">5.00</td> </tr> </tbody> </table>	Name	Hours	Lon W. House	3.75	Hank Zaininger	5.00
Name	Hours						
Lon W. House	3.75						
Hank Zaininger	5.00						
<p><b>2. Undocumented Charges</b></p>	<p>Time records supporting request for compensation shall include the specific task performed by an intervenor. Dr. House’s time records of June 16 and July 9, 2008, September 12 and October 1, 2008, of June 16, 25, and July 9, 2009, and of March 11 and 15, 2010, for the total of 18.5 hours; and Zaininger’s timesheet entries of August 18, 2008, June 25, 2009, and March 3, 2010, for the total of 9 hours, fail to abide by this requirement, and violate the provisions of Rule 17.4(b)(2) of the Commission Rules of Practice and Procedure. We disallow these hours as undocumented costs.</p>						
<p><b>3. Misallocation of Intervenor Compensation time</b></p>	<p>PACE’s 7.75 hours spent on motion to file under seal pertain to the intervenor compensation matters. We move these hours from PACE’s professional hours, at half rate (as PACE appropriately charges for this work), to the intervenor compensation document preparation category.</p>						
<p><b>4. Analysis of PACE’s work and claims of substantial contribution.</b></p>	<p>Analyzing this claim, we have identified several areas of concern, which warrant further reductions of the requested amount. Because of a multitude of the problems, we, instead of doing multi-tiered and piecemeal reductions for specific activities, apply percentile reductions to the requested hours, in section 4, Reduction. Subsequent sections contain our analysis.</p>						

<sup>10</sup> PACE frequently combines in one time sheet entry clerical with other tasks, in violation of Rule 17.4(b)(2).

<p><b>4.A. Professional hours</b></p> <p>Internal duplication</p> <p>Excessive hours for document review.</p> <p>Excessive hours to prepare documents.</p>	<p><b>4.A. Analysis of PACE’s professional hours.</b></p> <p><b>1. Duplicative Efforts of PACE’s Representatives.</b>                  PACE’s experts, Dr. House and Zaininger often worked on the same issues, prepared and reviewed the same documents, and participated in the same events, which involves inefficient duplicative efforts. We observe this pattern in the discovery process area, PHC preparation and attendance, March 3, 2009 presentation, DEIR review and analysis, document review, testimony preparation and review, etc. To address the internal duplication problem, we consider who of the intervenors did less substantial work on the specific tasks<sup>11</sup>, and reduce the hours, accordingly.</p> <p><b>2. Excessive Time for Document Review</b>                  PACE’s timesheets include numerous document review tasks. We have analyzed these hours based on the length and contents of the documents reviewed. We notice unnecessarily excessive charges for these tasks. For example, Zaininger spent approximately 57.00<sup>12</sup> hours reviewing Edison’s application, 30 minutes reviewing a one-page procedural ruling (February 25, 2010), 3.00 hours reviewing PACE’s own draft opening testimony (March 10, 2010), etc. Similar pattern is observed in Dr. House’s timesheets (for example, September 24, 2008 or June 16, 2010, etc.). To compensate the amount of time reasonably required for a document review, we make disallowances reflected in the award.</p> <p><b>3. Excessive Hours to Prepare a Document</b>                  Hours PACE spent preparing a reply brief are excessive as compared to the length, complexity of the document or the amount of research. Both Dr. House and Zaininger spent, approximately, 15.25 hours (after a reduction of the clerical charges) to prepare a five-page reply brief, which we find unreasonable for the document of that length and complexity, and make a reduction in this area.</p>
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<sup>11</sup> For example, Dr. House spent 3 hours preparing PACE’s discovery request 1, while Zaininger spent 7.5 hours. We disallow Dr. House’s hours and allow Zaininger’s.

<sup>12</sup> We note that in several instances this task was combined with some other tasks (8/13/08, 8/14/08, and 9/26/08 timesheet entries). We adjusted this time to 54 hours, which is still excessive.

<p><b>4.B. Analysis of the Reasonableness of the Request and claimed contributions</b></p>	<p><b>4.B. Analysis of the Reasonableness of the Request and PACE’s Claimed Contributions</b></p>																																				
<p>Identification of irrigation and groundwater impacts; proposed mitigation measures.</p>	<p>PACE’s request identifies the following three areas to which PACE asserts its substantial contributions:</p> <ol style="list-style-type: none"> <li>1. Identification of irrigation and groundwater impacts, proposed mitigation measures (PACE’s code “Mit-W”);</li> <li>2. Immediate need for line construction (PACE’s code “Need”); and</li> <li>3. Alternative routes (mostly, 3A) (PACE’s codes Alt-M, Alt-E, and Alt-C).</li> </ol> <p>The table below shows PACE’s hours<sup>13</sup> distribution by issues, from the most to the least time-consuming:</p> <table border="1" data-bbox="496 646 1242 961"> <thead> <tr> <th>Issue Codes</th> <th>Dr. House</th> <th>Zaininger</th> <th>Total Hours</th> </tr> </thead> <tbody> <tr> <td>Alt-M</td> <td>59.50</td> <td>139.50</td> <td><b>199.00</b></td> </tr> <tr> <td>Alt-E</td> <td>29.75</td> <td>113.25</td> <td><b>143.00</b></td> </tr> <tr> <td>Alt-C</td> <td>2.00</td> <td>48.00</td> <td><b>50.00</b></td> </tr> <tr> <td>Gen</td> <td>15.50</td> <td>31.00</td> <td><b>46.50</b></td> </tr> <tr> <td>Mit-W</td> <td>19.75</td> <td></td> <td><b>19.75</b></td> </tr> <tr> <td>Mit/Alt<sup>14</sup></td> <td>2.75</td> <td></td> <td><b>2.75</b></td> </tr> <tr> <td>Need</td> <td>2.25</td> <td></td> <td><b>2.25</b></td> </tr> <tr> <td><b>TOTAL:</b></td> <td><b>131.50</b></td> <td><b>331.75</b></td> <td><b>463.25</b></td> </tr> </tbody> </table> <p>We have analyzed PACE’s substantial contribution statements in Part II.A based on the references PACE provides in support of these statements. We observe that while PACE’s referenced documents, in general, contributed to the final decision, the requested time does not measure up to the actual direct contributions. PACE produced for the record less than 40 pages of the substantive text and supporting documents. Of these pages, approximately only 20-25 relate to the PACE’s contributions.</p> <p>In subsequent sections we analyze PACE’s direct contributions to the three areas identified by PACE.</p> <p><b>Identification of irrigation and groundwater impacts; proposed mitigation measures (“Mit-W”).</b> To show its contributions to this issue, PACE refers to a groundwater quality consultant, Kenneth D. Schmidt’s comments on the DEIR; PACE’s own July 30, 2009 comments on the DEIR; its opening brief of March 11, 2010; and its May 24, 2010 comments on the proposed decision (PD). We observe several facts that render PACE’s hours requested for this issue excessive. First, PACE’s time records do not show any time spent preparing Kenneth Schmidt’s comments. Second, only a small portion of the text, less than one page, in PACE’s comments on the DEIR (FEIR at 3.1.-50) addresses the</p>	Issue Codes	Dr. House	Zaininger	Total Hours	Alt-M	59.50	139.50	<b>199.00</b>	Alt-E	29.75	113.25	<b>143.00</b>	Alt-C	2.00	48.00	<b>50.00</b>	Gen	15.50	31.00	<b>46.50</b>	Mit-W	19.75		<b>19.75</b>	Mit/Alt <sup>14</sup>	2.75		<b>2.75</b>	Need	2.25		<b>2.25</b>	<b>TOTAL:</b>	<b>131.50</b>	<b>331.75</b>	<b>463.25</b>
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<sup>13</sup> Numbers in the table are not necessarily precise, but they provide an accurate idea of the time distribution. Unfortunately, PACE does not provide allocation of its time by issues. See, D.98-04-059, at 47-48.

<sup>14</sup> Dr. House’s time records of April 26 and May 18 of 2010, are identified with this code, but PACE does not explain what issue it represents.

	<p>groundwater issue, and, almost entirely, by quoting from other parties. Third, two pages of the opening brief on this issue consist of the quotes from the FEIR, and recommendation that the Commission highlight in the PD the FEIR mitigation measures (Brief at 7-8). Finally, PACE’s comments on the PD urge the Commission, on less than 3 pages, to require SCE to demonstrate relocation of wells prior to construction. PACE’s and the Farm Bureau Federation’s position on this issue did not prevail (D.10-07-043, at 27). Considering PACE’s actual input, we view hours PACE requests for its contributions as excessive. To achieve a reasonable compensation, reflective of the actual direct contributions on this issue, we adjust PACE’s hours.</p>
<p>Immediate need for construction</p>	<p><b>Immediate need for line construction (“Need”).</b> PACE asserts that it countered SCE’s argument that there was an immediate need for the construction. We have analyzed PACE’s work in this area and determined that the PACE’s time reasonably corresponds to PACE’s contributions in this area.</p>
<p>Alternative Routes</p>	<p><b>Alternative Routes.</b> PACE focused its efforts in this proceeding, mostly, on creating an alternative route for the transmission line. The result of its efforts was developing the Alternative Route 3A that contributed to the discussion on the project although was not adopted. That alternative was developed by making a slight modification to the Alternative Route 3.<sup>15</sup> PACE requests hundreds of hours for this work.</p> <p>PACE supports its claim by providing references to its July 30<sup>th</sup>, 2009 comments on the DEIR; rebuttal testimony of July 31, 2009; opening brief, and comments on the PD. We observe several facts indicative of the excessiveness of the hours PACE requests for its work. Alternative 3A argument occupies one paragraph in the comments and approximately 12 pages of the substantive text and maps in Attachment 1 to the comments (FEIR at 3.1-53 through 3.1.-60). PACE’s rebuttal testimony was stricken at the evidentiary hearing (Reporter’s Transcript, 122:6-122:28) and did not contribute to the decision. In the opening brief, the 3A argument extends to slightly more than two pages plus maps, photos, and official property records in Appendix A (Opening Brief, at 8-11 and Appendix A). In PACE’s comments on the PD, the 3A argument occupies only three short paragraphs (May 24, 2010 comments at 2 and 6). We realize that even slight modification to the existing alternative route requires research to support the feasibility and environmental superiority of the project. However, clearly, hundreds of hours spent on this issue do not adequately reflect the PACE’s direct contributions in this proceeding and the amount of time required to create that alternative. In our award, we adjust the requested amount to achieve the reasonable compensable time, reflective of the actual direct contributions on this issue.</p>

<sup>15</sup> PACE’s comments on the DEIR, at FEIR, 3.1-50 and PACE’s notice of ex parte communication of April 28, 2010 at 1.

<p><b>Part 4 Conclusion.</b></p>	<p><b>Part 4 Conclusion.</b> Summarizing our observations, the requested hours are unreasonable due to the duplication of PACE’s representatives’ efforts, excessive document review and document preparation hours, and, finally, due to the unreasonable amount of the time spent on the issues on which PACE claims contributions as compared to PACE’s direct input on these issues.</p> <p>In the “Reasonableness of the Requested Compensation” section of its claim, PACE compares costs of its participation with the costs of the transmission line. We find this method to determine the claim’s reasonableness inaccurate. The request is reasonable if the cost of Claimant’s participation bear a reasonable relationship with benefits realized through participation.</p> <p>Judging from the direct impact PACE’s documents produced on the decision, including the fact that PACE’s positions on its most time-consuming issues did not prevail, the costs of PACE’s participation do not reasonably compare to the benefits realized through PACE’s participation. We recognize, however, the fact that PACE’s work was not limited to technical research, document preparation and contacts with the Commission staff. The Benefits of PACE’s participation best manifest themselves in connection with PACE’s outreach advocacy effort, discussed in Part 5.</p>
<p><b>5. PACE’s Outreach Advocacy Effort for 3A</b></p>	<p><b>5. PACE’s Advocacy Effort with Respect to 3A.</b></p> <p>We believe that the major aspect of PACE’s participation was its outreach activities. PACE was the only group that represented more than a few dozens SCE customers who could not afford to participate in this proceeding. If not for PACE, their interests would not be adequately represented.</p> <p>In addition to making direct contributions presented in its documents, PACE focused its efforts on gathering a public support for 3A and creating a pressure on the Commission to adopt the route as the best option for the project. In this aspect of its work, PACE’s activities included numerous communications with the public and PACE’s members.</p> <p>D.10-07-043 disagreed with most arguments related to the 3A, and agreed with FEIR’s conclusions (D.10-07-043 at 15, and 17-20). The decision confirmed FEIR in that 3A would not avoid or substantially lessen the project’s significant impact to agricultural resources relative to the environmentally superior Alternative 2, and that 3A would cause unique adverse impacts that could potentially be significant.</p> <p>Although PACE’s efforts advocating for 3A turned to be unproductive, we believe that PACE’s did an invaluable job educating the local community about the project, public participation in the Commission’s proceedings, including commenting on the DEIR. However, we also observe that PACE spent more time on this activity than it was necessary. We counted about 50 cases of interaction between PACE’s representatives and the public and between the representatives and other PACE’s members, including preparing and reviewing documents for PACE’s members. While we recognize the importance of</p>

	<p>outreach advocacy efforts, PACE does not provide information justifying the intensity of these activities and on how all of these hours were relevant to PACE’s claimed contributions. In fact, some work seems unnecessary: for example, meetings and driving alternative routes<sup>16</sup> 3A and 2 after the FEIR was published (Zaininger’s time record of March 3, 2010).</p>
<p><b>6. Contributions Not Listed by PACE</b></p>	<p><b>6. Contributions Not Listed in Part II.A.</b>  <b>PACE’s contributions to the issues not listed in the request.</b> Although PACE does not list these contributions in Part II.A, our research indicates that PACE’s analysis of the Alternative Routes 1, 2, and 3 substantially contributed to the Commission’s discussion and decision to reject Alternatives 1 and 3 and adopt the Alternative 2. We assume PACE’s work on these matters was recorded, in part, under PACE’s issue codes General (work on multiple issues), and, in part, under the codes Alt-E, ALT-C, and ALT-M. It is reflected in the opening brief (at 2, 4-7), a small portion of the reply brief (at 7), notices of ex parte communications, a small portion of the comments on PD (at 5), and, possibly, some other documents or communications.</p> <p><b>PACE’s Advocacy With Respect to Issues Other Than 3A.</b> Although not readily apparent from PACE’s time record, we assume that PACE’s outreach advocacy efforts concerned irrigation and ground water issues, disadvantages or advantages of the Alternative Routes 1, 2, and 3 or immediate need for the project. We base our thought on the premise that some of the work identified with the “General” code in the timesheets could concern these other issues.</p> <p><b>Community Outreach Effort.</b> Our observations on PACE’s advocacy efforts are supported by the California Farm Bureau Federation’s response to PACE’s request. According to that document, PACE played a very important role in enabling community-based participation in the proceeding and facilitating a “significant and broadly-based community engagement in the CPUC proceeding.”<sup>17</sup></p>
<p><b>Reduction</b></p>	<p>When calculating the final award, we carefully considered our findings regarding the expert work done by PACE, its role as a coordinator and community organizer, and the impact its work made on the final decision. We also considered that the hourly rate PACE requests for Zaininger does not exceed a medium rate range for experts with his years of experience. After our reductions and adjustments made in 1 – 3, we reduce Dr. House’s hours by the additional 25%, and Zaininger’s hours by the additional 40%.</p>

<sup>16</sup> We note that Zaininger investigated these routes, in person, more than once.

<sup>17</sup> California Farm Bureau Federation’s Response in Support of Request for Intervenor Compensation by PACE, filed 9/15/10, at 2.

7. Travel	Our disallowances of some of PACE's travel hours are set forth in this table:		
Date/Purpose of the Travel	Hours	Reason	
<b>Dr. House</b>			
3/3/2009 Presentation at the CPUC	3.00	Duplicates the tasks performed by Zaininger.	
Total 2009 travel:		3.00	
<b>Zaininger</b>			
10/10/08 Meeting with Dr. House	4.00	Travel to the meeting in person unnecessary when less expensive and less time-consuming communications means are available.	
11/19/08 PHC	7.50	Duplicates the tasks performed by Dr. House.	
7/13/09 Meeting with the Department of Fish and Game, to discuss the feasibility of the rerouting Alternative 3 around the ecological reserve.	6.50	Travel to the meeting unnecessary when less expensive and less time-consuming communications forms are available. In addition, the CPUC being the leading agency, Department of Fish and Game was not involved in determining the feasibility evaluation of the alternative routes.	
7/23/09 Public meeting in Visalia	7.00	No indication of how this task was necessary to make PACE's contributions to the final decision.	
8/31/09 Evidentiary hearings	3.00	Zaininger's testimony at the hearing was stricken. <sup>18</sup>	
3/3/10 Alternative 3A and 2, meeting with PACE	7.50	Unjustified by the circumstances of the proceeding, i.e. the similar travels have been undertaken earlier (see, entries of August 18 and October 27, 2008, and June 25, 2009); and the FEIR was already published.	
5/25/10 Oral argument	3.00	Duplicates the tasks performed by Dr. House.	
Total 2008 travel:		11.50	
Total 2009 travel:		16.50	
Total 2010 travel:		10.50	
We also disallow costs for these travels. See, Section 8, Direct Costs.			

<sup>18</sup> The Commission on numerous occasions indicated that information in PACE's testimony should not be presented at the evidentiary hearing but be directed to the Energy Division, as a part of the CEQA review (see, for example, Ruling on PACE's NOI of January 15, 2009, at 2). PACE's testimony was stricken because PACE did not follow the Commission's repeated directions on this issue. See, November 19, 2008 Prehearing Conference Reporter's Transcript, at 3:9-5:7, 14:1-19:11; 27:7-28:6; June 23, 2009 scoping ruling, at 5 and 6; January 15, 2009 ruling on PACE's NOI, at 2; ALJ Yacknin's correspondence of July 22, 2009; August 31, 2009 Evidentiary Hearing Reporter's Transcript at 100:6-18; 101:19-103:26.

<p><b>8. Intervenor Compensation Matters</b></p>	<p>On December 18, 2008, PACE filed a motion to file under seal documents supporting its NOI. On December 26, 2008, Lon spent 0.25 discussing with the CPUC Docket Office requirements for the motion; and on January 6, 2009, he again spent 1.00 hour discussing the same with the Docket Office and Public Advisor. Apparently, the motion, as originally submitted, did not satisfy the filing requirements. We allow compensation for the first discussion with the Docket Office; however, we disallow the one-hour subsequent discussions, as inefficient work. PACE appropriately charges hours related to this matter at half professional rate. We note that 0.50 hours of clerical work has already been deducted from the hours spent on the intervenor compensation matters.</p>																																										
<p><b>8. Direct Costs</b></p>	<p>We disallow travel costs, as follows:</p> <table border="1" data-bbox="500 674 1534 1675"> <thead> <tr> <th data-bbox="500 674 651 730">Date</th> <th data-bbox="651 674 963 730">Costs Disallowed</th> <th data-bbox="963 674 1534 730">Reason</th> </tr> </thead> <tbody> <tr> <td colspan="3" data-bbox="500 730 1534 783" style="text-align: center;"><b>Costs Incurred by Dr. House</b></td> </tr> <tr> <td data-bbox="500 783 651 835">11/19/08</td> <td data-bbox="651 783 963 835">Lodging \$153.01</td> <td data-bbox="963 783 1534 835">Undocumented costs.<sup>19</sup></td> </tr> <tr> <td data-bbox="500 835 651 926">3/3/09</td> <td data-bbox="651 835 963 926">Mileage 294 Parking, toll \$24.00</td> <td data-bbox="963 835 1534 926">Travel hours disallowed.</td> </tr> <tr> <td data-bbox="500 926 651 978">8/31/09</td> <td data-bbox="651 926 963 978">Lodging \$85</td> <td data-bbox="963 926 1534 978">Undocumented costs.</td> </tr> <tr> <td colspan="3" data-bbox="500 978 1534 1031" style="text-align: center;"><b>Costs Incurred by Zaininger</b></td> </tr> <tr> <td data-bbox="500 1031 651 1083">8/19/08</td> <td data-bbox="651 1031 963 1083">Lodging \$147.40</td> <td data-bbox="963 1031 1534 1083">Undocumented costs.</td> </tr> <tr> <td data-bbox="500 1083 651 1136">10/10/08</td> <td data-bbox="651 1083 963 1136">Mileage 250</td> <td data-bbox="963 1083 1534 1136">Travel hours disallowed.</td> </tr> <tr> <td data-bbox="500 1136 651 1226">3/3/09</td> <td data-bbox="651 1136 963 1226">Mileage 30</td> <td data-bbox="963 1136 1534 1226">We do not compensate mileage within the destination point.</td> </tr> <tr> <td data-bbox="500 1226 651 1278">7/13/09</td> <td data-bbox="651 1226 963 1278">Mileage 396</td> <td data-bbox="963 1226 1534 1278">Travel hours disallowed.</td> </tr> <tr> <td data-bbox="500 1278 651 1369">7/23/09</td> <td data-bbox="651 1278 963 1369">Mileage 437; lodging \$98.09</td> <td data-bbox="963 1278 1534 1369">Travel hours disallowed and costs are undocumented.</td> </tr> <tr> <td data-bbox="500 1369 651 1459">8/31/09</td> <td data-bbox="651 1369 963 1459">Mileage 30, BART \$11.00</td> <td data-bbox="963 1369 1534 1459">Travel hours disallowed.</td> </tr> <tr> <td data-bbox="500 1459 651 1512">3/3/10</td> <td data-bbox="651 1459 963 1512">Mileage 447</td> <td data-bbox="963 1459 1534 1512">Travel hours disallowed.</td> </tr> <tr> <td data-bbox="500 1512 651 1602">5/25/10</td> <td data-bbox="651 1512 963 1602">Mileage 30, BART \$11.00</td> <td data-bbox="963 1512 1534 1602">Travel hours disallowed.</td> </tr> </tbody> </table>	Date	Costs Disallowed	Reason	<b>Costs Incurred by Dr. House</b>			11/19/08	Lodging \$153.01	Undocumented costs. <sup>19</sup>	3/3/09	Mileage 294 Parking, toll \$24.00	Travel hours disallowed.	8/31/09	Lodging \$85	Undocumented costs.	<b>Costs Incurred by Zaininger</b>			8/19/08	Lodging \$147.40	Undocumented costs.	10/10/08	Mileage 250	Travel hours disallowed.	3/3/09	Mileage 30	We do not compensate mileage within the destination point.	7/13/09	Mileage 396	Travel hours disallowed.	7/23/09	Mileage 437; lodging \$98.09	Travel hours disallowed and costs are undocumented.	8/31/09	Mileage 30, BART \$11.00	Travel hours disallowed.	3/3/10	Mileage 447	Travel hours disallowed.	5/25/10	Mileage 30, BART \$11.00	Travel hours disallowed.
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<sup>19</sup> PACE was requested but was not able to provide copies of the travel cost receipts.

<p>We calculate the mileage costs based on the same costs that were adopted for the State travels, as follows: 2008 (July-December) – 0.585; 2009 – 0.550; 2010 – 0.500. We compensate PACE’s mileage accordingly.</p> <p>We also disallow the following other costs:</p>					
<b>Purpose of Incurring the Cost</b>		<b>Reason for Disallowing</b>		<b>\$\$</b>	
Overnight delivery of motion to file under seal and NOI to ALJ.		Overnight delivery not justified.		\$35.78	
Copies of opening and rebuttal testimony plus copies of cross-examination exhibit for distribution at hearing.		PACE’s testimony was presented at evidentiary hearings in violation of the Commission’s direction and procedure, and stricken.		\$35.07	
<b>Total Other Costs Disallowed</b>				<b>\$70.85</b>	
<p>In sum, we make the following disallowances:</p>					
	Mileage Costs	Travel Costs	Other Costs	Total Disallowed	Total Allowed
Dr. House	\$162.07	\$262.01	\$70.85	\$494.93	\$1,233.24
Zaininger	\$875.86	\$267.49	- 0 -	\$1,143.35	\$788.49

**PART IV: OPPOSITIONS AND COMMENTS**

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

No
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**B. Comment Period: Was the 30-day comment period waived (see Rule 14.6(c)(6)) (Y/N)?**

No
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If not:

Party	Comment	CPUC Disposition
	None	

**FINDINGS OF FACT**

1. Claimant has made a substantial contribution to Decision 10-07-043.
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 \$70,292.36.

**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 \$ 70,292.36.
2. Within 30 days of the effective date of this decision, Southern California Edison Company 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 October 30, 2010, the 75<sup>th</sup> day after the filing of claimant's request, and continuing until full payment is made.
3. The comment period for today's decision was not waived.

Dated January 13, 2011, at San Francisco, California.

MICHAEL R. PEEVEY  
President  
TIMOTHY ALAN SIMON  
NANCY E. RYAN  
Commissioners

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

<b>Compensation Decision:</b>	D1101021	<b>Modifies Decision?</b>
<b>Contribution Decision(s):</b>	D1007043	
<b>Proceeding(s):</b>	A0805039	
<b>Author:</b>	ALJ Yacknin	
<b>Payer(s):</b>	Southern California Edison Company	

**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>
Protect Agriculture Communities Environment	8/16/10	\$115,763	\$70,292.36	No	Inefficient work (internal duplication); excessive hours, non-compensable work (undocumented costs and clerical tasks), undocumented direct costs.

**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>
Lon W.	House	Policy Expert/Advocate	Protect Agriculture Communities Environment	\$275	2008 2009 2010	\$275
Hank	Zaininger	Expert	Protect Agriculture Communities Environment	\$180	2008 2009 2010	\$180

**(END OF APPENDIX)**