ALJ DIV/acr **Date of Issuance 4/26/2012**

Decision 12-04-044 April 19, 2012

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Pacific Gas & Electric Company for Authority, Among Other Things, to Increase Rates and Charges for Electric and Gas Service Effective on January 1, 2011. (U39M)	Application 09-12-020 (Filed December 21, 2009)
And Related Matter.	Investigation 10-07-027

DECISION GRANTING INTERVENOR COMPENSATION CLAIM OF GREENLINING INSTITUTE FOR SUBSTANTIAL CONTRIBUTIONS TO DECISION 11-05-018

Claimant: The Greenlining Institute	**For contribution to D.11-05-018**
Claimed ($): $181,904.50	**Awarded ($): $130,294.50 (reduction 28.3%)**
Assigned Commissioner: Michael Peevey	**Assigned ALJ: David Fukutome**
Claim Filed:	**7/12/2011**

PART I: PROCEDURAL ISSUES

A. Brief Description of Decision:	Adopts a settlement agreement resolving all but one issue, with modifications and clarification. Decides the one non-settled issue, ratemaking treatment for retired electromagnetic meters. Authorizes PG&E's 2011 revenue requirement increase, along with post-test year attrition.

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

	Claimant	CPUC Verified
Timely filing of notice of intent to claim compensation (§ 1804(a)):		
1. Date of Prehearing Conference:	Feb. 19, 2010	Correct
2. Other Specified Date for NOI:	n/a	
3. Date NOI Filed:	March 22, 2010	Correct
4. Has the notice of intent timely filed?		Yes
Showing of customer or customer-related status (§ 1802(b)):		
5. Based on ALJ ruling issued in proceeding number:	R.09-07-027	Yes
6. Date of ALJ ruling:	July 6, 2010	Yes
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.09-08-009	Correct
10. Date of ALJ ruling:	Jan. 10, 2011	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.11-05-018	Correct
14. Date of Issuance of Final Decision:	May 13, 2011	Correct
15. File date of compensation request:	July 12, 2011	Correct
16. Was the request for compensation timely?		Yes

C. Additional Comments on Part I:

#	Claimant	CPUC	Comment
1	X		The Commission has not ruled on Greenlining's Notice of Intent, which demonstrated Greenlining's eligibility.

PART II: SUBSTANTIAL CONTRIBUTION

A. Claimant's description 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
A. Economic Impacts of the Requested Rate Increase Greenlining's participation focused primarily on the potential economic impacts of the requested revenue requirement increase – both negative and positive.		We find that Greenlining substantially contributed to this issue.
Greenlining objected to the extraordinary amount of the increase requested (initially $1.101 billion over 2011's authorized revenue requirement in the test year alone), especially given the stagnant economic and employment climate. Greenlining argued that this impact would be most detrimental to low income ratepayers, already struggling with extremely high rates of disconnection.	Protest; PHC Statement pp. 1-4	
Greenlining also noted that there was great potential for economic benefit over the rate cycle, if managed appropriately. Greenlining advocated that infrastructure projects and the purchase of essential goods and services would stimulate California's economy if business was done with companies located in California, that employ ratepayers. Greenlining also cited low income energy efficiency, distributed renewable generation located in low income communities, and workforce development programs as ways to mitigate the economic impacts of the requested rate increases, especially for the most vulnerable classes of customers.	Protest, pp. 2-3; PHC Statement pp. 2, 4-5, 7-8. Direct Testimony of Ian Goodman, pp. 22-40	
Greenlining offered extensive expert		

testimony demonstrating that PG&E's claims of macroeconomic stimulus effects resulting from its requested increase were significantly overstated, effectively debunking the IHS Global Insight Study submitted as part of PG&E's direct testimony. In the Settlement Agreement adopted by the Decision, PG&E withdrew its job creation study, and the related testimony on economic impacts, as a result of the concerns raised by Greenlining and other parties. Greenlining argued that operations cost savings resulting from the switch to Smart Meters should be directed toward customer service and preventing service disconnections, especially in light of the potential for increased disconnections through the remote disconnect feature. Greenlining's arguments regarding Customer Service and Economic Develoment Rates, discussed in detail below, are very closely related to its arguments about mitigating the economic impacts of the requested revenue increase. The Decision, by adopting the Settlement Agreement, reduced the revenue request amount to $450 million, a reduction of 57% from PG&E's original request.	Direct and Rebuttal Testimonies of Ian Goodman. Motion for Adoption of the Settlement Agreement, p. 93. PHC Statement, pp. 8-9. Decision, p. 2.	
B. Customer Service Closely related to arguments on the economic impacts of the requested revenue increase, Greenlining argued that one essential way to help mitigate these impacts is to improve customer service to small businesses. Helping	PHC Statement, pp. 5-7.	According to its PHC statement, Greenlining saw this application as an opportunity to consider programs that serve small business customers and examine how customer services can more effectively address the needs of small business customers. (PHC Statement at 5-7, 9-10).

businesses become more efficient and manage their energy costs will help them remain afloat. To the extent that small businesses are strong and can employ local workers, those workers can better afford their utility and other bills. Greenlining also argued that savings resulting from increasing automation in customer service functions should be reinvested in customer service, focusing on customers with limited English proficiency, and those facing disconnection or struggling with repeat disconnections.	PHC Statement, pp. 9-10.	Although this goal was not fully accomplished, the Greenlining contributed on specific aspects of this issue.
C. Customer Retention and Economic Development Rates (Load Attraction & Retention) Greenlining argued that PG&E proposed to spend too much on customer retention and economic development rate programs, which focus on keeping large load customers in the service territory, but not necessarily on customers that created many jobs or other positive impacts on California's economy. Greenlining argued that these programs weren't actually developing the economy as much as they could if they focused on the latter type of customer rather than the former. As such, Greenlining advocated that, as currently structured, these programs are not cost effective and that the revenue request should be reduced by at least $2 million, if not eliminated altogether. The Settlement Agreement adopted in the Decision granted no additional funding for either customer retention or economic development rate programs. The Motion for Adoption of the Settlement Agreement notes the objections and recommendations of Greenlining, among other parties.	Direct Testimony of Ian Goodman, pp. 40-42. Motion for Adoption of the Settlement Agreement, pp. 52-53.	We find that Greenlining contributed to this issue.

D. Executive Compensation Greenlining also advocated that excessive administrative costs – specifically executive compensation – should be reduced to reduce the amount of money that is taken out of the service territory, but not put back in through capital investment, and the purchase of goods and services. Greenlining provided expert testimony that demonstrate that excessive executive compensation creates upward pressure on compensation across the company, elevating all salaries at the ratepayers' expense. The testimony also focused on the short-term and long-term incentive programs. Greenlining's expert noted that these bonus programs are too flexible in both design and enforcement, and as such they simply inflate costs to ratepayers, rather than incentivizing performance that benefits both company and customers. The Settlement Agreement adopted by the Decision reduces the STIP revenue requirement request by $45 million.	PHC Statement, p. 8. Direct Testimony of Michael Phillips. Motion for Adoption of the Settlement Agreement, pp. 19, 63-64.	We find that Greenlining provided substantial contributions in this area.
F. The Settlement Process & Agreement Greenlining participated in the full settlement process, including all conference calls with parties and all negotiations between parties and PG&E. Greenlining did not ultimately sign onto the settlement agreement, owing to a pending agreement of our own on our unique issues. Greenlining	Opening Comments on the Proposed and Alternate Decisions, pp. 1-3.	Greenlining entered into a separate settlement agreement with PG&E and was not a part of the settlement adopted in D.11-05-018, although participated in some settlement negotiations. We find that to the extent that it contributed to D.11-05-018, Greenlining contributed to the settlement negotiations.[1]

[1] See, our reasoning in D.00-07-046 at 6: "Although we sometimes find difficulty in evaluating the contribution of a customer in a settlement setting, we expect to continue to use our judgment and the discretion the Legislature has afforded us to award compensation to a party who participated in settlements when we find that party's contribution to our order or decision was substantial."

supported the settlement agreement in Comments on the Proposed and Alternate Decisions, as well as the additional requirements the decisions imposed on PG&E in conjunction with the agreement. Specific instances in which the adopted Settlement Agreement addressed issues raised by Greenlining are detailed under those specific issue areas, above.		
G. Ratemaking Treatment of Retired Electromechanical Meters Greenlining opposed any additional rate of return on retired electromechanical meters, citing public policy concerns and excessive costs in Smart Meter implementation. Greenlining argued that, should any rate of return be awarded, the Commission should urge and PG&E should agree to contribute the amount awarded to its REACH program, which assists low income customers at risk of disconnected through shareholder funded cash assistance. The Decision did award a rate of return on the retired meters, though reduced from PG&E's original request.	Opening Comments on the Proposed and Alternate Decisions, pp. 3-6; Reply Comments on the Proposed and Alternate Decisions. Decision, pp. 71-74.	Greenlining did not file briefs on this controversial issue, but supported TURN's position in the comments on the proposed decision[2]. The position advocated by TURN, Greenlining, and several other parties did not prevail; however, considering the amounts at stake and the complexity of this matter, we find, that pursuant to § 1802.5, Greenlining contributed on this issue by materially complementing TURN's presentation.

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

	Claimant	CPUC Verified
a. Was DRA a party to the proceeding?	**Yes**	Correct.
b. Were there other parties to the proceeding?	**Yes**	Correct.
c. If so, provide names of other parties: Western Power Trading Forum; Alliance for Retail Energy Markets; Equinix, Inc.; Direct Access Customer Coalition; The Utility Reform Network; Southern California Edison; California City-County Street Light Association; Energy Producers & Users Coalition; Engineers and Scientists of California Local 20; Women's Energy Matters; Consumer Federation of California;		Yes.

[2] Greenlining's March 14, 2011 comments on the proposed and alternate decisions, at 4-6.

California Farm Bureau Federation; Independent Energy Producers Association; Energy Management Services; San Diego Gas & Electric Company; Southern California Gas Company; Coalition of California Utility Employees; City & County of San Francisco; South San Joaquin Irrigation District; Disability Rights Advocates; Aglet Consumer Alliance; Merced Irrigation District; Modesto Irrigation District.	
d. Claimaint'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: Throughout any rate case, the parties more often than not coordinate their areas of focus and specific contributions, both to avoid duplication but also to maximize resources among them. This rate case was no exception. Where Greenlining's analysis overlapped with that of other organizations, it complemented rather than duplicated the latter. For example, in analysis of PG&E's economic impact testimony and the IHS Global Insight study, Greenlining's analysis was far more comprehensive than that of any other party. Additionally, it focused on the impacts the rate increase would have on low- and moderate-income communities. Greenlining also offered mitigation strategies, unlike other parties that addressed this issue. Greenlining's advocacy generally, in this proceeding as well as others, differs from that of other parties because of the difference in constituencies for which we advocate. Greenlining advocates for low income customers and for communities of color, which differentiates our position from that of general ratepayer advocates, and allows our positions to compliment each other, rather than duplicate.	Yes.

C. Additional Comments on Part II, Substantial Contribution:

#	Claimant	CPUC	Comment
Part II(A)	X		As noted above, the Commission chose not to adopt certain aspects of Greenlining's position. Even where the Commission did not ultimately agree with Greenlining's position, the availability of alternatives for consideration provided a more full, robust debate on the issues at hand. This range of options and perspectives allows the Commission to reach a sound, well reasoned decision, and thus constitutes a substantial contribution to the record and the decision-making process.
Part II(A)		X	Although the supplier diversity issue is not included in Part II, it shows in a large part of the Greenlining's time records. Goodman's and Rowan's timesheets specifically refer to this topic[3], and, because throughout Greenlining's time records a work on it was recorded under the A and C issues, the number of hours was even larger. This issue was not among the major issues of the proceeding, and was not specifically addressed in the settlement agreement approved in D.11-05-018. We find that Greenlining's hours and effort in this area were

[3] See, Goodman's time records dated May 24th through May 27th, and July 7th through August 6th, and Rowan's time records dated May 24th through August 6th, 2010.

			excessive.

PART III: REASONABLENESS OF REQUESTED COMPENSATION

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

Explanation by Claimant as to how the cost of its participation bore a reasonable relationship with benefits realized through participation	CPUC Verified
It is difficult to assign a precise dollar value to Greenlining's participation, given the large number of parties in the proceeding and the many issues under consideration. To the extent that Greenlining contributed to revenue requirement reductions, our advocacy resulted in quantifiable savings which, over time, will undoubtedly vastly exceed the cost of our participation. The savings in the test year alone amount to several hundred million dollars, which greatly outweigh the costs of Greenlining's participation.	With the adjustments and reductions set forth in this decision, the requested amount is reasonable

B. Specific Claim*:

CLAIMED						CPUC AWARD			
ATTORNEY AND ADVOCATE FEES									
Item	Year	Hours	Rate	Basis for Rate	Total $	Year	Hours	Rate	Total $
Stephanie Chen	2009	7.6	$125	D.10-10-013	$950.00	2009	7.60	$125.00	$950.00
Stephanie Chen	2010, until 8/23	76.40	$185	D.10-11-029	$14,911.0	2010, until 8/23	75.00	$125.00	$9,375.00
Stephanie Chen	2010 after 8/23	4.20	$185	D.10-11-029	$777.00	2010 after 8/23	4.20	$185.00	$777.00
Stephanie Chen	2011	11.0	$220	See Att. A	$2,420.00	2011	11.00	$185.00	$2,035.00
Enrique Gallardo	2010	59.4	$350	D.10-10-013	$20,790.00	2010	58.60	$350.00	$20,510.00
Enrique Gallardo	2011	10.6	$370	See Att. A	$3,710.00	2011	10.60	$350	$3,710.00
Samuel Kang	2009	2.5	$190	D.10-05-010	$475.00	2009	1.10	$190.00	$209.00
Samuel Kang	2010	12.0	$220	D.11-01-023	$2,640.00	2010	1.30	$220.00	$286.00
Alicia Miller	2010	9.5	$150	D.11-04-026	$1,435.00	2010	9.50	$150.00	$1,425.00
				Subtotal:	***$47,331.00***			***Subtotal:***	$39,277.00

EXPERT FEES									
Item	**Year**	**Hours**	**Rate**	**Basis for Rate**	**Total $**	**Year**	**Hours**	**Rate**	**Total $**
Ian Goodman	2010	367.0	$225	See Att. A	$82,575.00	2010	265.63	$225.00	$59,766.75
Brigid Rowan	2010	230.7	$175	See Att. A	$40,472.50	2010	113.00	$175.00	$19,775.00
Michael Phillips	2010	29.0	$360	See Att. A	$10,440.00	2010	29.00	$360.00	$10,440.00
				Subtotal:	***$133,387.50***			***Subtotal:***	***$89,981.75***
INTERVENOR COMPENSATION CLAIM PREPARATION **									
Item	**Year**	**Hours**	**Rate**	**Basis for Rate**	**Total $**	**Year**	**Hours**	**Rate**	**Total $**
Enrique Gallardo	2010	1.6	$175	D.10-10-013	$280.00	2010	1.60	$175.00	$280.00
Stephanie Chen	2010	0.4	$92.50	D.10-11-029	$37.00	2010	0.40	$62,50	$25.00
Stephanie Chen	2011	7.9	$110	See Att. A	$869.00	2011	7.90	$92.50	$730.75
				Subtotal:	***$1,186.00***			***Subtotal:***	$1,035.75
					TOTAL REQUEST: $181,904.50				**TOTAL AWARD: $130,294.50**

* 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.
** Reasonable claim preparation time typically compensated at ½ of preparer's normal hourly rate (the same applies to the travel time).

C. Additional Comments on Part III:

#	CPUC	Claimant	Comment
1		X	Greenlining waives claims for costs.

D. CPUC Comments, Reductions and Adjustments

#	Reason
Stephanie Chen, Enrique Gallardo. Administrative work	The Commission disallows compensation for work on internal administrative or clerical matters, because this work is subsumed in the intervenor's hourly rates.[4] On this basis, we disallow compensation for the outreach to potential expert witnesses (Chen, 2010, 1.40 hours), and research and contact potential experts (Gallardo, 2010, 0.8 hour).
Samuel Kang. Management Work	Kang appeared in this proceeding as the Managing Attorney. Chen and Gallardo performed all Greenlining's legal work in this proceeding. According to Attachment A to the claim, Chen had four years of experience appearing before the Commission in a variety of proceedings, including general rate cases. Gallardo had been appearing before the Commission in a variety of proceedings, including GRCs, for over 10 years. Based on their experience and work distribution, we find that Chen and Gallardo needed very little additional management guidance. Kang's work duplicated the rest of the team's efforts. We allow compensation for some of Kang's efforts that we consider efficient, such as his participation in an internal planning meeting at the inception of the proceeding (December 2, 2009) and two internal strategy meetings in 2010 – on February 16th (in advance of the PHC) and on September 30th (in advance of the October 15th motion for the adoption of the settlement agreement). Kang's hours in excess of what was reasonable should be disallowed, pursuant to § 1801. We disallow 1.40 hours of his work in 2009, and 10.70 in 2010.
Ian Goodman, Brigit Rowan. Work on Ian Goodman's Testimony	We find that hours spent on testimony preparation were necessary for the Greenlining's substantial contribution on the economic impacts of the requested rate increase issue. We also find these hours reasonable, considering the effort invested in the testimony, complexity of the materials and analysis involved, and the testimony's impact on the proceeding. We disallow, however, 6.67[5] hours Goodman spent correcting the testimony. As a general rule, corrections by a party of its own products are not compensable. We disallow 16 hours of Rowan's work preparing testimony for filing because Goodman had done that work on May 19th and June 4th, 2010.
Ian Goodman, Brigit Rowan. Work for the counsel (summarizing testimony and	Approximately, 46% of Goodman and Rowan hours were spent performing the following tasks: • Reviewing other parties' testimony; preparing memo to counsel summarizing testimony (Goodman's time records) • Reviewing other parties' testimony; preparing memos to counsel summarizing testimony & economics of supplier diversity (Goodman's time records) • Preparing memo to counsel summarizing economics of supplier diversity

[4] *See, e.g.*, D.98-11-049, 1998 Cal. PUC LEXIS 805, *5.1.3 ("Professional fees assume overheads and are set accordingly. We therefore deny additional recovery for clerical work.").

[5] Where a task, such as work on errata to the testimony, was combined in one time record with other tasks, we divided the recorded hours by a number of the tasks included in that record, to find out how much time was spent on that task.

writing memoranda)	(Rowan's time records). In its e-mail of February 28, 2012,[6] Greenlining explains that Goodman reviewed the testimony of other parties and prepared memos to Greenlining counsel summarizing that testimony. He also prepared a memo regarding the economic impacts of supplier diversity. Rowan, according to the February 28, 2012 e-mail, prepared a memo regarding the economic impacts of supplier diversity. Greenlining's counsel used these memos to prepare for the cross-examination of PG&E's Chris Johns and Bruce Fraser regarding the economic impacts of PG&E's proposed revenues, the number of jobs it would create, and the job-creation aspects of supplier diversity. These memos also prepared Greenlining in its participation in settlement discussions. Weighting the hours spent on the memos against the scope of the proceeding and Greenlining's substantial contributions and participation in it, we find that the magnitude of the testimony-summarizing and memo-writing tasks went far beyond what was reasonably required to prepare the counsel for the cross-examinations[7] and settlement discussions. As we indicated in CPUC's comments in Part II (C), work on the supplier diversity issue was unnecessarily time consuming. Furthermore, according to the Order of Witnesses and Cross Time,[8] Greenlining's issues comprised two general (policy overview and summary of PG&E's request) and two specific (customer inquiry assistance and customer retention and economic development) areas, with the total projected time of 0.50 hour. Certainly, these were approximate and preliminary estimates; however, one could see that the scope of Greenlining's plans for the hearings did not correspond to the expert work on the memos. We also believe that Goodman's comprehensive opening and rebuttal testimony should have provided sufficient information for the Greenlining's participation in the hearings and settlement negotiations. Finally, using these experts to do summaries was uneconomical and unreasonable. Based on these considerations, we disallow hours spent on these activities after the June 21, 2010 cross examination of Johns, as follows: Goodman – 40.70 hours, and Rowan – 74.70 hours. With regard to the hours recorded before the date June 21, 2010,[9] some reasonable amount of the testimony-summarizing and memo-writing work could have supported the Greenlining's position at the hearings and settlement negotiations. We allow one half of these hours, which more then sufficiently should cover these activities, based on our discussion, above, and disallow the rest as follows: Goodman – 54 hours; Rowan – 27 hours.

[6] Greenlining's e-mail of February 28, 2012, answering our request for clarification, can be found in the "Correspondence" file for this proceeding.

[7] See, evidentiary hearings transcripts of June 21, 2010, at 1060 – 1068 (cross-examination of Johns); of June 22, 2010, at 1185 – 1188 (cross-examination of Fraser). We note that Fraser's cross-examination by Chen revolved around executive compensation issues, addressed in Phillips's testimony.

[8] Attachment A to the joint case management statement filed on June 14, 2010.

[9] The following hours were recorded prior to June 21, 2010: Goodman – 107.63, and Rowan – 54.20 hours.

	The total number of the hours we disallow in this category: Goodman – 94.70 hours, Rowan – 101.70 hours.
Hourly Rate. Stephanie Chen	Greenlining requests, and we adopt, the hourly rate of $125 for Chen's work in 2009. This rate was previously approved for her work as a legal fellow in D.10-10-013. For her work in 2010, Chen requests the rate of $185 approved in D.11-01-023. That decision adopted an attorney's rate for Chen's work, relying on Greenlining's information. Later, in another proceeding, we checked the correctness of that information through the California State Bar's published database at http://members.calbar.ca.gov/fal/MemberSearch/QuickSearch, and found out that Chen was admitted to the California State Bar only on August 23, 2010. We stated: > Although Greenlining argues that Resolution (Res.) ALJ-267 provides a range of $200-$235 for attorneys with 3-4 years of experience, this argument has no merit, as Chen was not admitted to the State Bar of California until 8-23-10. … Therefore, the Commission rate range for attorneys [footnote omitted] does not apply to Chen's work in this proceeding. (D.11-12-017, at 17 -18). Following D.11-12-017 reasoning, we adopt the rate of $125 for Chen's work as an advocate performed before August 23, 2010, and $185 for her work performed after 8/23/10 as an attorney. For Chen's work in 2011, Greenlining requests the rate of $220, which is beyond the CPUC's rate range for attorneys with 0 – 2 years of experience. There are no cost-of-living adjustment increases authorized for professional rates in 2010 and 2011,[10] and Greenlining does not request a step increase.[11] Therefore, we extend the rate of $185 to Chen's work in 2011. We note that due to Greenlining's misleading information, Chen, from the beginning, was awarded a higher rate (for example, in D.10-10-013 and D.11-01-023) than if it were based on her actual attorney career.
Hourly Rate. Enrique Gallardo	Greenlining requests and we adopt the rate of $350 for Gallardo's work in 2010. That rate was approved in D.10-10-013. Greenlining requests the rate of $370 for Gallardo's work in 2011 but does not state reasons for the rate increase. Absent a request for the step increase, we extend the rate of $350 to Gallardo's work in 2011.
Hourly Rate. Samuel Kang	Greenlining requests and we approve the rates of $190 for Kang's work in 2009, and of $220 for Kang's work in 2010. These rates were adopted in D.10-05-010 and D.11-01-023.
Hourly Rate. Alicia Miller	Greenlining requests and we adopt the rate of $150 for Miller's work in 2010. This rate was adopted in D.11-04-026.

[10] See, Resolutions ALJ-235 and ALJ-247.

[11] "… we direct that any request for a step increase be clearly and separately explained in the compensation request, and include a statement on whether the requested step increase is the first or second such increase for that individual within a given level of experience." D08-04-010 at 12-13.

Hourly Rate. Ian Goodman	Greenling requests and we adopt the rate of $225 for Ian Goodman's work in 2010. Goodman is an expert with more than 30 years of experience in the areas of utility regulation and economics. Goodman's qualifications[12] and a high level of the work he performed in this proceeding justify the requested rate.
Hourly Rate. Brigit Rowan	Greenlining requests and we adopt the rate of $175 for Rowan's work in 2010, which is within the rate range for experts with 13+ years of experience. Rowan has over 15 years of experience in the areas of utility and regulatory economics, with a particular expertise in energy efficiency for lower-income customers, the planning and operations of hydroelectric systems, and extensive experience in marketing and communications in the energy field.
Hourly Rate. Michael Phillips	Greenlining requests and we adopt the rate of $360 for Phillips's work in 2010. His most recently adopted rate of $355 was for his work performed in 2007.[13] The requested rate is consistent with the cost-of-living adjustment authorized for the work performed in 2008 (D.08-04-010 at 10).

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(c)(6)) (Y/N)?	Yes

If not:

Party	Comment	CPUC Disposition

FINDINGS OF FACT

1. Claimant has made a substantial contribution to Decision (D.) 11-05-018.

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 $130,294.50.

CONCLUSION OF LAW

[12] Prepared Direct Testimony of Ian Goodman of May 19, 2010, at 1.

[13] This rate was adopted in D.09-12-043.

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

ORDER

1. Claimant is awarded $130,294.50.

2. Within 30 days of the effective date of this decision, Pacific Gas and Electric 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 September 25, 2011, the 75th day after the filing of claimant's request, and continuing until full payment is made.

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

4. This decision is effective today.

Dated April 19, 2012, at San Francisco, California.

MICHAEL R. PEEVEY
President
TIMOTHY ALAN SIMON
CATHERINE J.K. SANDOVAL
MARK J. FERRON
Commissioners

I abstain.

/s/ MICHEL PETER FLORIO
Commissioner

APPENDIX

Compensation Decision Summary Information

Compensation Decision:	D1204044	**Modifies Decision?**	**No**
Contribution Decision:	D1105018		
Proceeding(s):	A0912020, I1007027		
Author:	ALJ Division		
Payer:	Pacific Gas and Electric Company		

Intervenor Information

Intervenor	Claim Date	Amount Requested	Amount Awarded	Multiplier?	Reason Change/Disallowance
Greenlining Institute	7/12/11	$181,904.50	$130,294.50	No	Adjusted rates; non-compensable tasks (administrative work; corrections of the intervenor's testimony); duplicative efforts; inefficient work, excessive hours

Advocate Information

First Name	Last Name	Type	Intervenor	Hourly Fee Requested	Year Hourly Fee Requested	Hourly Fee Adopted
Stephanie	Chen	Advocate	Greenlining Institute	$125	2009	$125
Stephanie	Chen	Attorney	Greenlining Institute	$185	2010	$125 (advocate; prior to 8/23); $185 (attorney; after 8/23)
Stephanie	Chen	Attorney	Greenlining Institute	$220	2011	$185
Enrique	Gallardo	Attorney	Greenlining Institute	$350	2010	$350
Enrique	Gallardo	Attorney	Greenlining Institute	$370	2011	$350
Samuel	Kang	Attorney	Greenlining Institute	$190	2009	$190
Samuel	Kang	Attorney	Greenlining Institute	$220	2010	$220
Alicia	Miller	Attorney	Greenlining Institute	$150	2010	$150
Ian	Goodman	Expert	Greenlining Institute	$225	2010	$225
Brigid	Rowan	Expert	Greenlining Institute	$175	2010	$175
Michael	Phillips	Expert	Greenlining Institute	$360	2010	$360

(END OF APPENDIX)