

Decision 12-06-013 June 7, 2012

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

Order Instituting Rulemaking to Consider Smart Grid Technologies Pursuant to Federal Legislation and on the Commission's own Motion to Actively Guide Policy in California's Development of a Smart Grid System.

Rulemaking 08-12-009  
(Filed December 18, 2008)

**DECISION AWARDING COMPENSATION TO UTILITY CONSUMERS'  
ACTION NETWORK FOR SUBSTANTIAL CONTRIBUTION  
TO DECISION 11-07-056**

<b>Claimant:</b> Utility Consumers' Action Network	<b>For contribution to D.11-07-056</b>
<b>Claimed (\$): \$50,329.58</b>	<b>Awarded (\$): \$50,329.58</b>
<b>Assigned Commissioner:</b> Michael R. Peevey	<b>Assigned ALJ:</b> Timothy J. Sullivan

**PART I: PROCEDURAL ISSUES**

<b>A. Brief Description of Decision:</b>	Adopts Privacy Rules.
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**B. Claimant must satisfy intervenor compensation requirements set forth in Public Utilities Code §§ 1801-1812:**

	<b>Claimant</b>	<b>CPUC Verified</b>
<b>Timely filing of notice of intent to claim compensation (§ 1804(a)):</b>		
1. Date of Prehearing Conference:	N/A	
2. Other Specified Date for NOI:		
3. Date NOI Filed:	March 8, 2010	Correct.
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:	R.08-12-009	Correct.
6. Date of ALJ ruling:	March 26, 2010	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:	N/A	N/A
10. Date of ALJ ruling:	N/A	N/A
11. Based on another CPUC determination (specify):	D.10-10-012	Pursuant to § 1804(b), a rebuttable presumption of significant financial hardship established in D.10-03-020 extends to UCAN's participation in this proceeding.
12. Has the claimant demonstrated significant financial hardship?		Yes.
<b>Timely request for compensation (§ 1804(c)):</b>		
13. Identify Final Decision	D.11-07-056	Correct.
14. Date of Issuance of Final Decision:	July 28, 2011	Correct.
15. File date of compensation request:	August 22, 2011	Correct.
16. Was the request for compensation timely?		Yes.

**PART II: SUBSTANTIAL CONTRIBUTION**

**A. Claimant's description of its claimed contribution to the final decision.** (For each contribution, support with specific reference to final or record.)

<b>Contribution</b>	<b>Citation to Decision or Record</b>	<b>Showing Accepted by CPUC</b>
	<b>SPECIFIC REFERNCES TO UCAN</b>	
"UCAN supports the PD's adoption of FIP principles (at 18). FIP is a time-tested approach to policy development is to provide privacy protections and has withstood much evaluation and assessment over the years. The Commission is wise not to re-invent this well-traveled wheel." (UCAN June 2nd Comments, at 3)	UCAN strongly supported the FIP principles in Opening Comments, stating: For the purposes of protecting personal information, a time-tested approach to policy development is to utilize the Principles of Fair Information Practices. (D.11-07-056, "Decision" at 16)	Yes.
March 5, 2010 comments, at 41, and also:	UCAN supported a data minimization strategy with a few caveats. UCAN argued:	Yes.

<p>"UCAN noted in its opening comments that the potential for privacy to be compromised is minimized if the amount of personal and household information that is captured and retained by the utility and third-parties is limited. Data retention is an important subset of this issue" (November 8, 2010 Reply Comments, at 5)</p>	<p>...the potential for privacy to be compromised is minimized if the amount of personal and household information that is captured and retained by the utility and third-parties is limited. Data retention is an important subset of this issue. Personal information that is collected via Smart Grid systems should be retained only as long as needed for the purposes identified by the consumer. (Decision, at 69)</p>	
<p>"UCAN asserted that pricing data must incorporate the fully bundled rate per kWh rather than be limited to the commodity price. Two utilities -- SDG&amp;E and SCE -- appear to embrace this notion. PG&amp;E did not expressly address it and verbally indicated some potential hesitation about this requirement during the workshops. The ALJ indicated that he would require fully bundled rate data be provided to consumers. So UCAN is satisfied that this matter has been adequately addressed." (UCAN November 8, 2010 Reply Comments, at 2)</p>	<p>UCAN supported the provision of pricing data to customers, and argued that "[p]ricing data must incorporate the fully bundled rate per kWh rather than be limited to the commodity price." (Decision, at 102)</p> <p>Furthermore, the prices conveyed should, as UCAN recommends, state the "all in" price that customers pay for electricity. (Decision, at 103)</p>	<p>Yes.</p>
<p>"For the purposes of this phase of the case, UCAN submits that any Commission ruling make clear that enforcement of any of the rules adopted in this proceeding is essential." (UCAN November 8, 2010 Reply Comments, at 3)</p>	<p>UCAN also highlighted concerns over enforcement of privacy rules in its comments, and argued that there should be a utility role in vetting third party service providers. (Decision, at. 110)</p>	<p>Yes. Although not all of UCAN's recommendations regarding requirements for third party service providers were adopted, UCAN's participation provided information and argument that allowed the Commission to consider the full range of positions, thereby assisting the Commission's informed judgment based on a more complete record.</p>
<p>"...unless the privacy rules are legally</p>	<p>UCAN pointed out that "the IOUs currently have</p>	<p>Yes. Although not all</p>

<p>enforceable, they will be worth little more than the paper upon which they are printed. Prevention, in this case, would consist of a Commission registration process for third parties seeking access to Smart Grid data.” (UCAN June 2nd Comments, at 7)</p>	<p>monies allocated in their smart meter deployment and dynamic pricing customer education accounts that, if pooled, could be harnessed for such a pilot.” (Decision, at 113)</p> <p>There is also merit in UCAN’s recommendation of a registration process to certify third parties who offer energy services in California that require access to consumption data and to DRA’s recommendation of developing a Working Group. (Decision, at 114)</p>	<p>of UCAN’s recommendations regarding requirements for third party service providers were adopted, UCAN’s participation provided information and argument that allowed the Commission to consider the full range of positions, thereby assisting the Commission’s informed judgment based on a more complete record.</p>
<p>“There is definite value in the IOUs testing and certifying devices with this information being made available to customers participating in this pilot, and beyond. (PD, at 103). It will certainly assist with the development of the third-party market as well as ensure compliance with privacy rules.” (UCAN June 2nd Comments, at 7 and November 8, 2010 Reply Comments, at 3)</p>	<p>UCAN also highlighted enforcement in its comments, and argued that there should be a utility role in vetting third party service providers. (Proposed Decision, at 82)</p>	<p>Yes. Although not all of UCAN’s recommendations regarding requirements for third party service providers were adopted, UCAN provided additional viewpoints which helped provide a full record to form the basis of the decision.</p>
<p>“...unless the privacy rules are legally enforceable, they will be worth little more than the paper upon which they are printed. Prevention, in this case, would consist of a Commission registration process for third parties seeking access to Smart Grid data.” (UCAN June 2nd Comments, at 7)</p>	<p>Although there is merit in the registration approach recommended by TURN, UCAN, SDG&amp;E, and SoCalGas, this decision declines to adopt this approach because it is not necessary at this time. (Proposed Decision, at 84)</p>	<p>Yes. Although not all of UCAN’s recommendations regarding requirements for third party service providers were adopted, UCAN’s participation provided information and argument that allowed the Commission to consider the full range of positions, thereby assisting the Commission’s informed judgment based on a</p>

		more complete record.
"Pricing data must incorporate the fully bundled rate per kWh rather than be limited to the commodity price." (November 8, 2010 Reply Comments, at 1-2)	TURN, DRA, and UCAN provide strong support for the policy of providing "actionable" pricing data to consumers. (Proposed Decision, at 93) Furthermore, the prices conveyed should, as UCAN recommends, state the "all in" price that customers pay for electricity. (PD, at 94) Final decision adopts all-in pricing data. (D.11-07-056, at 118)	Yes.
No transcript of all-party meeting but verifiable by ALJ Sullivan.	Final decision eliminates much of the language identified by UCAN as problematic at the All-Party meeting with Commissioner Florio.	Yes.
<p><b>BUNDLED ELECTRIC PRICE</b></p> <p>"Pricing data must incorporate the fully bundled rate per kWh rather than be limited to the commodity price. In general, California utility rates are broken up into three different sets of prices: commodity, distribution and other fees. In general, the commodity prices are between one third to one half of the overall rate charged customers. In order for customers to get accurate pricing signals, the utilities must be communicating a fully bundled price." (UCAN Comments, October 15, 2010, at 2)</p> <p>[The "bundled" or "all in" measure of] "Price" is defined in the NIST Report as follows: "Price is a number associated with product characteristics, including delivery schedule, quality (reliability, power quality, source, etc.), and environmental and regulatory characteristics. Price also is a common abstraction for abundance, scarcity, and other market conditions. A common price model will define how to exchange data on energy characteristics, availability, and schedules to support efficient communication of information in any market." With the multitude of uses for both wholesale and retail price</p>	<p><b>BUNDLED ELECTRIC PRICE</b></p> <p>UCAN supported the provision of pricing data to customers, and argued that "[p]ricing data must incorporate the fully bundled rate per kWh rather than be limited to the commodity price." (Final Decision, at 102)</p> <p>"Furthermore, the prices conveyed should, as UCAN recommends, state the "all in" price that customers pay for electricity." (Final Decision, at 103)</p> <p>Finding of Fact 63: "It is reasonable for PG&amp;E, SCE, and SDG&amp;E to provide customers with an 'all in' price that the customers pay for electricity." (Final Decision, at 147)</p> <p>Ordering Paragraph 5: (last sentence) "...The prices must state an "all in" price the customers pay for electricity." (Final Decision, at 164)</p>	Yes.

<p>data, including real-time and near real-time data needs, “a common specification for price is critical for applications used across the Smart Grid.” (NIST Report, Section 5.5, at 83) (referenced in UCAN Comments, March 5, 2010, at 8)</p> <p>“Pricing specifications must be compatible with product definitions, i.e., wholesale prices must be applicable to the typical products available for wholesale energy transactions; retail prices must be applicable to Smart Meter usage measurements, i.e., hourly or 15-minute interval usage.” (UCAN, March 5, 2010, at 9)</p> <p><b>NOTE:</b> <i>The “bundled” or “all in” price includes, in addition to the commodity price, the cost of transmission and distribution, which includes the items contained in the NIST definition of price as in UCAN’s March 5 comments. This definition was described as the “bundled” or “all in” price to contrast with a commodity only price.</i></p>		
<p><b>COMMON DATA FORMAT TO SUPPORT MULTIPLE JURISDICTIONS</b></p> <p>“Also, since wholesale price data and system interoperability are also important objectives of utilities’ Smart Grid deployment, access to the price and usage data may transcend the jurisdictional boundaries requiring specific standards and protocols to ensure that data is useful across those boundaries and even more caution and security is necessary to maintain access to the low-cost price and usage data while not sacrificing</p>	<p><b>COMMON DATA FORMAT TO SUPPORT MULTIPLE JURISDICTIONS</b></p> <p>“The three utilities should propose a common data format to the extent possible and be consistent with ongoing national standards efforts.” (Final Decision, at 3)</p> <p>Ordering Paragraph 8: “The three utilities should propose a common data format to the extent possible and be consistent with ongoing national standards efforts.” (Final Decision, at 165)</p>	<p>Yes.</p>

confidentiality within and across jurisdictions.” (UCAN Comments, March 5, 2010, at 5)

“As smart meters are installed, uses and users will increase and information will need to meet a broader and consistent set of standards to ensure compatibility, consistency and confidentiality. In the end state, usage data must meet interoperability criteria.” (UCAN, March 15, 2010, at 7)

“With smart meters capable of providing immediate access to usage data under secure conditions to customers and authorized third parties, pricing data must be similarly accessible and in a compatible form with the energy usage data. To be assured that Smart Grid and smart meter capabilities are not squandered because of price and usage data limitations, rules must be established that conform the data specifications to their requirements.”(UCAN, March 5, 2010, at 8)

“The energy and pricing data from smart meters must be available in machine-readable format. Real-time data may contain missing values for which the utility uses interpolation protocols for billing purposes. Thus, real-time data acquired by the ESPs may not precisely reflect metered data used for billing purposes by the utilities.” (UCAN Comments, March 5, 2010, at 9)

“Prices must be convenient to access in the same time frame, including real-time and near real-time values, so calculations can be coordinated with

<p>real-time or near real-time energy usage.” (UCAN, March 5, 2010, at 9)</p> <p>“Standards for price definitions must be sufficiently robust to satisfy multiple jurisdictions and consistent with interoperability objectives.” (UCAN Comments, March 5, 2010, at 9)</p> <p>“Data provided to third parties must be available in machine-readable format and consistent with standards and protocols in place as the result of smart meter and Smart Grid deployment.” (UCAN Comments, March 5, 2010, at 10)</p> <p>“Raw real-time data may contain missing values for which utilities have interpolation protocols to facilitate billing...Any missing data interpolation should be expressly the responsibility of the third party accessing the data.” (UCAN Comments, March 5, 2010, at 10)</p> <p><b>NOTE:</b> <i>Many of the pricing principles that UCAN set forth in its March 5 comments were adapted to its October 15 comments. These principles addressed issues of data format, compatibility between price and energy usage and compatibility among multiple utility jurisdictions.</i></p>		
<p><b>ACTIONABLE PRICING DATA</b></p> <p>“As Smart Grid deployment progresses, including the installation of smart meters, the availability of price and usage data is even more critical than under Direct Access with hourly meters because of the broader range of users and uses of that metered data with these more sophisticated smart</p>	<p><b>ACTIONABLE PRICING DATA</b></p> <p>Finding of Fact 61: PG&amp;E, SCE, and SDG&amp;E should provide actionable pricing data to consumers. (Final Decision, at 147)</p> <p>“TURN, DRA, and UCAN provide strong support for the policy of providing “actionable” pricing data to consumers.” (Final Decision, at 3)</p>	<p>Yes.</p>

meters with two-way communication.”  
(UCAN, March 15, 2010, at 5)

“The prices that utilities, consumers and/or third parties may require in a Smart Grid enabled environment are both wholesale and retail prices designed to inform energy buying and selling decisions in the wholesale and retail markets, billing and cost effectiveness evaluations of (1) customer programs, (2) utility investments, and (3) third party product and service decisions.”  
(UCAN Comments, March 5, 2010, at 5)

“Making price data available to customers and authorized third parties should closely track the deployment of smart meters. SDG&E is proposing to install meters by local area. Thus once smart meters are installed in those areas, both price and energy data should be available to customers and third parties to make timely and cost effective energy use and energy saving decisions. Utilities will also have data to make decisions that affect planning and operations.” (UCAN, March 5, 2010, at 9)

“Pricing specifications must be compatible with product definitions, i.e., wholesale prices must be applicable to the typical products available for wholesale energy transactions; retail prices must be applicable to Smart Meter usage measurements, i.e., hourly or 15-minute interval usage.” (UCAN Comments, March 5, 2010, at 9)

“Prices must be convenient to access in the same time frame, including real-time and near real-time values, so

<p>calculations can be coordinated with real-time or near real-time energy usage.” (UCAN, March 5, 2010, at 9)</p>		
<p><b>CUSTOMER AUTHORIZATION FOR ACCESS TO ENERGY USE DATA</b></p> <p>“To implement the policies of the provision of retail and wholesale price information [requires] access to usage data through an agreement with third parties and access to usage information on a near real-time basis for customers with an Advanced Metering Infrastructure (AMI) meter.”(UCAN, March 15, 2010, at 5)</p> <p>“With access to data so easily communicated, third parties must have iron-clad agreements with their customers and the utility regarding how the data will be used. Data security is Paramount.” (UCAN Comments, March 5, 2010, at 9)</p> <p>“With access to data so easily communicated, third parties must have iron-clad agreements with their customers and the utility regarding how the data will be used. Data security is paramount.” (UCAN Comments, March 5, 2010, at 9)</p> <p>“To have access to real-time data, third parties must have a separate agreement with utilities regarding how the data will be accessed and used.” (UCAN Comments, March 5, 2010, at 10)</p> <p>“A separate written consent entered into by customers may be appropriate to access realtime data to mitigate any security problems that arise over and above the security problems associated with providing historical data.”</p>	<p><b>CUSTOMER AUTHORIZATION FOR ACCESS TO ENERGY USE DATA</b></p> <p>“As smart meters are deployed, direct access to the usage data is possible, including real-time access. Greater assurance of customer consent and a promise of data security is required with Smart Grid.” (Final Decision, at 7)</p> <p>Finding of Fact 51: “Under the rules adopted in this decision, no covered entity will obtain access to an individual’s consumption data without authorization from the individual except for that information used to meet a primary purpose, as defined in this decision.” (Final Decision, at 144)</p> <p>Finding of Fact 71: “It is reasonable to require SCE and PG&amp;E to provide access to a consumer’s usage data to an authorized third party at this time.” (Final Decision, at 148)</p>	<p>Yes.</p>

<p>(UCAN Comments, March 5, 2010, at 10)</p> <p><b>NOTE:</b> <i>These authorization issues were added as proposed changes to Attachment B in UCAN’s March 5 Comments to address proposed data access rules for third parties.</i></p>		
<p><b>BENEFITS TO CONSUMERS OF REAL TIME DATA</b></p> <p>“With the Smart Meters installed, meter data may also be made available in real time to customers and authorized third parties, assuming that data security can be assured.” (UCAN Comments, March 5, 2010, at 10)</p> <p>“The utility should not stand between the customer and its authorized third parties and the usage and pricing data necessary to inform decisions in a timely and efficient manner to make sure that customers and their providers can make timely and cost effective energy decisions.” (UCAN Comments, March 5, 2010, at 9)</p> <p>“Prices must be convenient to access in the same time frame, including real-time and near real-time values, so calculations can be coordinated with real-time or near real-time energy usage.” (UCAN, March 5, 2010, at 9)</p>	<p><b>BENEFITS TO CONSUMERS OF REAL TIME DATA</b></p> <p>“More specifically, ‘real-time, or near real-time, information supports energy management decisions and actions far more effectively than after-the-fact billing...The data standards will enable immediate and widespread benefit.’”<sup>1</sup></p>	<p>Yes.</p>

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

	Claimant	CPUC Verified
<b>a. Was DRA a party to the proceeding?</b>	Y	Yes.
<b>b. Were there other parties to the proceeding?</b>	Y	Yes.

<sup>1</sup> UCAN erroneously attributes this quote to the Decision. In fact, this quote is contained in UCAN’s March 7, 2010 Comments. In the Comments, UCAN attributed the quote to the “NIST Framework and Roadmap for Smart Grid Interoperability Standards.” The Decision, however, does address this issue and agrees that real-time and near real-time information is useful for customers. (Decision at 105-06).

<p><b>c. If so, provide name of other parties:</b> multiple</p>	<p>Yes.</p>
<p><b>d. Claimants description of how it coordinated with DRA and other parties to avoid duplication or how Claimant’s participation supplemented, complemented or contributed to that of another party:</b></p> <p>The intervenors cooperated by sharing drafting of a majority of the responses and submissions in the case. UCAN was active in development of legal briefs in response to questions posed by the Assigned Commissioners.</p>	<p>Yes. UCAN coordinated with other parties to avoid duplication.</p>

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

#	Claimant	CPUC	Comment
	<p>X</p>		<p>The Commission has also found that an intervenor can “make a valuable contribution by performing a reasonableness review to test the prudence of [a utility’s] decisions, procedures and actions.” (D.06-03-001, slip op. at 12.) This compensation request closely mirrors the UCAN compensation request made in A.06-06-010 and A.02-12-027. In the compensation decision (D.05-08-014) related A.02-12-027, the Commission found: “UCAN made numerous significant recommendations that were all considered, in the two proposed decisions of ALJ Long and of the original assigned Commissioner, Carl Wood.”</p> <p>Similarly, in D.06-03-001, the Commission wrote: D.05-08-037 did not adopt UCAN’s ratemaking recommendations. However, the proposed decision of ALJ Long did adopt most of UCAN’s Recommendations...As noted earlier, a participant may sometimes make a substantial contribution even when the participant’s positions are not adopted in the final determination of the issues considered in the proceeding...UCAN’s participation was critical to that examination, and we find that to that extent UCAN made a substantial contribution to D.05-08-037. (D.06-03-001, at 3-6)</p> <p>As is shown above, not only did the final decision adopt UCAN’s arguments but in some cases, but the ALJ’s proposed decision adopted UCAN’s recommendations as well. For these reasons, UCAN seek full compensation for all of its work in this application.</p>
	<p>X</p>		<p>Commission rules require that applications submit hourly sheets itemized by issue. However, in this case, there were only three issues; privacy, pricing and jurisdictional (legal). So UCAN has presented billing sheets broken down by those three topics for Mr. Shames. Mr. Croyle's expert work was limited to Data Access and Pricing.</p>
	<p>X</p>		<p>Much of Mr. Croyle's hours were compensated in Phase I of this proceeding. However, because the Phase I decision did not address data access and pricing issues, UCAN refrained from seeking compensation for the work that Mr.</p>

			Croyle had done in that Phase. However, given this Phase II decision adopting much of UCAN's recommendations offered in Phase I, UCAN deems it appropriate to seek compensation for the 13.5 hours not sought in Phase I.
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**PART III: REASONABLENESS OF REQUESTED COMPENSATION**

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

<b>Claimant’s explanation of how its participation bore a reasonable relationship with benefits realized through its participation. (include references to record, where appropriate)</b>	<b>CPUC Verified</b>
<p>While a pure balance of monetary savings for consumers against costs incurred cannot be established in this proceeding. UCAN’s costs in this proceeding were reasonable in light of the significant contribution UCAN made in helping the Commission and the ALJ reach decisions.</p> <p>For these reasons, we request that the Commission find that UCAN is a customer as defined in Public Utilities Code Section 1802(b) and has made the requisite showing of significant financial hardship, and is determined to be eligible to claim intervenor compensation in this proceeding.</p>	<p>The benefits to consumers in this proceeding were privacy protections. Therefore, purely monetary savings to the consumers resulting from UCAN’s participation in this proceeding are not readily ascertainable. However, UCAN’s contribution had important social and economic benefits for consumers. We find that UCAN’s efforts were productive.</p>

**B. Specific Claim:**

<b>CLAIMED</b>						<b>CPUC AWARD</b>			
<b>ATTORNEY AND ADVOCATE FEES</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>
Michael Shames	2010-2011	125.20 Attachment 1	330	D.10-10-012	\$41,316	2010-11	125.20	\$330	\$41,316
<i>Subtotal:</i>					<b>\$41,316</b>	<i>Subtotal:</i>			<b>\$41,316</b>
<b>EXPERT FEES</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>
David Croyle	2010	13.5 Attachment 2	\$225	D.10-03-020	\$3,031.50	2010	13.5	\$225	\$3,031.50
<i>Subtotal:</i>					<b>\$3,031.50</b>	<i>Subtotal:</i>			<b>\$3,031.50</b>
<b>OTHER FEES</b>									
Describe here what OTHER HOURLY FEES you are claiming (paralegal, travel, etc.):									

Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Year	Hours	Rate \$	Total \$
Travel-Shames	2010	26.3	165	D.10-05-013	<b>\$4,339.50</b>	2010	26.3	\$165	<b>\$4,339.50</b>
<i>Subtotal:</i>					Travel hrs identified in Attachment 1	<i>Subtotal:</i>			

**INTERVENOR COMPENSATION CLAIM PREPARATION \*\***

Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Year	Hours	Rate \$	Total \$
Michael Shames	2011	5.0 (comp request)	\$165	(1/2 of 2011 claimed rate)	<b>\$825.00</b>	2011	5.0	\$165	\$825.00
<i>Subtotal:</i>					<b>\$825.00</b>	<i>Subtotal:</i>			

**COSTS**

#	Item	Detail	Amount	Amount
1	Travel Costs	See Attachment 4 (itemization and (travel receipts)	\$817.58	\$817.58
<i>Subtotal:</i>			\$817.58	<i>Subtotal:</i> \$817.58
<b>TOTAL REQUEST \$:</b>			<b>\$50,329.58</b>	<b>TOTAL AWARD \$:</b>

When entering items, type over bracketed text; add additional rows as necessary.

\*If hourly rate based on CPUC decision, provide decision number; otherwise, attach rationale.

\*\*Reasonable claim preparation time typically compensated at 1/2 of preparer's normal hourly rate.

**C. Attachments or Comments Documenting Specific Claim (Claimant completes; attachments not attached to final Decision):**

Attachment or Comment #	Description/Comment
	<b>Certificate of Service</b>
1	<b>Michael Shames' hours</b>
2	<b>David Croyle's hours</b>
4	<b>Travel Costs &amp; Receipts</b>

**D. Additional Commission Comments on Part III:**

#	Reason
	Croyle's work on data access and pricing issues was performed as part of Phase I of the proceeding. However, UCAN's recommendations regarding data access and pricing issues were not adopted until Phase II. For this reason, not all of Croyle's hours were compensated during Phase I and UCAN now asks that a portion of Croyle's time be compensated in Phase II. We agree that the ideas developed in Phase I contributed to the

	Phase II decision and that these hours have not previously been compensated. Therefore we have included these hours for compensation. It should be noted that UCAN's Request for Compensation for Phase II inaccurately stated that UCAN had not previously requested compensation for the hours. In fact, UCAN did request compensation for these hours, but the compensation request was reduced on the basis that the work was excessive in proportion to the UCAN's Phase I contribution. This does not change the fact that UCAN has not yet been compensated for these hours.
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**PART IV: OPPOSITIONS AND COMMENTS**

**Within 30 days after service of this claim, Commission Staff or any other party may file a response to the claim (see § 1804(c))**

(CPUC completes the remainder of this form)

<b>A. Opposition: Did any party oppose the claim?</b>	No
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<b>B. Comment Period: Was the 30-day comment period waived (see Rule 14.6(2)(6))?</b>	Yes
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**FINDINGS OF FACT**

1. Utility Consumers' Action Network has made a substantial contribution to Decision (D.) 11-07-056.
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. The total of reasonable contribution is \$50,329.58.

**CONCLUSION OF LAW**

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

**ORDER**

1. Utility Consumers' Action Network is awarded \$50,329.58. Within 30 days of the effective date of this decision, Southern California Edison Company, San Diego Gas & Electric Company, and Pacific Gas and Electric Company shall pay Utility Consumers' Action Network their respective shares of the award. We direct Southern California Edison Company, San Diego Gas & Electric Company, and Pacific Gas and Electric Company to allocate the payment responsibility among themselves, based on their California-jurisdictional electric revenues for the second half of the 2010 calendar year, to reflect the period in which the proceeding leading to D.10-06-047 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 November 5, 2011, the 75<sup>th</sup> day after the

filing of Utility Consumers' Action Network'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 June 7, 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**

<b>Compensation Decision:</b>	D1206013	<b>Modifies Decision?</b> No
<b>Contribution Decision(s):</b>	D1107056	
<b>Proceeding(s):</b>	R0812009	
<b>Author:</b>	ALJ Timothy J. Sullivan	
<b>Payer(s):</b>	Southern California Edison Company, San Diego Gas & Electric Company, and Pacific Gas and Electric 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>
Utility Consumers' Action Network	8/22/11	\$50,329.58	\$50,329.58	No	N/A

**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>
Michael	Shames	Advocate	Utility Consumers' Action Network	\$330	2010/2011	\$330
David	Croyle	Expert	Utility Consumers' Action Network	\$255	2010	\$255

**(END OF APPENDIX)**