

Decision 07-06-040 June 21, 2007

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

Application of Pacific Gas and Electric Company (U 39-M) for Authorization, Among Other Things, to Increase Rates and Charges for Electric and Gas Service Effective on January 1, 2007.

Application 05-12-002  
(Filed December 2, 2005)

Order Instituting Investigation on the Commission's Own Motion into the Rates, Operations, Practices, Service, and Facilities of Pacific Gas and Electric Company (U 39-M).

Investigation 06-03-003  
(Filed March 2, 2006)

**OPINION AWARDED INTERVENOR  
COMPENSATION TO DISABILITY RIGHTS ADVOCATES  
FOR SUBSTANTIAL CONTRIBUTIONS TO DECISION 07-03-044**

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**OPINION AWARDING INTERVENOR  
COMPENSATION TO DISABILITY RIGHTS ADVOCATES  
FOR SUBSTANTIAL CONTRIBUTIONS TO DECISION 07-03-044**

**1. Summary**

This Opinion awards \$59,459 to Disability Rights Advocates (DisabRA) pursuant to Pub. Util. Code § 1801 *et seq.*,<sup>1</sup> for the reasonable costs it incurred for its substantial contributions to Decision (D.) 07-03-044. DisabRA is awarded \$3,823 less than it requested because DisabRA's substantial contributions were less than it claimed, DisabRA's requested hourly rate for one of its attorneys was too high, and DisabRA's printing and postage costs were excessive. Pacific Gas and Electric Company (PG&E) is required to pay the award no later than 30 days from the effective date of this Opinion. This proceeding remains open to address pending applications to rehear D.07-03-044.

**2. Background**

In Application (A.) 05-12-002, PG&E requested, among other things, authority to (1) increase its general rate case (GRC) revenue requirement, and (2) close all 84 of its front counters and to replace the front counters with Neighborhood Payment Centers (NPCs) operated by third parties.<sup>2</sup> All GRC issues except those associated with PG&E's proposal to close its front counters were resolved in D.07-03-044. Front-counter issues were resolved in a settlement agreement that was adopted by D.07-05-058.

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<sup>1</sup> All statutory citations are to the California Public Utilities Code.

<sup>2</sup> Front counters are places where customers can talk with PG&E customer service representatives, pay bills, start and stop service, and perform other transactions.

DisabRA raised several issues regarding access by disabled persons to front counters, NPCs, and sidewalks blocked by PG&E's construction activities. These issues were resolved in a memorandum of understanding (MOU) between DisabRA and PG&E that was adopted by D.07-03-044.

On May 14, 2007, DisabRA filed a request to receive compensation for its substantial contributions to D.07-03-044. There were no responses.

### **3. Overview of the Intervenor Compensation Program**

Pursuant to §§ 1801-1812, intervenors may be compensated for the reasonable costs they incur to participate in a Commission proceeding if all of the following requirements are satisfied:

1. The intervenor must be a customer or a participant representing consumers, customers, or subscribers of a utility subject to the Commission's jurisdiction. (§ 1802(b).)
2. The intervenor must file and serve a sufficient notice of intent (NOI) to claim compensation within 30 days of the prehearing conference (PHC) or other appropriate times. (§ 1804(a).)
3. The intervenor must file and serve a request for compensation within 60 days of a final order or decision. (§ 1804(c).)
4. The intervenor must demonstrate significant financial hardship. (§§ 1802(g), 1804(a)(2)(B), 1804(b)(1).)
5. The intervenor must have made a substantial contribution to the proceeding. (§§ 1802(i), 1803(a).)
6. The claimed fees and expenses must be reasonable. (§ 1806.)

Below, we first address whether DisabRA has satisfied the procedural requirements in Items 1-4. We will then review DisabRA's compliance with Items 5 and 6.

#### **4. Procedural Requirements**

To receive compensation, § 1802(b) requires an intervenor to be a utility customer. § 1802(b)(1) defines a “customer” as any one of the following: (A) a participant representing consumers, customers, or subscribers of a utility; (B) a customer’s authorized representative; or (C) a representative of a group or organization authorized by its articles of incorporation or bylaws to represent residential and/or small business customers. On March 7, 2006, the Administrative Law Judges (ALJ) then assigned to this proceeding ruled that DisabRA met the third definition of customer pursuant to § 1802(b)(1)(C).<sup>3</sup>

Section 1804(a)(1) requires an NOI to be filed within 30 days of the PHC. A PHC was held on January 23, 2006. DisabRA timely filed its NOI on February 22, 2006.

Section 1804(c) requires a request for compensation to be filed within 60 days of the final decision. D.07-03-044 was mailed on March 21, 2007. DisabRA timely filed its request on May 14, 2007.

Section 1804(a)(2)(B) requires a showing of significant financial hardship. DisabRA made this showing in its NOI. On March 7, 2006, the assigned ALJs ruled that DisabRA had demonstrated significant financial hardship pursuant to § 1802(g) because the economic interests of DisabRA’s individual members are small compared to the costs of effective participation in Commission proceedings.<sup>4</sup>

Based on the foregoing, we find that DisabRA has satisfied the procedural requirements to claim intervenor compensation with respect to D.07-04-033.

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<sup>3</sup> See ALJs’ Ruling Regarding Notices of Intent to Claim Compensation, dated March 7, 2006, at pp. 6, 7, and 12.

<sup>4</sup> Id.

## **5. Substantial Contribution**

In order to receive compensation, § 1803(a) requires a customer to make a substantial contribution to a Commission proceeding. § 1802(i) defines “substantial contribution” as follows:

"Substantial contribution" means that, in the judgment of the commission, the customer's presentation has substantially assisted the commission in the making of its order or decision because the order or decision has adopted in whole or in part one or more factual contentions, legal contentions, or specific policy or procedural recommendations presented by the customer. Where the customer's participation has resulted in a substantial contribution, even if the decision adopts that customer's contention or recommendations only in part, the commission may award the customer compensation for all reasonable advocate's fees, reasonable expert fees, and other reasonable costs incurred by the customer in preparing or presenting that contention or recommendation.

The assessment of whether a customer made a substantial contribution requires the exercise of judgment. If the customer's participation paralleled those of another party, we consider whether the customer's participation materially supplemented, complemented, or contributed to the presentation of the other party or to the development of a fuller record that assisted the Commission in making its decision. Should the Commission not adopt any of the customer's recommendations, it may still award compensation if the customer's participation substantially contributed to the proceeding in other ways.

DisabRA asserts that it made a substantial contribution to D.07-03-044 by that Decision's adoption of the MOU between DisabRA and PG&E.<sup>5</sup> D.07-03-044 contains the following observations about the MOU:

We find that the MOU is reasonable in light of the record and in the public interest because it requires PG&E, at a nominal cost to ratepayers, to (1) maintain and improve access to its local offices and pay stations by disabled persons; (2) enhance safe passage around PG&E's construction sites by disabled persons; and (3) determine the extent utility poles impede access to sidewalks and public rights of way by disabled persons. The MOU is consistent with the law because it promotes compliance with federal and state laws that protect the rights of people with disabilities to full and equal access to governmental programs, services and activities, and places of public accommodation...[T]here is sufficient information in the MOU to enable the Commission to implement and enforce the terms of the MOU. (D.07-03-044, *mimeo.*, pp. 257.)

D.07-03-044 also includes the following Finding of Fact, Conclusion of Law, and Ordering Paragraph regarding the MOU:

**Finding of Fact 32:** The...MOU...resolves the issues raised by [DisabRA] concerning the impact of PG&E's operations on disabled persons. There is no opposition to the MOU.

**Conclusion of Law 26:** The...MOU should be adopted because, for the reasons set forth in the body of today's Opinion, the MOU is reasonable in light of the whole records, consistent with law, and in the public interest.

**Ordering Paragraph 6:** The Memorandum of Understanding (MOU) between PG&E and Disability Rights Advocates in Appendix B of today's Opinion is adopted. PG&E shall comply with the MOU.

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<sup>5</sup> A copy of the MOU is contained in Appendix B of D.07-03-044.

DisabRA also claims one other substantial contribution to this proceeding. Specifically, DisabRA states that it participated in discussions among the parties regarding PG&E's proposal to close its front counters. During these discussions, DisabRA explained the importance of having enough payment locations so that disabled people, who often have a difficult time traveling, can access reasonably close payment locations. DisabRA also stressed during the discussions that payment locations should be accessible to people with disabilities.

With one exception, we find that DisabRA made a substantial contribution to this proceeding for the previously stated reasons. The one exception pertains to DisabRA's claim that it made a substantial contribution by participating in multi-party discussions regarding PG&E's proposal to close its front counters. D.07-03-044 did not address PG&E's proposal. Thus, DisabRA could not have made a substantial contribution to D.07-04-033 on this matter. Further, all issues regarding PG&E's proposal to close its front counters were resolved in a settlement agreement adopted by the Commission in D.07-05-058. DisabRA was not a party to that settlement agreement and did not submit comments on that settlement. Thus, there is no basis to conclude that DisabRA made a substantial contribution on this matter.

## **6. Reasonableness of Requested Compensation**

After we have determined the scope of a customer's substantial contribution, we next assess whether the amount of compensation requested by the customer is reasonable. DisabRA requests \$63,281.80 for its participation.<sup>6</sup> The details of DisabRA's requested compensation are as follows:

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<sup>6</sup> DisabRA made two minor arithmetic errors totaling 0.2 hours and \$9.00. The correct amounts are shown in today's Opinion.

| <b>Work on Proceeding</b>                                      |             |              |                    |                    |
|--|-------------|--------------|--------------------|--------------------|
| <b>Attorney/Staff</b>  | <b>Year</b> | <b>Hours</b> | <b>Hourly Rate</b> | <b>Total</b>       |
| Melissa Kasnitz  | 2005        | 0.7          | \$350              | \$ 245.00          |
| Melissa Kasnitz  | 2006        | 58.9         | \$360              | 21,204.00          |
| Melissa Kasnitz  | 2007        | 5.8          | \$390              | 2,262.00           |
| Roger Heller   | 2005        | 4.3          | \$220              | 946.00             |
| Roger Heller   | 2006        | 108.2        | \$260              | 28,132.00          |
| Roger Heller   | 2007        | 11.0         | \$290              | 3,190.00           |
| Paralegal/Law Clerks   | 2006        | 15.9         | \$90               | 1,431.00           |
| Paralegal/Law Clerks   | 2007        | 3.7          | \$100              | 370.00             |
| Summer Associate   | 2006        | 14.2         | \$100              | 1,420.00           |
| <b>Subtotal:</b>   |             | <b>222.7</b> |                    | <b>\$59,200.00</b> |
| <b>Preparation of NOI and Compensation Request<sup>7</sup></b> |             |              |                    |                    |
| <b>Attorney/Staff</b>  | <b>Year</b> | <b>Hours</b> | <b>Hourly Rate</b> | <b>Total</b>       |
| Melissa Kasnitz  | 2006        | 0.7          | \$180              | \$ 126.00          |
| Melissa Kasnitz  | 2007        | 1.6          | \$195              | 312.00             |
| Roger Heller   | 2006        | 1.1          | \$130              | 143.00             |
| Roger Heller   | 2007        | 16.6         | \$145              | 2,407.00           |
| Paralegal/Law Clerks   | 2007        | 1.2          | \$100              | 120.00             |
| <b>Subtotal:</b>   |             | <b>21.2</b>  |                    | <b>\$3,108.00</b>  |
| <b>Direct, Out-of-Pocket Expenses</b>                          |             |              |                    | <b>\$973.80</b>    |
| <b>Total Requested Compensation</b>                            |             |              |                    | <b>\$63,281.80</b> |

### 6.1. Claimed Hours

We first assess whether the number of hours claimed by the customer is reasonable. DisabRA requests compensation for 243.9 hours of work in this proceeding. DisabRA documented its claimed hours by presenting a daily breakdown of the hours of its attorneys and staff, accompanied by a brief description of each activity. The claimed hours included time spent on the following: (1) reviewing PG&E's testimony; (2) drafting and filing a protest, a

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<sup>7</sup> Hourly rates reduced 50% for preparation of the NOI and compensation request.

PHC statement, an NOI, and a compensation request; (3) visiting PG&E work sites; and (4) negotiating and drafting the MOU.

With one exception, we find that DisabRA has adequately documented the number of claimed hours and that the number of claimed hours is reasonable. The one exception concerns the time spent by DisabRA on matters that did not result in a substantial contribution, namely, issues pertaining to PG&E's proposal to close all of its front counters. DisabRA estimates that 5% of its total time was spent on these issues.

## **6.2. Hourly Rates**

We next consider whether the claimed hourly rates are reasonable. DisabRA requests hourly rates of \$350 and \$360 in 2005 and 2006, respectively, for work performed by attorney Melissa Kasnitz. We previously approved these hourly rates for Kasnitz in D.07-04-032,<sup>8</sup> and we adopt them here. DisabRA also requests an hourly rate of \$390 for work performed by Kasnitz in 2007. We approve the requested hourly rate for 2007 for two reasons. First, it is within the range of rates for attorneys with Kasnitz's experience (13+ years) set by the Commission in D.07-01-009.<sup>9</sup> Second, D.07-01-009 authorized an 8% increase in hourly rates for intervenors in 2007 (i.e., 3% cost-of-living increase plus a 5% step increase for an additional year of experience), rounded to the nearest \$5 increment.<sup>10</sup> DisabRA's requested increase for Kasnitz's hourly rate in 2007 is within the 8% range set by D.07-01-009.

DisabRA requests hourly rates of \$220 and \$260 in 2005 and 2006, respectively, for work performed by attorney Roger Heller. We previously

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<sup>8</sup> D.07-04-032, *mimeo.*, pp. 17 and 21, and Appendix A.

<sup>9</sup> D.07-01-009, *mimeo.*, p. 8 and Ordering Paragraph 3.

approved these hourly rates for Heller in D.07-04-032,<sup>11</sup> and we adopt them here. DisabRA also requests an hourly rate of \$290 for work performed by Heller in 2007. We will authorize an hourly rate of \$280, which represents an increase of 8% (i.e., 3% cost-of-living increase plus 5% step increase) over Heller's approved hourly rate for 2006. The adopted hourly rate for 2007 falls within the middle of the range of hourly rates for attorneys with Heller's level of experience (five to seven years) that was approved by the Commission in D.07-01-009.<sup>12</sup>

DisabRA requests hourly rates of \$90 and \$100 in 2006 and 2007, respectively, for work performed by law clerks and paralegals. We previously approved the requested hourly rate for 2006 in D.07-04-032,<sup>13</sup> and we adopt it here. We also adopt the requested hourly rate of \$100 for 2007, as the requested rate is less than the rates awarded to other intervenors for work performed by paralegals in 2006.<sup>14</sup>

Finally, DisabRA requests an hourly rate of \$100 in 2006 for work performed by a summer associate. We previously approved this hourly rate in D.07-04-032,<sup>15</sup> and we adopt it here.

### **6.3. Productivity**

In order to receive intervenor compensation, a customer must demonstrate that its participation was productive by showing that the cost of its participation bears a reasonable relationship to the benefits realized through its participation.

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<sup>10</sup> D.07-01-009, *mimeo.*, pp. 5-8, and Ordering Paragraphs 2 and 4.

<sup>11</sup> D.07-04-032, *mimeo.*, pp. 17 and 21, and Appendix A.

<sup>12</sup> D.07-01-009, *mimeo.*, p. 8 and Ordering Paragraph 3.

<sup>13</sup> D.07-04-032, *mimeo.*, pp. 17 and 21, and Appendix A.

<sup>14</sup> See, e.g., D.07-04-032, Appendix A.

<sup>15</sup> D.07-04-032, *mimeo.*, p. 17.

DisabRA’s participation resulted in the Commission’s adoption of the MOU, which requires PG&E to take specified actions to maintain and improve access to front counters, NPCs, and public sidewalks by disabled persons. DisabRA accomplished all of this at a claimed cost of \$63,280. Although it is not possible to quantify the benefits of DisabRA’s participation, it is clear that DisabRA’s participation resulted in substantial benefits to disabled person. Thus, we find that DisabRA’s participation was productive.

**6.4. Direct Expenses**

DisabRA requests \$973.80 for the following out-of-pocket costs incurred for its participation in this proceeding:

|                                    |          |
|------------------------------------|----------|
| <b>Litigation Support/Research</b> | \$41.11  |
| <b>Printing &amp; Photocopying</b> | \$707.50 |
| <b>Postage &amp; Delivery</b>      | \$154.13 |
| <b>Telephone &amp; Fax</b>         | \$46.31  |
| <b>Travel</b>                      | \$24.75  |
| <b>Total Out-of-Pocket Costs</b>   | \$973.80 |

DisabRA’s printing and postage costs sum to \$861.63 and constitute the bulk of DisabRA’s out-of-pocket costs. We find the requested printing and postage costs to be excessive when compared to similar costs requested by other intervenors in this proceeding.<sup>16</sup> Therefore, we will disallow \$500.80 of DisabRA’s requested expenses for printing and postage. DisabRA also requests \$24.75 for travel expenses. While the travel expenses are *de minimis* in this case,

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<sup>16</sup> Aglet Consumer Alliance and the Greenlining Institute have requested \$457.44 and \$344.29, respectively, for printing and postage costs in this proceeding. Each of these intervenors submitted and mailed substantially more documents in this proceeding than DisabRA.

we take this opportunity to advise intervenors that we will not award compensation in the future for routine commuting to Commission hearings or other work sites. We find the remainder of DisabRA's requested out-of-pocket expenses to be reasonable and commensurate with the work performed. This results in an awarded for out-of-pocket expenses of \$473.00.

## 7. Total Award

This Opinion awards intervenor compensation to DisabRA as set forth in the following table. The amount awarded is reduced by 5% to reflect a disallowance for time and effort that DisabRA expended on matters for which it did not make a substantial contribution:

| <b>Work on Proceeding</b>                                       |             |              |                    |                    |
|---|-------------|--------------|--------------------|--------------------|
| <b>Attorney/Staff</b>   | <b>Year</b> | <b>Hours</b> | <b>Hourly Rate</b> | <b>Total</b>       |
| Melissa Kasnitz   | 2005        | 0.7          | \$350              | \$245.00           |
| Melissa Kasnitz   | 2006        | 58.9         | \$360              | 21,204.00          |
| Melissa Kasnitz   | 2007        | 5.8          | \$390              | 2,262.00           |
| Roger Heller  | 2005        | 4.3          | \$220              | 946.00             |
| Roger Heller  | 2006        | 108.2        | \$260              | 28,132.00          |
| Roger Heller  | 2007        | 11.0         | \$280              | 3,080.00           |
| Paralegal/Law Clerks  | 2006        | 15.9         | \$90               | 1,431.00           |
| Paralegal/Law Clerks  | 2007        | 3.7          | \$100              | 370.00             |
| Summer Associate  | 2006        | 14.2         | \$100              | 1,420.00           |
| <b>Subtotal:</b>  |             | <b>222.7</b> |                    | <b>\$59,090.00</b> |
| <b>Preparation of NOI and Compensation Request<sup>17</sup></b> |             |              |                    |                    |
| <b>Attorney/Staff</b>   | <b>Year</b> | <b>Hours</b> | <b>Hourly Rate</b> | <b>Total</b>       |
| Melissa Kasnitz   | 2006        | 0.7          | \$180              | 126.00             |
| Melissa Kasnitz   | 2007        | 1.6          | \$195              | 312.00             |
| Roger Heller  | 2006        | 1.1          | \$130              | 143.00             |

<sup>17</sup> Hourly rates reduced 50% for preparation of the NOI and compensation request.

|                                       |      |             |       |                  |
|---------------------------------------|------|-------------|-------|------------------|
| Roger Heller                          | 2007 | 16.6        | \$140 | 2,324.00         |
| Paralegal/Law Clerks                  | 2007 | 1.2         | \$100 | 120.00           |
| <b>Subtotal:</b>                      |      | <b>21.2</b> |       | <b>3,025</b>     |
| <b>Direct, Out-of-Pocket Expenses</b> |      |             |       | <b>\$473</b>     |
| <b>Sub-Total of Costs</b>             |      |             |       | <b>\$62,588</b>  |
| <b>Less: 5% Disallowance</b>          |      |             |       | <b>(\$3,129)</b> |
| <b>TOTAL Award</b>                    |      |             |       | <b>\$59,459</b>  |

PG&E shall pay the amount awarded to DisabRA within 30 days from the effective date of this Opinion. The award shall accrue interest at the rate earned on prime, three-month commercial paper as reported in Federal Reserve Statistical Release H.15. The accrual of interest shall commence on July 28, 2007, which is the 75<sup>th</sup> day after the filing date of DisabRA's request for compensation on May 14, 2007, and shall continue until full payment is made.

Commission staff may audit DisabRA's records that are relevant to this award, and DisabRA must retain adequate accounting and records to support its claim for intervenor compensation. These records should identify specific issues for which DisabRA requested compensation, the actual time spent by each person for whom DisabRA requested compensation, the applicable hourly rate and fees, and any other costs for which compensation was claimed.

## **8. Waiver of the Comment Period**

This is an intervenor compensation matter. Therefore, the otherwise applicable 30-day period for public review and comment on this Opinion is waived pursuant to Rule 14.6(c)(6) of the Commission's Rules of Practice and Procedure (Rule).

## **9. Assignment of Proceeding**

John A. Bohn is the assigned Commissioner and Timothy Kenney is the assigned ALJ for this proceeding

### **Findings of Fact**

1. DisabRA has satisfied all the procedural requirements necessary to claim compensation in this proceeding.
2. DisabRA made substantial contributions to D.07-03-044, as described in the body of this Opinion.
3. DisabRA requested hourly rates for its representatives, as adjusted herein, are reasonable when compared with the market rates for persons of similar training and experience.
4. The direct, out-of-pocket expenses requested by DisabRA, as adjusted herein, are reasonable and commensurate with the work performed.
5. As set forth in the body of this Opinion and Appendix B, DisabRA incurred \$59,459 in reasonable costs for its substantial contributions to D.07-03-044.
6. Following the issuance of today's Opinion, this proceeding will remain open to address pending applications to rehear D.07-03-044.

### **Conclusions of Law**

1. DisabRA has fulfilled the requirements of §§ 1801-1812 and should be awarded \$59,459 for the reasonable costs it incurred for its substantial contributions to D.07-03-044.
2. The review and comment period for this Opinion should be waived pursuant to Rule 14.6(c)(6).
3. The following order should be effective immediately so that the intervenor compensation awarded therein may be paid expeditiously.

**O R D E R**

**IT IS ORDERED** that:

1. Disability Rights Advocates (DisabRA) is awarded \$59,459 in compensation for its substantial contribution to Decision (D.) 07-03-044.
2. Pacific Gas and Electric Company shall pay \$59,459 to DisabRA no later than 30 days from the effective date of this Order. This amount shall accrue interest at the rate earned on prime, three-month commercial paper as reported in Federal Reserve Statistical Release H.15. The accrual of interest shall commence on July 28 2007, the 75<sup>th</sup> day after the filing date of DisabRA's request for compensation on May 14, 2007, and shall continue until full payment is made.
3. The review and comment period for today's Opinion is waived.
4. This proceeding remains open to address pending applications to rehear D.07-03-044.

This Order is effective today.

Dated June 21, 2007, at San Francisco, California.

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



**Appendix A:**  
**List of Appearances**  
**A.05-12-002 and I.06-03-003**

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

|                                  |                                   |
|----------------------------------|-----------------------------------|
| <b>Compensation Decision(s):</b> | D0706040                          |
| <b>Contribution Decision(s):</b> | D0703044                          |
| <b>Proceeding(s):</b>            | A0512002, I0603003                |
| <b>Author:</b>                   | ALJ Kenney                        |
| <b>Payer(s):</b>                 | Pacific Gas and Electric Company. |

**Intervenor Information**

| <b>Intervenor</b>           | <b>Claim Date</b> | <b>Amount Requested</b> | <b>Amount Awarded</b> | <b>Reason Change/ Disallowance</b>  |
|-----------------------------|-------------------|-------------------------|-----------------------|---|
| Disability Rights Advocates | 5/14/07           | \$63,281.80             | \$59,459              | Claimed substantial contribution and direct expenses disallowed; requested hourly rate reduced. |

**Advocate Information**

| <b>First Name</b> | <b>Last Name</b> | <b>Type</b>  | <b>Intervenor</b>           | <b>Hourly Fee Requested</b> | <b>Year</b> | <b>Hourly Fee Adopted</b> |
|-------------------|------------------|--------------|-----------------------------|-----------------------------|-------------|---------------------------|
| Melissa           | Kasnitz          | Attorney     | Disability Rights Advocates | \$350                       | 2005        | \$350                     |
| Melissa           | Kasnitz          | "            | Disability Rights Advocates | \$360                       | 2006        | \$360                     |
| Melissa           | Kasnitz          | "            | Disability Rights Advocates | \$390                       | 2007        | \$390                     |
| Roger             | Heller           | "            | Disability Rights Advocates | \$220                       | 2005        | \$220                     |
| Roger             | Heller           | "            | Disability Rights Advocates | \$260                       | 2006        | \$260                     |
| Roger             | Heller           | "            | Disability Rights Advocates | \$290                       | 2007        | \$280                     |
| Paralegal         |                  | Paralegal    | Disability Rights Advocates | \$90                        | 2006        | \$90                      |
| Paralegal         |                  | Paralegal    | Disability Rights Advocates | \$100                       | 2007        | \$100                     |
| Legal Intern      |                  | Legal Intern | Disability Rights Advocates | \$100                       | 2006        | \$100                     |

**(END OF APPENDIX B)**