

Decision 08-11-028 November 6, 2008

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Rita Boppana,

Complainant,

vs.

Southern California Gas Company,

Defendant.

Case 00-05-010
(Filed May 11, 2000)

And Related Matters.

Case 00-05-011
Case 00-05-012

**DECISION GRANTING INTERVENOR COMPENSATION
TO THE GRASSROOTS COALITION FOR
SUBSTANTIAL CONTRIBUTIONS TO DECISION 07-12-035**

TABLE OF CONTENTS

Title	Page
DECISION GRANTING INTERVENOR COMPENSATION TO THE GRASSROOTS COALITION FOR SUBSTANTIAL CONTRIBUTIONS TO DECISION 07-12-035.....	2
1. Background.....	2
2. Requirements for Awards of Compensation.....	4
3. Procedural Issues.....	6
3.1. Filing a Timely Notice of Intent (NOI) to Claim Compensation.....	6
3.2. Meeting the Definition of “Customer”	6
3.3. Filing a Timely Request for Compensation	8
3.4. Demonstrating Significant Financial Hardship	9
4. Substantial Contribution	10
4.1. Contributions to D.07-12-035	10
5. Reasonableness of Requested Compensation	14
5.1. Hours Related to and Necessary for Substantial Contribution	15
5.2. Hourly Rates.....	16
6. Productivity	17
7. Award.....	17
8. Waiver of Comment Period	18
9. Assignment of Proceeding	18
Findings of Fact.....	19
Conclusions of Law	19
ORDER	20
APPENDIX A	

**DECISION GRANTING INTERVENOR COMPENSATION
TO THE GRASSROOTS COALITION FOR
SUBSTANTIAL CONTRIBUTIONS TO DECISION 07-12-035**

This decision awards Grassroots Coalition (GR) \$138,030 in compensation for its substantial contributions to Decision (D.) 07-12-035 for the time period May 2000 through December 2007 on the three complaint proceedings, Case (C.) 00-05-010, C.00-05-011 and C.00-05-012. This decision denies GR compensation for its contributions to Application (A.) 99-05-029.

Today's award is \$6,412 less than what GR requests because we disallow compensation for GR's work on A.99-05-029 performed prior to the filing of the three complaints, and we reduce the amount of the hourly rate for preparation of the request for compensation. Proceedings C.00-05-010, C.00-05-011 and C.00-05-012 are closed.

1. Background

On May 12, 1999, Southern California Gas Company (SoCalGas) filed an A.99-05-029 to value and sell 36 unimproved lots that were no longer "necessary or useful" to SoCalGas' Playa del Rey (PDR) gas storage facility. Twelve of these lots are located over abandoned and capped oil or gas wells that were once used as observation or monitoring wells for the gas storage facility. All of these lots are now scattered throughout residential neighborhoods in PDR and Marina del Rey. The Division of Ratepayer Advocates (DRA, formerly Office of Ratepayer Advocates) filed a response urging the Commission to ensure that the ratepayers shared from the gain on sale. GR, Friends of Animals, Ballona Wetlands Forever, Spirit of the Sage Council and Bernard Endres (collectively, GR) protested the lot sale on the grounds that they felt that SoCalGas needed to keep these lots to have access to monitor for gas leaks, to repair or recap the wells and to provide a buffer between the wells and the residential homes in the area.

The Commission determined that an analysis under California Environmental Quality Act (CEQA) was required to guide the Commission's decision on the application.

One year later, on May 11, 2000, three complaints¹ were filed by three residents of the area surrounding the SoCalGas PDR gas storage facility—the same area where the 36 abandoned lots SoCalGas wanted to sell were located. The complaints alleged that SoCalGas' storage facility had released gas into the atmosphere and that its storage reservoir leaked gas. GR represented the complainants and other concerned PDR residents in pursuing claims against the gas company relative to the gas storage reservoir.

For the next six years the application and the three complaints proceeded on parallel, but separate tracks, and involved many of the same parties and issues. Numerous times, joint hearings and public participation hearings were scheduled, with notices sent to the service list for the application as well as the complaints, and data gathered in one proceeding was used in the other.

The environmental analysis for A.99-05-029 was completed, and the Commission issued D.06-04-032, on April 13, 2006, certifying the environmental report and authorizing SoCalGas to proceed with the sale of the lots.

The three complaints, however were still outstanding. The complaints were set for evidentiary hearings, the hearings began, and were suspended so that the parties could pursue mediation. SoCalGas and GR met on several occasions, with the assistance of a Commission-appointed mediator, to address

¹ From their inception, the three complaint proceedings were treated as consolidated matters. Scoping Ruling and Memo of March 7, 2005 re-affirmed their status by

Footnote continued on next page

whether the cases could be settled. GR and SoCalGas reached an agreement, prepared a joint motion for adoption of the settlement agreement, and on December 20, 2007, the Commission adopted the settlement agreement in D.07-12-035.

Settlement

The Settlement Agreement (SA) addresses the key health and safety concerns raised in the complaints: “whether the SoCalGas PDR gas storage facility is leaking or venting gas or depositing carcinogens into the air or soil to the detriment of the health or safety of the neighboring community.”²

To accommodate the concerns raised by GR, SoCalGas agreed to take specific actions that are set forth with particularity later in this decision. While SoCalGas denied all the allegations brought in the three complaints and others raised by GR during the pendency of the proceedings, SoCalGas agreed to undertake the additional safety and monitoring activities to assuage the PDR community that it is operating the gas storage facility in a safe and healthy manner.

2. Requirements for Awards of Compensation

The intervenor compensation program, enacted in Pub. Util. Code §§ 1801-1812,³ requires California jurisdictional utilities to pay the reasonable costs of an intervenor’s participation if the intervenor makes a substantial

consolidating them for evidentiary hearings. The three complaints were resolved by one decision, D.07-12-035.

² Scoping Memo, issued March 7, 2005, p. 3.

³ All subsequent statutory references are to the Public Utilities Code unless otherwise indicated.

contribution to the Commission's proceedings. The statute provides that the utility may adjust its rates to collect the amount awarded from its ratepayers.

All of the following procedures and criteria must be satisfied for an intervenor to obtain a compensation award:

1. The intervenor must satisfy certain procedural requirements including the filing of a sufficient notice of intent (NOI) to claim compensation within 30 days of the prehearing conference (PHC) or, in special circumstances, at other appropriate times that we specify. (§ 1804(a); Rule 17.1(a) of the Commission's Rules of Practice and Procedure.)
2. The intervenor must be a customer or a participant representing consumers, customers, or subscribers of a utility subject to our jurisdiction. (§ 1802(b).)
3. The intervenor must file and serve a request for a compensation award within 60 days of our final order or decision in a hearing or proceeding. (§ 1804(c).)
4. The intervenor must demonstrate "significant financial hardship." (§§ 1802(g), 1804(b)(1).)
5. The intervenor's presentation must have made a "substantial contribution" to the proceeding, through the adoption, in whole or in part, of the intervenor's contention or recommendations by a Commission order or decision or as otherwise found by the Commission. (§§ 1802(i), 1803(a).)
6. The claimed fees and costs must be reasonable (§ 1801), necessary for and related to the substantial contribution (D.98-04-059), comparable to the market rates paid to others with comparable training and experience (§ 1806), and productive (D.98-04-059).

3. Procedural Issues

3.1. Filing a Timely Notice of Intent (NOI) to Claim Compensation

Under § 1804(a)(1) and Rule 17.1(a)(1), a customer who intends to seek an award of intervenor compensation must file an NOI in a timely manner. In a proceeding that includes a PHC, the intervenor must file and serve its NOI between the initiation date of the proceeding and 30 days after the first PHC. (Rule 17.1(a)(1).) GR filed its NOI on September 24, 2001, within 30 days of a PHC. A ruling by Administrative Law Judge (ALJ) Carol A. Brown, October 26, 2001, determined that GR timely filed its NOI. In addition, the ALJ ruling found that GR fulfilled the requirements of § 1804(a)(2)(A) by providing a statement of the nature and extent of its planned participation and an itemized estimate of the projected compensation.

3.2. Meeting the Definition of “Customer”

Section 1802(b)(1) defines “customer” as: (A) a participant representing consumers, customers or subscribers of a utility; (B) a representative who has been authorized by a customer; or (C) a representative of a group or organization authorized pursuant to its articles of incorporation or bylaws to represent the interests of residential or small business customers. GR identifies itself as a 501(c)(3) non-profit citizen advocacy group representing the interests of PDR residents and customers of SoCalGas in investigating the operations of the PDR gas storage facility. To bolster its claim, GR submits a copy of its Bylaws to show that it is a Customer under Category 3 representing the interests of residential customers:

“this organization will work through the use of adequate science done in a truthful and honest fashion, incorporating as much as possible a systems analysis approach. This process will be used to illuminate for the

public their choices, so that they may be made based upon knowledge and truthful information. In pursuit of the above goal, this organization will work to monitor governmental entities and corporate America, to ensure that these institutions are operated in a lawful, truthful manner for the good of the people, as intended, including representing residential and commercial customers and consumers who will be impacted by corporate America by participating in governmental proceedings.”⁴

SoCalGas challenged the customer status of GR and in particular noted that GR’s bylaws do not mention representing “utility” customers. We reviewed GR’s Bylaws and the requirements of the Intervenor Compensation statute and succeeding cases in light of SoCalGas’ comments. The GR individuals spent many hours on the complaint matters, hours that other PDR SoCalGas customers could not commit to this cause. At least two PPHs were held in the PDR area and both were very well attended by concerned citizens of the PDR and Marina del Rey area. As evidenced by the large turn-outs at these hearings, the operation of the SoCalGas PDR gas field was a serious concern of the neighbors of the gas field. GR represented the interests of these neighbors and community members throughout the proceeding. While we agree with SoCalGas that GR does not fit the usual profile of an intervenor before the Commission, we find that an inclusive reading of both the statute and GR’s bylaws allows for an interpretation that GR represents the interests of the residential ratepayers of SoCalGas and therefore GR is a customer as defined in § 1802(b)(1)(C).

⁴ GR Bylaws, Attachment 1 to Request for Compensation.

3.3. Filing a Timely Request for Compensation

GR filed its request for compensation on February 19, 2008, within 60 days of the issuance of D.07-12-035, in the three complaint matters, C.00-05-010, C.00-05-011 and C.00-05-012, on December 21, 2007.

On March 20, 2008, SoCalGas filed a Response to Request for Intervenor Compensation, asking the Commission to deny the request or significantly reduce the requested amount. SoCalGas' main contentions are that GR has not demonstrated its customer status within the meaning of § 1802(b)(1); that GR has not demonstrated that it made a substantial contribution to D.07-12-052 since, among other things, GR's time spent on this proceeding was ineffective, inefficient, unproductive, or unnecessary; that GR should not be compensated for its hours spent on A.99-05-029; and that GR's rates are too high.

On April 1, 2008, GR filed its reply to the SoCalGas' response. We address SoCalGas' arguments in this decision.

In this request, GR also seeks compensation for some of its work in proceeding A.99-05-029. However, we issued the final decision in that proceeding on April 13, 2006, almost two years before GR filed its request. Because GR did not timely file its request for compensation with respect to A.99-05-029, GR failed to meet the procedural requirements and we must disallow that part of the request relating to GR's work exclusively in A.99-05-029. We acknowledge the interaction between the application and the complaints and the fact that much of the same data was applicable to all the proceedings. However, we disallow work that was spent on the application matter before the complaints were filed on the theory that until the complaints were filed, there could be no efficient use of information from one proceeding to the other.

3.4. Demonstrating Significant Financial Hardship

Section 1802(g) requires a showing of significant financial hardship. In its Request for Compensation, GR addressed the issue of financial hardship in two ways: by showing that GR represents interests that, if not for the availability of intervenor compensation, would be underrepresented in the proceeding and that the economic interest of the individual members of the group or organization is small in comparison to the costs of effective participation in the proceeding.

SoCalGas challenged GR's showing of financial hardship by claiming that GR is "run by volunteers." GR, however, did file a timely NOI indicating its intent to claim intervenor compensation, and has been operating since at least 2000 under the auspices of an intervenor. While the three principles of GR who actively participated in the proceeding for the entire six years may have volunteered their time during that period, this does not eviscerate their opportunity to now be reimbursed for their time and expenses.

In addition, the settlement agreement reached between GR and SoCalGas does provide a significant benefit to the public and in particular to the neighbors and community surrounding the SoCalGas PDR gas fields. The gas testing and monitoring, transparency of the gas company's process, and new disclosure and communication channels benefit the entire community. There is no way to put a price tag on the peace of mind that these measures should bring the community. This aspect meets the test that the economic interest of the individual members of the group or organization is small in comparison to the costs of effective participation in the proceeding.

In light of the above, we find that GR has satisfied the procedural requirements necessary to make its request for compensation for its work toward

D.07-12-035; however, GR did not satisfy the procedural requirements necessary to receive any compensation for its work in A.99-05-029.

4. Substantial Contribution

In evaluating whether a customer made a substantial contribution to a proceeding, we look at several things. First, we consider whether the Commission adopted one or more of the factual contentions, legal contentions, or specific policy or procedural recommendations that the customer advanced. (§ 1802(i).) Second, if the customer's contentions or recommendations paralleled those of another party, we consider whether the customer's participation unnecessarily duplicated or materially supplemented, complemented, or contributed to the presentation of the other party. (§§ 1801.3(f) and 1802.5.)

The assessment of whether the customer made a substantial contribution requires the exercise of judgment. (§ 1802(i).)

In assessing whether the customer meets this standard, the Commission typically reviews the record, composed in part of pleadings of the customer and, in litigated matters, the hearing transcripts, and compares it to the findings, conclusions, and orders in the decision to which the customer asserts it contributed. It is then a matter of judgment as to whether the customer's presentation substantially assisted the Commission.⁵

With this guidance in mind, we turn to the claimed contributions GR made to this proceeding.

4.1. Contributions to D.07-12-035

To begin, there is no question of whether GR duplicated the work of other parties in the litigation; there were no other similarly situated parties.

⁵ D.98-04-059, 79 CPUC2d 628 at 653.

Next, we must give GR credit for its contributions to the SA negotiated by both SoCalGas and GR that resulted in the agreement the Commission adopted in D.07-12-035. We have no doubt that without the efforts of GR, we would not have adopted the additional safeguards for the SoCalGas PDR gas storage operation that we did in D.07-12-035.

From the very initiation of the three complaints, the scope of the issues has been: Is the SoCalGas PDR gas storage facility venting or leaking gas or depositing carcinogens into the air or soil to the detriment of the health or safety of the neighboring community?⁶

From the filing of the three complaints in May 2000, through the joint SA negotiated with SoCalGas in 2007, GR has been advocating for policies and procedures that would ensure the safety of the gas storage field operations. As part of the SA, SoCalGas agreed to take the following actions:

- To undertake a program to monitor whether natural gas is present in the soil where SoCalGas owns or leases land for its PDR storage operations;
- To undertake measures to test for gas⁷ at any location where SoCalGas abandons a well to ensure that such wells are not leaking or acting as a conduit for indigenous gas before SoCalGas sells or otherwise disposes of any property located above an abandoned well;

⁶ March 7, 2005, Scoping Memo and Assigned Commissioner's Ruling.

⁷ SoCalGas is agreeing to undertake these steps outlined in the SA in addition to any measures required by the California Division of Oil, Gas, and Geothermal Resources (DOGGR).

- To take specific actions to reduce natural gas vented to the atmosphere at its PDR storage facility and to reduce air emissions from its storage compressor engines;
- To promote transparency and disclosure to the PDR neighborhood by notifying area residents of the SA once the Commission approves it and by providing a link to the SoCalGas website where area residents can:
 1. View the chemical composition of gas withdrawn from storage;
 2. View the results of the soil gas and subsidence monitoring programs required by the SA; and
 3. Request prior notification of planned venting and after-the-fact notification of unplanned venting.

SoCalGas argued throughout the entire proceeding that it operated the gas storage facility in a safe and healthy manner. However, as part of the SA, and without admitting any wrongdoing, SoCalGas agreed to undertake the additional safety and monitoring activities outlined above, and contained in Attachment A to the SA, in order to assuage GR's concerns.

When the GR complaints are put side-by-side with the activities that SoCalGas agrees to undertake, it is apparent that the SA reasonably addresses all the GR concerns. For example, SoCalGas agreed to implement a soil gas monitoring program on all the land it owns or leases to ensure that the PDR storage operations are not causing storage gas to leak into the area soils. In addition, SoCalGas agreed to monitor the soil around and above any abandoned well for at least several months after abandonment and to not sell any property located over abandoned wells until continuous testing demonstrates no evidence of gas. SoCalGas is doing this, in addition to its DOGGR required actions for abandoning wells, to ensure GR that SoCalGas' abandoned wells are not leaking gas or acting as a conduit for local indigenous gases to migrate to the surface.

SoCalGas also agreed to specific other monitoring and reporting actions to make sure that there is no “overpressure” leading to subsidence in the area above the storage reservoir, and if any is found, to take corrective action.

The SA addresses another GR concern, and also one raised by many community members who attended public participation hearings in the area, that SoCalGas vented gas and/or exhaust from compressor engines into the atmosphere at its PDR facility. SoCalGas claims it has taken numerous actions in this regard and to minimize the release to the atmosphere of “greenhouse gases” and to maintain compliance with air quality permits. These actions are summarized in Attachment B to the SA. SoCalGas agrees in the SA to continue those efforts to minimize the releases and to continue to comply with air quality permits.

As another example of how the SA addresses GR’s concerns, SoCalGas has agreed that if there is ever a liquid release incident due to a valve failure, such as occurred in April 2003, SoCalGas will test any liquid released for Polychlorinated Biphenyls (PCB), metals and volatile organic compounds and post the test results on its website. SoCalGas will also periodically post on its website the PCB content of liquids collected from gas entering and exiting the PDR storage field.

The SoCalGas web site will function as a notice board to the PDR community and the utility agreed in the SA to post the following on the web site, as well as to give notice, in some instances, to the nearby residents:

- Results of soil gas and subsidence monitoring;
- The chemical composition of gas withdrawn from the PDR storage reservoir;
- The level of PCBs contained in pipeline liquids;

- Prior notification of planned gas venting and after-the-fact notification of unplanned venting; and
- A revised version of Appendix B, so persons without technical backgrounds can understand the steps SoCalGas has taken to reduce odors and emissions at its PDR facility.

SoCalGas agreed to take the above actions to provide a level of disclosure and transparency to the nearby residents to provide information that should assuage their concerns about safety and health issues from the PDR storage operations.

In the decision adopting the SA, we were explicit that we were not making any findings as to whether or not GR's concerns were proven during the course of the litigation or whether SoCalGas had shown that there was no need for them to undertake any additional procedures to address health and safety concerns. Instead, we adopted the SA as a complete resolution of the outstanding issues raised in the three complaints and as a reasonable resolution to seven years of litigation that was in the public interest and consistent with law.

We find reasonable GR's claim for substantial contribution to D.07-12-035. We benefited from GR's participation, analysis, and discussion of the issues.

5. Reasonableness of Requested Compensation

GR submitted a request for \$144,442.00 for its participation in the decisions, as follows:

Name	Year	Hours	Hourly Rate	Total
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Patricia McPherson	2000-07	597.17 ⁸	\$100.00	\$59,717.00
Bernard Endres, PhD	2000-07	278.80	\$250.00	\$69,700.00
Kathy Knight	2000-07	150.25	\$100.00	\$15,025.00
Total Requested				\$144,442.00

In general, the components of this request must constitute reasonable fees and costs of the customer’s preparation for and participation in a proceeding that resulted in a substantial contribution. We carefully considered SoCalGas’ contentions that GR’s time spent on this proceeding was ineffective, inefficient, unproductive, or unnecessary, and that GR’s hourly rates were high. We disagree. The total number of GR’s hours reflects the fact that GR was working on these proceedings for more than seven years. Comparing to qualifications and the related hourly rates of other intervenors, the rates it seeks for this work are reasonable. We discuss below the issues we consider to determine reasonableness.

5.1. Hours Related to and Necessary for Substantial Contribution

We first assess whether the hours claimed for the customer’s efforts that resulted in substantial contributions to Commission decisions are reasonable by determining to what degree the hours are related to the work performed and necessary for the substantial contribution.

GR documented its claimed hours by presenting a daily breakdown of the hours of its experts and staff, accompanied by a brief description of each activity. The hourly breakdown reasonably supports the claim for total hours.

Because we disallow GR’s request for compensation for work done in proceeding A.99-05-029, we remove the following hours from GR’s request:

⁸ McPherson’s hour include three hours spent on the notice of intent to claim compensation and 30 hours spent on the request for intervenor compensation.

Expert/Staff	Year	Hours
Patricia McPherson	1999-2000	26.62
Kathy Knight	1999-2000	21.50

5.2. Hourly Rates

We next take into consideration whether the claimed fees and costs are comparable to the market rates paid to experts and advocates having comparable training. GR seeks an hourly rate of \$100 for Patricia McPherson for work done 2000-2008. We find this rate reasonable and commensurate with the quality and quantity of work performed and in line with other intervenor rates for similar work. While McPherson is not an attorney or an expert, the work she performed is in line with executive or managing directors of 501(c)(3) non-profit organizations, and her hourly rate is in line with that awarded other similarly situated intervenors. McPherson billed 33 hours for preparation of the notice of intent to claim compensation and request for compensation. Based on our rules, we allowed the 33 hours, but reduce her hourly rate by half to \$50, for those 33 hours.

GR also seeks an hourly rate of \$100 for Kathy Knight for work done 2000-2007 in a capacity comparable to a paralegal. When the work, hours, and contributions of McPherson and Knight are viewed in the totality of the seven years of litigation, the total amount sought for their combined efforts is reasonable and commensurate with that awarded to other intervenors.

GR seeks an hourly rate of \$250 for Bernard Endres, for work performed from 2000 – 2007. Based on the educational and professional background of Dr. Endres, who holds a B.A, M.A. and PhD in engineering, is an attorney, and has specialized knowledge in the field of environmental hazards posed by urban oilfields and underground gas storage, he is entitled to an expert fee of \$250 per hour. Endres was the only professional working with McPherson

and Knight and because of his unique background and credentials GR did not retain the services of an attorney or another expert for the seven years of litigation. Based on Endres background, we find an hourly rate of \$250 reasonable and commensurate with awards to other professionals for working in our proceedings.

6. Productivity

D.98-04-059 directed customers to demonstrate productivity by assigning a reasonable dollar value to the benefits of their participation to ratepayers. The costs of a customer's participation should bear a reasonable relationship to the benefits realized through its participation. This showing assists us in determining the overall reasonableness of the request.

We find it difficult to assign a dollar value to the work performed by GR, but based on the actions SoCalGas agreed to do as part of the SA, we determine that GR was successful in making significant strides to assuage the concerned citizens and neighbors of the SoCalGas PDR gas storage area that SoCalGas is doing everything within its control to operate a safe and healthy facility. The steps outlined earlier in this decision that SoCalGas will take in regards to monitoring and testing and communicating with the local residents is a testimony to the work and efforts made by both sides to end this litigation. Thus, even though we can not quantify GR's efforts, we can find that its efforts have been productive.

7. Award

As set forth in the table below, we award GR \$138,030.

Award				
Name	Year	Hours	Hourly Rate	Total
McPherson	2000-07	567.17	\$100.00	\$53,755.00
Endres	2000-07	278.80	\$250.00	\$69,700.00

Knight	2000-07	129.25	\$100.00	\$12,925.00
Subtotal:		945.60		\$136,380.00
Work on Intervenor Compensation Matters				
McPherson	2001	3.00	\$50.00	\$150.00
McPherson	2008	30.00	\$50.00	\$1,500.00
Subtotal:		33.00		\$1,650.00
Total Award				\$138,030.00

Pursuant to § 1807, we order SoCalGas to pay this award. Consistent with previous Commission decisions, we order that interest be paid on the award amount (at the rate earned on prime, three-month commercial paper, as reported in Federal Reserve Statistical Release H.15) commencing on May 4, 2008, the 75th day after GR filed its compensation request and continuing until full payment of the award is made.

We remind GR that Commission staff may audit its records related to the award and that GR must make and retain adequate accounting and other documentation to support all claims for intervenor compensation. GR'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.

8. Waiver of Comment Period

This is an intervenor compensation matter. Accordingly, as provided by Rule 14.6(c)(6) of our Rules of Practice and Procedure, we waive the otherwise applicable 30-day comment period for this decision.

9. Assignment of Proceeding

John A. Bohn is the assigned Commissioner and Carol A. Brown is the assigned Administrative Law Judge in this proceeding.

Findings of Fact

1. GR has satisfied all the procedural requirements necessary to claim compensation for D.07-12-035.
2. GR failed to satisfy all the procedural requirements necessary to claim compensation for A.99-05-029, so any compensation sought for work in that proceeding is disallowed.
3. GR made a substantial contribution to D.07-12-035 as described herein.
4. GR requested hourly rates for its representatives that, as adjusted herein, are reasonable when compared to the market rates for persons with similar training and experience.
5. The total of the reasonable compensation is \$138,030.
6. The appendix to this decision summarizes today's award.

Conclusions of Law

1. GR has fulfilled the requirements of Pub. Util. Code §§ 1801-1812, which govern awards of intervenor compensation, for its requests for compensation for its work toward D.07-12-035 and thus is entitled to intervenor compensation for its claimed expenses, as adjusted herein, incurred in making substantial contributions to those decisions.
2. GR has not fulfilled the requirements of Pub. Util. Code §§ 1801-1812 for its request for compensation for its work in A.99-05-029 and thus is not entitled to intervenor compensation for its claimed expenses incurred in making substantial contributions in that proceeding.
3. GR should be awarded \$138,030 for its contributions to D.07-12-035.
4. This order should be effective today so that GR may be compensated without further delay.

O R D E R

IT IS ORDERED that:

1. Grassroots Coalition (GR) is awarded \$138,030 as compensation for its substantial contributions to Decision 07-12-052.
2. Within 30 days of the effective date of this decision, Southern California Gas Company shall pay GR its 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 May 5, 2008, the 75th day after the filing date of GR's February 19, 2008 request for compensation, and continuing until full payment is made.
3. The comment period for today's decision is waived.
4. Case (C.) 00-05-010, C.00-05-011, and C.00-05-012 are closed.

This order is effective today.

Dated November 6, 2008, at San Francisco, California.

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

APPENDIX**Compensation Decision Summary Information**

Compensation Decision:	D0811028	Modifies Decision? N
Contribution Decision(s):	D0712035	
Proceeding(s):	C0005010, C0005011, C0005012	
Author:	ALJ Carol Brown	
Payer(s):	Southern California Gas Company	

Intervenor Information

Intervenor	Claim Date	Amount Requested	Amount Awarded	Multiplier?	Reason Change/Disallowance
Grassroots Coalition	02/19/2008;	\$144,442	\$138,030	No	(1) Failure to file timely request for compensation; (2) failure to reduce rate for preparation of compensation request

Advocate Information

First Name	Last Name	Type	Intervenor	Hourly Fee Requested	Year Hourly Fee Requested	Hourly Fee Adopted
Patricia	McPherson	Advocate	Grassroots Coalition	\$100	2000-2008	\$100
Bernard	Endres	Expert	Grassroots Coalition	\$250	2000-2007	\$250
Kathy	Knight	Advocate /Staff	Grassroots Coalition	\$100	2000-2007	\$100

(END OF APPENDIX)