

Decision 08-12-057 December 18, 2008

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to address the needs of telecommunications customers who have limited English proficiency.

Rulemaking 07-01-021
(Filed January 11, 2007)

DECISION GRANTING INTERVENOR COMPENSATION TO GREENLINING INSTITUTE, CONSUMER FEDERATION OF CALIFORNIA, AND LATINO ISSUES FORUM FOR THEIR SUBSTANTIAL CONTRIBUTIONS TO DECISION 07-07-043

1. Summary

This decision awards a total of \$87,851.46 in compensation to three intervenors for their substantial contributions to Decision (D.) 07-07-043 (Phase 1 Decision). Today's awards payments will be paid from the Commission's Intervenor Compensation Program Fund pursuant to D.00-01-020.

California Consumer Federation (CFC) is awarded \$44,597.46, a reduction of \$4,967.90 (10%) from the amount requested due to 1) adjusting the requested hourly rates, and 2) discounting the hourly rate for time spent on intervenor compensation matters.

Greenlining Institute (Greenlining) is awarded \$15,541.50 in compensation, a reduction of \$5,193.88 (25%) from the amount requested due to 1) disallowing time claimed for the issue of alternatives to Internet service incurred prior to June 15, 2007, 2) disallowing time claimed for preparing reply comments after the date the reply comments were filed, 3) adjusting the requested hourly rates,

and 4) discounting the hourly rate for time spent on intervenor compensation matters.

Latino Issues Forum (LIF) is awarded \$27,712.50 in compensation, which represents the amount requested, as corrected.

2. Background

This Order Instituting Rulemaking (OIR) was initiated as part of the Commission's efforts to improve services to California telecommunications consumers who do not read or speak English fluently, and to promote consumer protection for Limited English Proficient (LEP) telecommunications customers.

Prior to the initiation of this proceeding, Rulemaking (R.) 00-02-004 examined the protections available to California telecommunications consumers, resulting in D.06-03-013, the Commission's Consumer Protection Initiative. D.06-03-013 raised questions as to whether LEP consumers faced particular disadvantages in the telecommunications market, and directed the Commission staff to analyze and report on special problems faced by LEP consumers.

The Commission staff effort produced the report entitled, "Challenges Facing Consumers with Limited English Skills in the Rapidly Changing Telecommunications Marketplace," issued October 5, 2006 (Staff Report). After comments were taken on the Staff Report, Commission staff prepared a proposal (Proposal) containing options for the Commission to consider in a formal rulemaking.

The Commission then opened R.07-01-021 to consider ways to improve services to LEP telecommunications consumers. This OIR sought to assess telecommunications carriers' current non-English language ("in-language") efforts and capabilities, the availability of and need for improved in-language disclosures, and access to in-language customer service. The OIR considered

carriers' accountability for the actions of third parties that sell their products and services.

The OIR also examined prepaid phone card terms of use disclosures and access to prepaid phone card customer service. The OIR set out criteria for evaluating the Proposal's in-language recommendations, and sought comment on the appropriateness of the evaluation criteria, whether the recommendations in the Proposal satisfied those criteria, and if other criteria were appropriate.

The Phase 1 Decision adopted the In-Language Marketing Rules and directed Commission staff to design a program that integrates community-based organizations (CBOs) in the Commission's outreach, education and complaint resolution processes for LEP customers.¹

The Phase 1 Decision concluded that carriers should inform their LEP customers upon initiation of service and annually thereafter about ways to protect against fraud, and directed the assigned Commissioner to seek comments on the content, format and timing of fraud notification to LEP consumers and reports to the Commission on problems with fraud and carrier actions taken to combat it.

The Phase 1 Decision deferred to Phase 2 consideration of issues concerning tracking of LEP complaints and customer language preference. Finally, the Phase 1 Decision directed the assigned Commissioner to seek comments on whether in-language market trials should be permitted, and if so, what rules, if any, should apply to in-language market trials. These issues were resolved in D.08-10-016 (the Phase 2 Decision).

¹ D.07-07-043 defines "in-language" as "any non-English language in which a company markets its products or services." (D.07-07-043, p. 63.)

Greenlining, CFC, LIF, and The Utility Reform Network (TURN) (also collectively referred to here as “Consumer Group Intervenors”) actively participated in Phase 1 and Phase 2 of the OIR. Greenlining, CFC, and LIF filed requests for awards of intervenor compensation at the conclusion of Phase 1.² TURN states that it will file its request for compensation upon the conclusion of the proceeding.³ Today’s decision addresses only the requests of Greenlining, CFC, and LIF for their participation in Phase 1 of the proceeding.

3. Requirements for Awards of Compensation

The intervenor compensation program, which is set forth in Pub. Util. Code §§ 1801-1812,⁴ requires California jurisdictional utilities to pay the reasonable costs of an intervenor’s participation if that party makes a substantial 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), pursuant to Rule 17.1 of the Commission’s Rules of Practice and Procedure (Rules), or at another appropriate time that we specify. (§ 1804(a).)

² CFC has also filed a request for an award of intervenor compensation for its participation in Phase 2 of the proceeding. That request is pending and will be addressed in a separate decision.

³ November 14, 2007 Supplemental Notice of Intent to Claim Compensation of The Utility Reform Network, Footnote 1, p. 1.

⁴ All subsequent statutory references are to the Public Utilities Code unless otherwise indicated.

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) and 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) and 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).

In the discussion below, the procedural issues in Items 1-4 above are combined and a separate discussion of Items 5-6 follows.

4. Preliminary Procedural Issues

A customer who intends to seek an award of intervenor compensation must file an NOI by certain dates. For example, pursuant to § 1804(a)(1), in proceedings where a prehearing conference takes place, an intervenor needs to file an NOI no later than 30 days after the prehearing conference. In cases where no prehearing conference is scheduled, the Commission may determine the procedure to be used in filing these requests. Rule 17.1(a)(2) that became effective on March 24, 2007, provides that if it has been preliminarily determined that a hearing is not needed, an NOI may be filed any time after the start of the proceeding until 30 days after the time for filing responsive pleadings (*e.g.*, protests, responses, answers, or comments).

There was no prehearing conference in Phase 1 of the proceeding. Opening comments on the OIR were filed on February 16, 2007.⁵ Greenlining and LIF filed their NOIs on March 19, 2007; and CFC and TURN filed their NOIs on March 22, 2007. CFC, Greenlining, LIF, and TURN timely filed their NOIs.⁶

The December 28, 2007 Administrative Law Judge (ALJ) ruling (December 28 Ruling) found that CFC, Greenlining, LIF, and TURN were eligible to claim compensation. With respect to their status for the purposes of intervenor compensation, the ruling determined that each has a customer-related status within the meaning of § 1802(b)(C) as a “representative of a group or organization authorized pursuant to its articles of incorporation or bylaws to represent the interest of residential customers, or to represent small commercial customers....”

Section 1804(b)(1) provides that a finding of significant financial hardship creates a rebuttable presumption of eligibility for compensation in other Commission proceedings commencing within one year of the date of that finding. The December 28 Ruling found that CFC and Greenlining will experience significant financial hardship as a result of their participation in this proceeding based on the findings in other proceedings that they would experience significant financial hardship.⁷ The December 28 Ruling also found

⁵ January 17, 2007 Assigned Commissioner's Ruling Regarding Schedule and Record for Limited English Proficiency Rulemaking.

⁶ CFC's NOI was not late-filed because Rule 17.1 became effective after the NOIs were filed.

⁷ CFC met this requirement in another proceeding within one year of the commencement of this proceeding pursuant to the ALJ Ruling of March 7, 2007 in A.06-09-016. Greenlining met this requirement in another proceeding within one year

Footnote continued on next page

that, pursuant to the provisions of § 1802(g), LIF will experience significant financial hardship as a result of its participation in this proceeding.⁸ We affirm the December 28 Ruling on CFC's, Greenlining's, and LIF's NOIs.

On August 20, 2007, Greenlining filed a request for an award of intervenor compensation for its substantial contributions to the Phase 1 Decision. On September 25, 2007, CFC, and LIF filed their requests for an award of intervenor compensation for their substantial contributions to the Phase 1 Decision. The requests were timely filed in compliance with § 1804(c). No party opposed the requests.

CFC and Greenlining amended their requests in response to ALJ rulings directing them to correct deficiencies in their requests.⁹ We find that CFC, Greenlining, and LIF have completed the procedural steps and satisfied the requirements necessary to request compensation for their contributions to the Phase 1 Decision. Now we turn to substantive review of their requests.

of the commencement of this proceeding pursuant to the ALJ Ruling of October 11, 2006 in R.05-04-005.

⁸ Section 1802(g) provides that "significant financial hardship" for Category 3 customers occurs when 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.

⁹ See September 11, 2007 ALJ Ruling Directing Greenlining Institute to Amend Its Request for Award of Compensation for Contributions to D.07-07-043; October 2, 2007 ALJ Ruling Directing Greenlining Institute to Further Amend Its Request for Award of Compensation for Contributions to D.07-07-043; and October 2, 2007 ALJ Ruling Directing Consumer Federation of California to Amend Its Request for Award of Compensation for Contributions to D.07-07-043.

5. Substantial Contribution

In evaluating whether a customer made a substantial contribution to a proceeding, we look at several things. First, we look at whether the Commission adopted one or more of the factual or legal contentions, or specific policy or procedural recommendations put forward by the customer?¹⁰ Second, if the customer's contentions or recommendations paralleled those of another party, we look at whether the customer's participation unnecessarily duplicated or materially supplemented, complemented, or contributed to the presentation of the other party.¹¹

As described in § 1802(i), the assessment of whether the customer made a substantial contribution requires the exercise of judgment.

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.¹²

With this guidance in mind, we now will evaluate the intervenors' contributions to the Phase 1 Decision.

5.1. CFC's Substantial Contributions

CFC states it contributed to the Phase 1 Decision by:

- a. Assisting in developing proposals presented in the Staff Report prior to commencement of the OIR,

¹⁰ See § 1802(i).

¹¹ See §§ 1801.3(f) and 1802.5.

¹² D.98-04-059, 79 CPUC2d 628 at 653.

- b. Identifying existing protections for LEP consumers,
- c. Recommending the adopted trigger for in-language marketing rules,
- d. Recommending customer information and service requirements,
- e. Recommending language preference and complaint tracking, and
- f. Recommending penalties for violations of the rules.

CFC states it made contributions during (and claims compensation for) two periods of time: June 26, 2006 to January 11, 2007, prior to initiation of this OIR, and January 11, 2007 to July 26, 2007, covering the period from the initiation of this OIR until the Phase 1 Decision was adopted.

CFC states that, prior to the issuance of this OIR, it assisted in the development of proposals presented in the Staff Report by participating in the June 26, 2006 workshop on the plan for studying the special needs of and challenges faced by LEP consumers ordered by D.06-03-013 (Study Plan), and by filing comments on the Study Plan and the draft Staff Report.

CFC states that it presented evidence at the June 26, 2006 workshop about the victimization of non-English-speaking customers by carriers' agents, and recommended that carriers be required to assume greater responsibility for agents' conduct. CFC also states that its July 14, 2006 Study Plan comments recommended that the Commission staff investigate the sales practices of carriers' third-party agents, and carriers' costs to provide LEP customers with contracts, bills and other essential information written in-language, including consequences of canceling contracts.

The intervenor compensation statutes provide that intervenor compensation applies to formal proceedings of the Commission.¹³ However, CFC's workshop participation and comments on the draft Staff Report were undertaken after the close of R.00-02-004 and prior to initiation of this OIR. Therefore, whether CFC should be compensated for its work prior to the commencement of this proceeding requires careful consideration.

The Commission has sometimes awarded compensation for an intervenor's work prior to the commencement of a proceeding to which the work ultimately substantially contributed. For example, D.04-08-025 awarded a party (TURN) compensation for work performed prior to the commencement of the proceeding.¹⁴ In awarding compensation for work undertaken prior to the commencement of a proceeding, D.04-08-025 looked at the close relationship between the work performed prior to the proceeding and the intervenor's position in the proceeding leading to a substantial contribution to the decision ultimately adopted by the Commission.

In awarding compensation for TURN's work prior to the commencement of the proceeding D.04-08-025 emphasized that TURN was an active participant in activities undertaken prior to the commencement of I.02-04-026, and that TURN advocated a position that D.03-12-035 adopted. D.04-08-025 cautioned intervenors that they should not assume that work done prior to the commencement of a proceeding, even if clearly related to that proceeding, would automatically be compensable.

¹³ § 1801.3(a).

¹⁴ *See also*, for example, D.05-05-046.

Applying the factors used in D.04-08-025 to CFC's claim in this proceeding, we find that CFC's work prior to commencement of the OIR is compensable. There was a close relationship between CFC's work prior to the OIR, CFC's positions in the proceeding, and the results ultimately adopted in the Phase 1 Decision.

As stated above, D.06-03-013 directed the Commission staff to analyze and report on special problems faced by LEP consumers. The Staff Report and Proposal established the framework for this OIR. The January 17, 2007 Assigned Commissioner's Ruling (ACR) issued after the commencement of the OIR incorporated by reference the limited English proficiency aspects of the record of R.00-02-004 and the subsequent meetings, workshops, comments, and Staff Report described in R.07-01-021.

CFC's work prior to commencement of the OIR contributed to identification of the issues considered in this proceeding and to the resolution of those issues. For example, the Staff Report refers to CFC's comments on the Commission's June 2006 Study Plan concerning state laws that address specific language requirements to enable LEP consumers access government and business services.¹⁵ The Staff Report also refers to CFC's comments when recommending that the Commission should determine the cost of providing essential information to a buyer in the language in which service was sold.¹⁶

CFC was an active participant in activities undertaken prior to the commencement of the OIR, and CFC's work prior to the commencement of the

¹⁵ Staff Report, pp. 30-31.

¹⁶ Staff Report, p. 80.

OIR advocated the positions it pursued in the OIR. CFC's efforts helped to focus issues addressed in the OIR through its recommendations and proposals referenced in the Staff Report. CFC's work prior to the commencement of the OIR was closely related to its positions in the proceeding that, as discussed below, made substantial contributions to the Phase 1 Decision. Therefore, CFC's work prior to the commencement of the OIR is eligible for compensation.

CFC also made substantial contributions to the Phase 1 Decision through its active participation in the OIR from January 11, 2007, when the OIR was initiated, to July 26, 2007, when the Phase 1 Decision was adopted.¹⁷ CFC's views and recommendations were cited to 15 times in the Phase 1 Decision.

CFC opposed carriers' arguments against the adoption of in-language marketing rules by addressing the shortcomings of existing regulations and statutes. In particular, CFC addressed the limited protections for LEP consumers provided by D.96-02-072 and D.96-10-076, Civil Code (CC) §§ 1632, 1668, 1670.5, 1689.7 and 1770; Business and Professions Code §§ 11245, 17538.9 and 22442; Insurance Code § 762; and Pub. Util. Code §§ 392.1, 2889.9, and 2890.

The Phase 1 Decision found that existing practices and rules do not adequately protect LEP consumers because they either do not require information to be in-language and understandable to LEP customers, they apply only to certain kinds of transactions or customers, or they apply to some carriers serving LEP customers but not to others.¹⁸ CFC's contribution materially

¹⁷ CFC filed Opening and Reply Comments on the OIR, and Reply Comments on the Proposed Decision.

¹⁸ FOF 31.

supplemented and complemented DRA's, LIF's, and TURN's contributions to the Commission's assessment of existing protections for LEP consumers.

CFC's comments assisted the Commission in determining that "when a carrier markets to consumers in a particular language, that carrier then assumes the obligation to provide consumers enough information in the language in which the carrier is marketing, to allow consumers to make informed purchasing decisions and resolve service or billing problems."¹⁹ CFC materially supplemented and complemented DRA's and Greenlining's contributions to the Commission's determination of when in-language requirements should apply.

CFC recommended that the term "marketing in-language" be defined to include indications of entry into a market, such as issuing press releases or posting on a web site, so that carriers would take into account the cost of providing in-language support services when deciding whether to enter a market.²⁰ CFC's reply comments responded to the carriers' definitions of the term "marketing" that would have effectively eliminated carriers' obligation to provide in-language information.²¹

The Commission rejected carriers' narrow definitions and adopted a broader definition of marketing consistent with CFC's recommendations. CFC's recommendations for defining in-language marketing and for triggering the in-language rules contributed to the Commission's determination of the requirements adopted by the Commission.²²

¹⁹ D.07-07-043, p. 73.

²⁰ CFC's opening comments of February 16, 2007, p. 3.

²¹ CFC's reply comments of March 2, 2007, pp. 9-11.

²² OP 4.

CFC materially supplemented and complemented DRA's and other Consumer Group Intervenors' recommendations that carriers provide customers with essential information in the customer's language about the key terms of contracts, and how and when that information should be provided. CFC proposed a rule to ensure that customers have clear and complete information about rates, terms and conditions for available products and services.

CFC's proposed rule contained a detailed list of information that should be provided in-language to LEP customers, including an in-language confirmation summary with the provider's name, address, telephone number, and a brief description of the services ordered an itemization of all charges appearing on the customer's bill. CFC recommended that this information be provided at the point of sale. CFC, LIF and TURN recommended that required information be provided by carriers and their agents and on carrier websites.

Although the Commission did not adopt all of CFC's proposed information requirements, the Commission adopted some of the recommended requirements, including requirements that carriers' agents make the required information available and the timing as to when that information should be made available.

CFC, DRA, and the other Consumer Group Intervenors' recommended that carriers be held responsible for the actions of their agents. CFC argued that carriers' and their agents should be jointly and severally liable for damages caused by violations of the rules. The Phase 1 Decision concluded that carriers are responsible for the acts of their agents under the Civil and Public Utilities

Codes, and requires carriers to take corrective action to prevent unauthorized in-language marketing by their employees or agents.²³

The Phase 1 Decision requires, among other things, that carriers marketing non-exempt services in-language provide in-language customer service by telephone.²⁴ CFC materially supplemented and complemented DRA's and the other Consumer Group Intervenors' recommendations that carriers should be required to provide in-language customer service by telephone.

The Phase 1 Decision also points to CC § 1670.5, identified by CFC, for guidance in determining whether a contract should be enforced in whole or in part, if at all, in response to a formal complaint.²⁵

We find that CFC made a substantial contribution to the Phase 1 Decision and should receive an award of compensation.

5.2. Greenlining's Substantial Contributions

Greenlining states that it contributed to the Phase 1 Decision by:

- a. Recommending the adopted trigger for in-language marketing rules;
- b. Recommending customer information, including in-language contract terms at point of sale, and service requirements, including in-language customer service;
- c. Recommending language preference and complaint tracking, and
- d. Recommending penalties for violations of the rules.

²³ COL 30 and OP 7.

²⁴ OP 8.

²⁵ Page 111.

Greenlining states that it represented ratepayers from low-income and minority communities whose voices would not have otherwise been heard. Greenlining states that it participated throughout the proceeding, and helped establish the issues to be considered in Phase 2 of the OIR.

Greenlining's views and recommendations were cited to 16 times in the Phase 1 Decision. For example, the Consumer Group Intervenors and DRA recommended that carriers be required to track LEP customer complaints and language preferences. Greenlining, LIF and TURN also recommended that carriers be required to track complaints against carriers' agents. Greenlining and TURN opposed exempting small carriers from tracking requirements. The Phase 1 Decision deferred LEP consumer complaint and language preference tracking issues to Phase 2 of the proceeding.

Greenlining, DRA, and LIF recommended that CBOs be funded and integrated into the Commission's complaint resolution process. However, Greenlining also recommended that the Commission make Consumer Affairs Branch (CAB) data available to CBOs to assist in more effective complaint resolution processes. The Phase 1 Decision directed Commission staff to design a program to integrate CBOs in the Commission's outreach, education and complaint resolution processes, and Greenlining's participation contributed to the Phase 1 Decision on this issue.

Greenlining recommended two alternatives for triggering a carrier's obligation to provide in-language services. Like DRA and the other Consumer Group Intervenors, Greenlining recommended that carriers and their agents that market in-language be required to comply with the In-Language Marketing Rules. Greenlining further recommended that carriers that did not market

in-language be required to comply with the In-Language Marketing Rules if carriers acquired 5% or more of their revenue from LEP customers.

The Phase 1 Decision did not adopt Greenlining's revenue-based trigger because the revenue-based trigger required carriers to track LEP customers and the Phase 1 Decision deferred to Phase 2 consideration of carrier tracking requirements. However, Greenlining's proposal provided a unique perspective that contributed to the Commission's deliberations and the record.

As stated above, Greenlining and other Consumer Group Intervenors recommended that contracts be provided in-language. Greenlining and CFC also recommended that certain in-language information be provided to LEP consumers at the point of sale. Greenlining further recommended that information on how to file complaints also be provided in-language to LEP consumers.

The Proposed Decision (PD) required carriers to provide a confirmation summary of key terms of service in the customer's requested language using at least one of four alternative methods to provide this information. The alternative methods included 1) in-person or telephone customer service; 2) telephonic interactive voice response systems; 3) in writing at the point of sale, by U.S. Mail, text messages or email; and 4) through an Internet website.

The Phase 1 Decision adopted Greenlining's, DRA's, and the other Consumer Group Intervenors' recommendation that carriers be required to provide an alternative method in addition to the Internet for LEP consumers to obtain in-language information because many LEP consumers do not have access to computers or the Internet.

Greenlining argued that strong penalties for violations of the In-Language Marketing Rules were needed, and recommended that customers be allowed to

terminate contracts without penalties or fees and waiver of charges for any services rendered. Although the Commission did not adopt Greenlining's recommendations, Greenlining contributed to the Commission's deliberations on this issue.

Greenlining, CFC, and LIF recommended that the Commission enforce existing rules for prepaid calling cards. However, Greenlining also recommended that prepaid calling cards and the prepaid calling cards' packaging include in-language terms, and provide access to a toll free number for in-language customer support. Although the Commission did not adopt Greenlining's recommendations, Greenlining provided a unique perspective that contributed to the Commission's deliberations and the record.

We find that Greenlining made a substantial contribution to the Phase 1 Decision and should receive an award of compensation.

5.3. LIF's Substantial Contributions

LIF claims that it made substantial contributions to the Phase 1 Decision, first, through its formal comments, but also through its meetings with Commissioner's offices to discuss proposals offered by carriers and to present consumer groups' proposals. LIF claims that these discussions assisted in highlighting issues that were later addressed by the Phase 1 Decision.

LIF states that it contributed to the Phase 1 Decision by:

- a. Arguing that existing rules do not adequately protect LEP consumers;
- b. Advocating for providing LEP consumers timely, adequate in-language information;
- c. Contributing to the formulation of the trigger for in-language marketing rules;

- d. Recommending that carriers track language preference and LEP complaints, and CBO involvement in consumer education and complaint resolution; and
- e. Advocating for carrier responsibility for their resellers.

LIF's views and recommendations were cited to 24 times in the Phase 1 Decision. For example, in response to the request for comments on the proposed "cost effectiveness" criterion for evaluating options to address the problems faced by LEP telecommunications customers, LIF argued that consumers should not have to bear a financial burden of any amount due to fraud. The Phase 1 Decision agreed with LIF's view and concluded that correcting fraudulent conduct or compensating victims of fraud need not meet a cost-effectiveness test.²⁶

LIF materially supplemented and complemented CFC's, DRA's, and TURN's contributions to the Commission's assessment of existing protections for LEP consumers and the Phase 1 Decision's conclusion that existing practices and rules do not adequately protect LEP consumers. LIF argued that Pub. Util. Code §§ 2889.5 and 2890(d) and CC § 1632 should, but did not explicitly, apply to LEP consumers and, as a result, provided inadequate protections. LIF also recommended that the Commission review the complaint data required by General Order 133-B for information involving LEP customers.

LIF, DRA, and the other Consumer Group Intervenors recommended that carriers provide in-language information concerning the key terms of contracts. LIF recommended that this information should be provided prior to the completion of a transaction, and LIF and TURN made specific recommendations

²⁶ COL 10.

for providing required information when transactions were made via the telephone and the Internet. LIF materially supplemented and complemented DRA's and the other Consumer Group Intervenors' recommendations that carriers be required provide access to certain in-language information.

LIF recommended that carriers and agents be required to clearly and conspicuously disclose key rates, terms, and conditions of a transaction in a single written document which customers may review prior to sale, or within seven days of orders placed by telephone, with an option to cancel. LIF, CFC, and TURN recommended that required in-language information be provided by carriers and their agents and on carrier websites. Although the Commission did not adopt LIF's recommendations as proposed, LIF's recommendations contributed to the formulation of the In-Language Marketing Rules, including the establishment of a timetable for providing required information to LEP consumers.

While the Consumer Group Intervenors and DRA recommended that carriers be required to track LEP customer complaints and language preferences, LIF also recommended that a carrier be required to inform the Commission if that carrier could not support a customer's language preference. LIF and DRA recommended that carriers be required to periodically report LEP customer complaints and language preferences to the Commission and that this information be published. LIF, Greenlining, and TURN recommended that carriers be required to track complaints against carriers' agents.

However, LIF also recommended that third-party resellers provide two toll-free telephone numbers for consumers with complaints; one number for the dealer's/reseller's complaint department and the other for the primary carrier's complaint department.

LIF, along with DRA and Greenlining, recommended that CBOs be involved in the Commission's complaint resolution process. LIF additionally recommended that CBOs be authorized to represent LEP customers. The Commission adopted LIF's recommendation that carriers permit CBOs to represent any customer who has authorized a CBO to assist it in dealings with carriers.²⁷

LIF and Greenlining recommended including CBOs in developing consumer education materials for LEP consumers and for CBOs to be financially supported in their complaint resolution and consumer education efforts. LIF also recommended including CBOs in the Commission's consumer outreach efforts.

LIF also recommended that the Commission provide consumer education and increase enforcement oversight of prepaid phone cards. Although the Commission did not adopt LIF's recommendations concerning prepaid calling cards, the Phase 1 Decision directed Commission staff to continue working with the Attorney General to enforce prepaid calling card standards and requirements.²⁸

We find that LIF made a substantial contribution to the Phase 1 Decision and should receive an award of compensation.

5.4. Contributions of Other Parties

Section 1801.3(f) requires an intervenor to avoid unproductive or unnecessary participation that duplicates that of similar interests otherwise

²⁷ D.07-07-043, OP 14.

²⁸ OP 15.

adequately represented by another party, or participation that is not necessary for a fair determination of the proceeding. Section 1802.5, however, allows an intervenor to be eligible for full compensation if its participation materially supplements, complements, or contributes to that of another party making a substantial contribution to the Commission's order.

CFC states that it focused on limited legal and factual issues, providing a unique contribution to the outcome of the OIR. Greenlining states that it was the only party to advocate on behalf of low-income and minority communities, and that its work in this proceeding was unique and did not duplicate efforts of other parties to the proceeding. LIF states that its comments were based on information it received from CBOs, and that it provided a unique perspective on the experience of actual LEP consumers.

Although we find that each of the intervenors here has made unique contributions to the Phase 1 Decision, it would be unrealistic to expect no overlap to occur considering the number of parties and the nature of the issues addressed in Phase 1 Decision. We recognize that the intervenors whose claims we address today collaborated where they found it possible to do so, and took reasonable steps to minimize duplication.

The Consumer Group Intervenors addressed many of the same issues. However, each intervenor's contributions supplemented and complemented the others' by addressing different aspects of an issue. We conclude that it would have been virtually impossible to avoid some duplication among these parties, but that each intervenor also took positions that provided unique contributions enriching the Commission's deliberations and contributing to the proceeding. Therefore, we decline to reduce any of today's awards on account of duplication.

6. Reasonableness of Requested Compensation

The customers' claims are described and evaluated below. Later, we re-tabulate the results to show each award. Any adjustments, arithmetic errors or other errors made in the submittals are retained here, but corrected in our subsequent calculations.

CFC's Claim

Attorney	Year	Hours	Rate	Total
Alexis Wodtke	2006	53.4	\$350.00	\$18,690.00
Alexis Wodtke	2007	71.8	\$378.00	\$27,140.40
Subtotal:		125.2		\$45,830.40
Alexis Wodtke (Comp Request)	2007	19.5	\$189.00	\$3,685.50
Direct Costs (printing & postage)				\$49.46
TOTAL CLAIM				\$49,565.36

Greenlining's Claim

Attorneys and Advocates	Year	Hours	Rate	Total
Thalia Gonzalez	2007	59.75	\$230	\$13,742.50
Stephanie Chen	2007	11.25	\$180	\$ 2,025.00
Bobak Roshan	2007	11.75	\$180	\$ 2,115.00
Mark Rutledge	2007	19.00	\$150	\$ 2,850.00
Subtotal:		101.75		\$20,732.50
Direct Costs (postage)				\$2.87
TOTAL CLAIM				\$20,735.37

LIF's Claim

Attorney	Year	Hours	Rate	Total
Enrique Gallardo	2007	92.25	\$300.00	\$27,675.00²⁹
Direct Costs (LIF waives costs for copying, postage and supplies)				\$0.00
TOTAL CLAIM				\$27,675.00

In general, the components of a request must constitute reasonable fees and costs of the customer's preparation for and participation in a proceeding that resulted in a substantial contribution. The issues we consider to determine reasonableness are discussed below.

**6.1. Reasonableness of Hours and Costs
Related to and Necessary for Substantial
Contribution**

We first assess whether the hours claimed for the customers' efforts that resulted in substantial contributions to Commission decisions are reasonable by determining to what degree their hours and costs are related to the work performed and necessary for their substantial contributions.

All three intervenors submitted time logs to support the hours claimed by their professionals. Those logs typically note the dates, the number of hours charged, and the issues and/or activities in which each was engaged. Each

²⁹ The requested amount is incorrect because LIF miscalculates its hours (see, Request, at p. 9). Addition of all hours in LIF's timesheet results in 85.75 hours at full professional hourly rate and 13.25 hours at half hourly rate (work on intervenor compensation matters). Based on the timesheet information, the correct amount of the request should be \$27,712.50. Our award is based on LIF's timesheets rather than its summary of the requested compensation.

customer has adequately detailed the hours for which it is claiming compensation. As adjusted below, we find the hours and costs reasonable.

6.1.1. CFC

The information submitted with CFC's September 26, 2007 request for an award of compensation did not identify the issue(s) that the listed task addressed, as required by Rule 17.4(b). CFC submitted an amended request for an award of compensation on October 10, 2007, in response to the ALJ's October 2, 2007 ruling directing CFC to amend its compensation request to comply with Rule 17.4(b), and to make other revisions to clarify the request and correct errors.

In addition to its request for an award of compensation for its substantial contribution to the Phase 1 Decision for the period after January 11, 2007 when the OIR was opened, CFC claims \$12,600 in compensation for 53.4 hours spent on activities occurring in 2006 before the start of the OIR. As discussed above, we determined that CFC's work prior to the commencement of the OIR made a substantial contribution to the Phase 1 Decision and is eligible for compensation.

The daily listing of attorney hours and associated activities in CFC's amended request for compensation shows that CFC's efforts were related and necessary for the tasks it undertook. We find the hours and costs reasonable.

6.1.2. Greenlining

The information submitted with Greenlining's August 17, 2007 request for an award of compensation did not comply with Rules 17.4(a) and 17.4(b). Greenlining submitted an amended request for an award of compensation on September 27, 2007, in response to the ALJ's September 11, 2007 ruling directing Greenlining to amend its compensation request to comply with the Rules. Greenlining submitted a second amended request for an award of compensation

on October 17, 2007, in response to the ALJ's October 2, 2007 ruling ordering Greenlining to further amend its compensation request to correct errors and to further clarify the request.

Greenlining's amended request documents claimed hours by presenting a daily breakdown of the hours of its attorney, legal associates, and paralegal, accompanied by a brief description of each activity. In general, the hourly breakdown reasonably supports the claim for total hours. Except as discussed below, the daily listing of attorney hours and associated activities in Greenlining's amended request for compensation shows that Greenlining's efforts were related and necessary for the tasks it undertook. As adjusted, we find the hours and costs reasonable.

We make the following adjustments to the hours provided by Greenlining. First, attorney Gonzalez did not separate time spent on intervenor compensation matters from the time spent on issues in the proceeding, and claims the attorney's full hourly rate for 1.75 hours to draft Greenlining's NOI. Work on intervenor compensation matters is compensated at half the professional rate, and we have separated those hours for the appropriate rate discounting.

We disallow 2.60 hours of Thalia Gonzalez. Greenlining's second amendment removed an issue listed in the first amendment from 18 entries. However, Greenlining did not adjust the time reported for these entries. Greenlining does not explain why the issue for which time was claimed in the first amendment was removed from the second amendment or why the hours claimed in the second amendment did not change when the issue was removed from the time records. It appears that Greenlining may have arbitrarily assigned issues to its reported time. Greenlining must keep accurate records that identify the hours worked, the person performing the task, the specific task performed,

and the issue the task addresses as required by Rule 17.4(b). We will reduce Greenlining's claim by 10% for each of the 18 entries that revised the issues worked on but did not revise the hours reported.

Finally, Greenlining claims 0.5 hours on July 15, 2007 for Chen to draft and file reply comments. However, because Greenlining's reply comments were filed four days earlier, on July 11, 2007, we disallow 0.5 hour for this work.

6.1.3. LIF

LIF fails to separate its hours of work on intervenor compensation matters (NOI and the subject request for compensation) from the hours spent on substantive issues, and miscalculates its hours. In our award, we correct these deficiencies. The corrected summary of LIF's costs shows that LIF devoted 85.75 hours to the issues of the proceeding and 13.25 hours (at half the professional hourly rate) to the intervenor compensation matters. In the light of LIF's substantial contribution to D.07-07-043, we find the number of LIF's hours devoted to issues of this proceeding reasonable. LIF's time spent on intervenor compensation documents is also adequate.

6.2. Market Rate Standard

We next consider whether the claimed fees and costs are comparable to the market rates paid to experts and advocates having comparable training and experience and offering similar services.

We previously approved hourly rates for some of the intervenors' representatives who contributed in this proceeding, and we adopt those rates here. Other representatives are requesting approval of rates for the first time, or increases in previously approved rates. D.07-01-009 set forth rate ranges and guidelines for determining hourly rates for 2006 and 2007 for attorneys and experts based on levels of applicable experience.

6.2.1. CFC's Hourly Rates

CFC requests the rate of \$350 for attorney Wodtke's work in 2007.

D.07-12-007 adopted a rate of \$300 for Wodtke, stating:

Since CFC seeks one hourly rate for Wodtke's work in this proceeding and this decision compensates a relatively small amount of her time spent in 2007, we find it appropriate to adopt one rate for CFC's work in 2006 and 2007. Should Wodtke seek in a future proceeding an increase in the 2007 rate set by today's decision, she should provide the required support for the rate increase with her request.³⁰

In establishing the rate of \$300 for Wodtke, D.07-12-007 relied on D.07-07-017. D.07-07-017 compared Wodtke's regulatory experience with that of another attorney and held, as follows:

Wodtke has been practicing law nearly as long as Wheatland but her regulatory experience as a whole (about 20 years versus almost 30) and in particular her experience with utility regulation in California (about three years versus almost 30), is significantly less extensive. For these reasons it is reasonable to set her rate for work performed in 2006 lower than Wheatland's rate of \$345 but above \$280, which is the starting point for the range as adjusted by the 2006 [cost-of-living adjustment].³¹

In support of its claim for a rate of \$350 for Wodtke's work performed in 2006 and a rate of \$378 for work performed in 2007, CFC states that D.07-07-017 reduced the 2006 rate requested by CFC based on a mistaken belief that Wodtke had only 20 years experience. According to CFC, Wodtke's resume appeared to show less relevant experience than another attorney with 30 years' experience

³⁰ D.07-12-007, p. 15.

³¹ D.07-07-017, p. 14.

that was awarded \$345 per hour because Wodtke omitted experience from 1999 to 2006 from her resume submitted in R.05-10-030.

According to CFC, Wodtke has practiced law since 1978, and has nearly 30 years' experience as a practicing attorney. CFC states that from 1999 to 2006 Wodtke represented plaintiffs in insurance bad faith actions, a civil rights discrimination case, a securities fraud arbitration, a contract dispute and other actions, and represented defendants in suits alleging securities law violations and insurance bad faith. CFC states that Wodtke's experience from 1999 to 2006 was not included on her resume submitted in R.05-10-030 because it was not considered relevant to that rulemaking on affiliate transactions.

CFC asserts that Wodtke's previously omitted civil litigation experience, however, is relevant to this proceeding because issues concerning the liability of principals and their agents, an issue in this proceeding, are largely governed by civil law. Therefore, according to CFC, it is entitled to a 3% COLA to Wodtke's 2006 rate and a 5% step adjustment for Wodtke's additional experience in Commission proceedings gained since 2005.

D.07-01-009 established a rate range of \$280 - \$505 for 2006, and the rate range of \$290 - \$520 for 2007 (reflecting a 3% cost-of-living adjustment (COLA) to the 2006 rates) for attorneys with 13+ years of experience.³² Beginning with work performed in 2007, D.07-01-009 also allows intervenor representatives to request annually a step increase of 5% above their adopted rates from the previous year, not to exceed the maximum rate for attorneys with comparable experience. Step increases are considered on a case-by-case basis, and allow representatives

³² D.07-01-009, p. 8.

within a given level of experience to seek rates comparable to others having similar training and experience.³³

As noted above, D.07-07-017 determined that the rate of \$300 was appropriate for Wodtke's work performed in 2006. Applying a 5% step increase to the 2006 rate, considering the additional relevant experience described above, results in the rate of \$315 for 2006. Applying the 3% COLA and 5% step increase to the 2006 adjusted rate results in a rate of \$340 (rounded to the nearest \$5) for Wodtke's work performed in 2007.

We adopt the rate of \$315 for Wodtke's work in 2006 and \$340 for her work in 2007. These rates are within the rate range established in D.07-01-009 for attorneys with 13+ years of experience.

6.2.2. Greenlining's Hourly Rates

Greenlining states that the hourly rates established in D.07-01-009 for experienced attorneys, experts and advocates grossly understate fair market value when compared to the law firms employed by the utilities.

Greenlining requests the rate of \$230 for the work of attorney Gonzalez in 2007. However, in D.08-05-015, the Commission adopted the rate of \$195 for Gonzalez's work in 2007, based on the same information about this attorney that Greenlining provides in this proceeding, and we approve the rate of \$195 here.

Greenlining requests the rate of \$150 for the work of paralegal Mark Rutledge. D.07-11-013 adopted the rate of \$110 for Rutledge's work in 2006-2007. Greenlining provides no support for its request to increase Rutledge's previously adopted rate by more than 35%. We apply the previously adopted rate here.

³³ D.07-01-009, pp. 5-6.

According to Greenlining, Bobak Roshan and Stephanie Chen are third year law students serving as legal associates, who, among other things, drafted comments and participated in meetings with other intervenors and DRA. Greenlining requests the rate of \$180 for these individuals. D.07-01-009 allows the rate of \$180 for attorneys with 0-2 years of experience. However, Roshan and Chen are not yet attorneys admitted to practice law. The work performed by Roshan and Chen is similar to that performed by Rutledge. Therefore, we will apply the same the rate of \$110 as was adopted in D.07-11-013 for Rutledge.

6.2.3. LIF's Hourly Rates

LIF requests an hourly rate of \$300 for attorney Gallardo's work in 2007, a 5% increase from the \$285 rate approved for 2006 in D.06-11-009.

Gallardo has over 10 years' experience, over seven years experience practicing before the Commission. D.07-01-009 established a rate range of \$290 - \$345 for 2007 for attorneys with 8-12 years of experience. LIF's requested rate of \$300 for Gallardo is within the range of rates for attorneys having similar training and experience. Therefore, we apply a 5% step increase to the \$285 rate approved for 2006, and approve the requested rate of \$300 for Gallardo's work in 2007.

6.3. Productivity

The costs of a customer's participation should bear a reasonable relationship to the benefits realized through its participation.³⁴ To assist in determining the reasonableness of the compensation requested, a claimant should demonstrate productivity by trying to assign a dollar value to the

³⁴ D.98-04-059, 79 CPUC2d, 650.

ratepayer benefits of its participation. Where it is possible to do so, this showing assists us in determining the overall reasonableness of the request.

CFC states that Consumer Group Intervenors assisted the Commission in hearing the complaints of the victims of abusive marketing practices, and that CFC helped to establish protections for LEP customers. CFC states that it and the other Consumer Group Intervenors overcame the carriers' strong opposition to establishing any in-language marketing rules.

Greenlining states that its participation benefited low-income and minority ratepayers whose voices the Commission would not have otherwise heard, and that the cost of its participation was modest. LIF states that its participation supported the consumer protections adopted by the Commission.

Although it is difficult to assign monetary benefits to consumers resulting from these intervenors' contributions, we still find that the Consumer Group Intervenors' participations was productive. The Consumer Group Intervenors focused on policies that helped establish protections for LEP telecommunications customers that provide lasting benefits to ratepayers.

6.4. Direct Expenses

The itemized direct expenses submitted by these three intervenors include costs for photocopying, printing and postage. Each has provided detail to demonstrate that its direct expenses were commensurate with the work performed.

We find reasonable the amount CFC requests for its direct expenses consisting of printing and postage charges. The itemized direct expenses submitted by Greenlining include only small postage costs, and we find these costs reasonable. LIF waives compensation for its direct expenses consisting of copying, postage and supplies.

7. Award

The tables below reflect the adjustments and corrections described in the preceding section and summarize our award for each claimant:

CFC's Award				
Attorney	Year	Hours	Rate	Total
Alexis Wodtke	2006	53.4	\$315.00	\$16,821.00
Alexis Wodtke	2007	71.8	\$340.00	\$24,412.00
Work on Intervenor Compensation Matters				
Alexis Wodtke	2007	19.5	\$170.00	\$3,315.00
Direct Costs (printing & postage)				\$49.46
Total Award				\$44,597.46

Work on Issues of the Proceeding (2007)

Greenlining's Award				
Attorneys and Advocates	Year	Hours	Rate	Total
Thalia Gonzalez	2007	55.40	\$195	\$10,803.00
Stephanie Chen	2007	10.75	\$110	\$1,182.50
Bobak Roshan	2007	11.75	\$110	\$1,292.50
Mark Rutledge	2007	19.00	\$110	\$2,090.00
Subtotal				\$15,368.00
Intervenor Compensation Matters				
Thalia Gonzalez	2007	1.75	\$97.50	\$170.63
Direct Costs (Postage)				\$2.87
Total Award				\$15,541.50

Work on Issues of the Proceeding (2007)

LIF's Award				
Attorney	Year	Hours	Rate	Total
Enrique Gallardo	2007	85.75	\$300	\$25,725.00
Work on Intervenor Compensation Matters				
Enrique Gallardo	2007	13.25	\$150	\$1,987.50
Subtotal		99.00		\$27,712.50
Direct Costs (waived)				\$0.00
Total Award				\$27,712.50

Consistent with previous Commission decisions, we order that interest be paid on the award amounts (at the rate earned on prime, three-month commercial paper as reported in Federal Reserve Statistical Release H.15) commencing the 75th day after each intervenor filed its compensation request and continuing until full payment of the award is made.³⁵

This is a quasi-legislative rulemaking proceeding affecting the entire regulated telecommunications industry. As such, we find it appropriate to authorize payment of these compensation awards from the intervenor compensation program fund, as described in D.00-01-020.

We remind all intervenors that Commission staff may audit their records related to these awards and that intervenors must make and retain adequate accounting and other documentation to support all claims for intervenor compensation. Those records should identify specific issues for which they requested compensation, the actual time spent by each employee or consultant, the applicable hourly rate, fees paid to consultants, and any other costs for which compensation was claimed. The records pertaining to an award of compensation shall be retained for at least three years from the date of the final decision making the award.

8. Waiver of Comment Period

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

³⁵ The filing dates to be used are September 25, 2007, for CFC and LIF; and August 20, 2007, for Greenlining.

9. Assignment of Proceeding

Michael R. Peevey is the assigned Commissioner and Richard Smith is the assigned ALJ in this proceeding.

Findings of Fact

1. CFC, Greenlining, and LIF have satisfied all the procedural requirements necessary to claim compensation in this proceeding.
2. CFC, Greenlining, and LIF each made a substantial contribution to D.07-07-043 as described herein.
3. CFC's, Greenlining's, and LIF's each 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.
4. The number of hours for each attorney or advocate claimed by CFC, Greenlining, and LIF, as adjusted herein, are reasonable.
5. CFC and Greenlining requested related direct expenses that are reasonable and commensurate with the work performed.
6. LIF waives compensation for its direct expenses consisting of copying, postage and supplies.
7. The total of the reasonable compensation for CFC is \$44,597.46; for Greenlining is \$15,541.50; and for LIF is \$27,712.50.
8. The appendix to this decision summarizes today's awards.

Conclusions of Law

1. CFC, Greenlining, and LIF have fulfilled the requirements of Pub. Util. Code §§ 1801-1812, which govern awards of intervenor compensation, and each is entitled to intervenor compensation for its claimed expenses, as adjusted herein for its costs incurred in making substantial contributions to D.07-07-043.

2. The following awards should be made for contributions to D.07-07-043: CFC, \$44,597.46; Greenlining, \$15,541.50; and LIF, \$27,712.50.

3. Per Rule 14.6(c)(6), the comment period for this compensation decision may be waived.

4. This order should be effective today so that Greenlining, CFC, and LIF may be compensated without further delay.

5. This proceeding should remain open for consideration of intervenor compensation requests.

O R D E R

IT IS ORDERED that:

1. The Consumer Federation of California (CFC) is awarded \$44,597.46 as compensation for its substantial contributions to Decision (D.) 07-07-043.

2. The Greenlining Institute (Greenlining) is awarded \$15,541.50 as compensation for its substantial contributions to D.07-07-043.

3. The Latino Issues Forum (LIF) is awarded \$27,712.50 as compensation for its substantial contributions to D.07-07-043.

4. Within 30 days of the effective date of this decision, the CFC's, Greenlining's, and LIF's awards shall be paid from the Commission Intervenor Compensation Program Fund, as described in D.00-01-020. 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 on the 75th day after the filing date of each intervenor's request for compensation and continuing until full payment is made. The request for compensation filing dates to be used are: September 25, 2007, for CFC, September 25, 2007, for LIF; and August 20, 2007, for Greenlining.

5. The comment period for today's decision is waived.
6. This proceeding remains open for consideration of intervenor compensation requests.

This order is effective today.

Dated December 18, 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:	D0812057	Modifies Decision? No
Contribution Decision(s):	D0707043	
Proceeding(s):	R0701021	
Author:	ALJ Smith	
Payer(s):	Intervenor Compensation Program Fund	

Intervenor Information

Intervenor	Claim Date	Amount Requested	Amount Awarded	Multiplier?	Reason Change/Disallowance
California Consumer Federation	9/25/07	\$49,565.36	\$44,597.46	No	Failure to justify hourly rate
Greenlining Institute	8/20/07	\$20,735.37	\$15,541.50	No	<ul style="list-style-type: none"> • Failure to justify hourly rate • Failure to discount intervenor compensation preparation time • Excessive hours
Latino Issues Forum	9/25/07	\$27,675.00	\$27,712.50	No	Hours of work miscalculated

Advocate Information

First Name	Last Name	Type	Intervenor	Hourly Fee Requested	Year Hourly Fee Requested	Hourly Fee Adopted
Alexis	Wodtke	Attorney	California Consumer Federation	\$350	2006	\$315
Alexis	Wodtke	Attorney	California Consumer Federation	\$378	2007	\$340
Thalia	Gonzalez	Attorney	Greenlining Institute	\$230	2007	\$195
Mark	Rutledge	Paralegal	Greenlining Institute	\$150	2007	\$110
Stephanie	Chen	Legal Associate	Greenlining Institute	\$180	2007	\$110
Bobak	Roshan	Legal Associate	Greenlining Institute	\$180	2007	\$110
Enrique	Gallardo	Attorney	Latino Issues Forum	\$300	2007	\$300

(END OF APPENDIX)