



BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

12/13/19
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Application of Southern California Edison Company (U 338-E) for Approval of Its Carbon- Free Surplus Energy Transaction with Bonneville Power Administration	Application 19-10-001 (Filed October 1, 2019)
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NOTICE OF INTENT TO CLAIM INTERVENOR COMPENSATION AND, IF REQUESTED (and [X]¹ checked), ADMINISTRATIVE LAW JUDGE’S RULING ON UTILITY REFORM NETWORK’S SHOWING OF SIGNIFICANT FINANCIAL HARDSHIP

NOTE: AFTER ELECTRONICALLY FILING A PDF COPY OF THIS NOTICE OF INTENT, PLEASE EMAIL THE DOCUMENT IN AN MS WORD FORMAT TO THE INTERVENOR COMPENSATION PROGRAM COORDINATOR AT Icompcoordinator@cpuc.ca.gov.

Customer or Eligible Local Government Entity (party intending to claim intervenor compensation): The Utility Reform Network		
Assigned Commissioner: Genevieve Shiroma	Administrative Law Judge: Scarlett Liang-Uejio	
I hereby certify that the information I have set forth in Parts I, II, III and IV of this Notice of Intent is true to my best knowledge, information and belief.		
Signature:		/s/
Date: December 13, 2019	Printed Name:	Matthew Freedman

**PART I: PROCEDURAL ISSUES
(To be completed by the party intending to claim intervenor compensation)**

A. Status as “customer” (see Pub. Util. Code § 1802(b))² The party claims “customer” status because the party is (check one):	Applies (check)
1. A Category 1 customer is an actual customer whose self-interest in the proceeding arises primarily from his/her role as a customer of the utility and, at the same time, the customer must represent the broader interests of at least some other customers. See, for example, D.08-07-019 at 5-10).	<input type="checkbox"/>

¹ DO NOT CHECK THIS BOX if a finding of significant financial hardship is not needed (in cases where there is a valid rebuttable presumption of eligibility (Part III(A)(3)) or significant financial hardship showing has been deferred to the intervenor compensation claim).

² All statutory references are to California Public Utilities Code unless indicated otherwise.

<p>2. A Category 2 customer is a representative who has been authorized by actual customers to represent them. Category 2 involves a more formal arrangement where a customer or a group of customers selects a more skilled person to represent the customer’s views in a proceeding. A customer or group of customers may also form or authorize a group to represent them, and the group, in turn, may authorize a representative such as an attorney to represent the group.</p>	<input type="checkbox"/>	
<p>3. A Category 3 customer is a formally organized group authorized, by its articles of incorporation or bylaws to represent the interests of residential customers or small commercial customers receiving bundled electric service from an electrical corporation (§1802(b)(1)(C)). Certain environmental groups that represent residential customers with concerns for the environment may also qualify as Category 3 customers, even if the above requirement is not specifically met in the articles or bylaws. <i>See</i> D.98-04-059, footnote at 30.</p>	<input checked="" type="checkbox"/>	
<p>4. The party’s detailed explanation of the selected customer category.</p> <p><u>The party’s explanation of its status as a Category 3 customer.</u> If the party represents residential and small commercial customers receiving bundled electric service from an electrical corporation, it must include in the Notice of Intent either the percentage of group members that are residential ratepayers or the percentage of the members who are receiving bundled electric service from an electrical corporation. Supporting documentation for this customer category must include current copies of the articles of incorporation or bylaws. If current copies of the articles and bylaws have already been filed with the Commission, only a specific reference (the proceeding’s docket number and the date of filing) to such filings needs to be made.</p> <p>TURN is a Category 3 “group or organization authorized pursuant to its articles of incorporation or bylaws to represent the interests of residential ratepayers.” TURN originally provided the relevant portion of our articles of incorporation in the NOI submitted in A.98-02-017, and again in A.99-12-024. On October 15, 2015, TURN’s Board of Directors adopted amendments to TURN’s bylaws and articles of incorporation. TURN provided these revised bylaws and articles of incorporation in an amendment to the NOI submitted in A.15-09-001.</p> <p>TURN has approximately 20,000 dues-paying members, of whom we believe the vast majority are residential ratepayers. TURN does not poll our members in a manner that would allow a precise breakdown between residential and small business members, so a precise percentage is not available.</p>		
<p>Do you have any direct economic interest in outcomes of the proceeding?³</p>		<input type="checkbox"/> Yes

³ See Rule 17.1(e).

If “Yes”, explain:	<input checked="" type="checkbox"/> No
B. Conflict of Interest (§ 1802.3)	Check
1. Is the customer a representative of a group representing the interests of small commercial customers who receive bundled electric service from an electrical corporation?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2. If the answer to the above question is “Yes”, does the customer have a conflict arising from prior representation before the Commission?	<input type="checkbox"/> Yes <input type="checkbox"/> No
C. Status as an Eligible Local Government Entity (§§1802(d), 1802.4, 1803.1)	
The party claims “eligible local government entity” status because the party is a city, county, or city and county that is not a publicly owned public utility that intervenes or participates in a Commission proceeding for the purpose of protecting the health and safety of the residents within the entity’s jurisdiction following a catastrophic material loss suffered by its residents either in significant damage to infrastructure or loss of life and property, or both, as a direct result of public utility infrastructure.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<u>The party’s explanation of its status as an eligible local government entity</u> must include a description of (1) The relevant triggering catastrophic event; (2) The impacts of the triggering catastrophic event on the residents within the entity’s jurisdiction as a result of public utility infrastructure; and (3) The entity’s reason(s) to participate in this proceeding.	
D. Timely Filing of Notice of Intent to Claim Intervenor Compensation (NOI) (§ 1804(a)(1)):	
1. Is the party’s NOI filed within 30 days after a Prehearing Conference? Date of Prehearing Conference: 12/5/2019	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. Is the party’s NOI filed at another time (for example, because no Prehearing Conference was held, the proceeding will take less than 30 days, the schedule did not reasonably allow parties to identify issues within the timeframe normally permitted, or new issues have emerged)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2a. The party’s description of the reasons for filing its NOI at this other time:	
2b. The party’s information on the proceeding number, date, and decision number for any Commission decision, Commissioner ruling, Administrative Law Judge’s ruling, or other document authorizing the filing of NOI at that other time:	

**PART II: SCOPE OF ANTICIPATED PARTICIPATION
(To be completed by the party intending to claim intervenor compensation)**

A. Planned Participation (§ 1804(a)(2)(A)):
The party’s statement of the issues on which it plans to participate:

TURN anticipates focusing on the reasonableness of SCE’s request for approval of a contract with the Bonneville Power Administration to purchase 5 MW of “surplus carbon-free hydroelectric power” tied to incremental energy efficiency savings achieved by BPA. Specifically, TURN will explore whether the Commission should rely upon energy efficiency savings claimed outside the state to demonstrate additionality, the extent to which the transaction constitutes resource shuffling or results in secondary dispatch of GHG emitting resources, and whether the cost recovery mechanism is fair to all customers. TURN may also address other issues included in the scoping ruling.

The party’s explanation of how it plans to avoid duplication of effort with other parties:

TURN will coordinate with the other active parties to limit duplication and ensure that each party offers a unique contribution. TURN will also consult with other intervenors and explore opportunities to coordinate and develop joint positions. As a general matter, TURN will do its best to minimize potential overlap in issues and to ensure that where such overlap occurs, each party is presenting a unique analysis.

The party’s description of the nature and extent of the party’s planned participation in this proceeding (to the extent that it is possible to describe on the date this NOI is filed).

TURN has already attended the prehearing conference, reviewed the application and testimony, and filed a protest. TURN intends to conduct discovery, submit testimony, participate in hearings (if required) and submit post-hearing briefs. TURN will also participate in any settlement negotiations.

B. The party’s itemized estimate of the compensation that the party expects to request, based on the anticipated duration of the proceeding (§ 1804(a)(2)(A)):

Item	Hours	Rate \$	Total \$	#
ATTORNEY, EXPERT, AND ADVOCATE FEES				
Matthew Freedman	100	\$435	\$43,500	
Kevin Woodruff	100	\$265	\$26,500	
<i>Subtotal: \$70,000</i>				
OTHER FEES				
[Person 1]				
[Person 2]				
<i>Subtotal: \$</i>				
COSTS				
Postage and photocopying			\$250	
Computerized research fees			\$250	
<i>Subtotal: \$500</i>				
TOTAL ESTIMATE: \$70,500				
Estimated Budget by Issues:				

<p>Estimated Budget by Issue:</p> <p>TURN can provide a very rough estimate of the allocation of our estimated costs by issue area.</p> <ul style="list-style-type: none"> • Reasonableness of relying on energy efficiency savings outside the state (20%) • Resource shuffling/secondary dispatch (50%) • Cost recovery mechanism (20%) • Other/misc (10%) <p>The reasonableness of the hourly rates requested for TURN’s representatives will be addressed in our Request for Compensation.</p> <p>The amount of any future request for compensation will depend upon the Commission's ultimate decision in this case, as well as the resources TURN devotes to the case going forward.</p> <p><i>When entering items, type over bracketed text; add additional rows to table as necessary. Estimate may (but does not need to) include estimated Claim preparation time. Claim preparation time is typically compensated at ½ professional hourly rate.</i></p>

PART III: SHOWING OF SIGNIFICANT FINANCIAL HARDSHIP
(To be completed by party intending to claim intervenor compensation;
see Instructions for options for providing this information)

A. The party claims that participation or intervention in this proceeding without an award of fees or costs imposes a significant financial hardship, on the following basis:	Applies (check)
1. The customer cannot afford, without undue hardship, to pay the costs of effective participation, including advocate’s fees, expert witness fees, and other reasonable costs of participation. (§ 1802(h))	<input type="checkbox"/>
2. In the case of a group or organization, 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. (§ 1802(h))	<input checked="" type="checkbox"/>
3. The eligible local government entities’ participation or intervention without an award of fees or costs imposes a significant financial hardship. (§ 1803.1(b).)	<input type="checkbox"/>
4. A § 1802(h) or § 1803.1(b) finding of significant financial hardship in another proceeding, made within one year prior to the commencement of this proceeding, created a rebuttable presumption in this proceeding (§ 1804(b)(1)).	<input type="checkbox"/>
<p>Commission’s finding of significant financial hardship made in proceeding number:</p> <p>R.19-01-011</p> <p>Date of Administrative Law Judge’s Ruling (or CPUC Decision) in which the finding of significant financial hardship was made:</p> <p>July 26, 2019</p>	

B. The party’s explanation of the factual basis for its claim of “significant financial hardship” (§ 1802(h) or § 1803.1(b)) (necessary documentation, if warranted, is attached to the NOI:

**PART IV: ATTACHMENTS DOCUMENTING SPECIFIC
ASSERTIONS MADE IN THIS NOTICE**

**(The party intending to claim intervenor compensation identifies and attaches documents;
add rows as necessary)**

Attachment No.	Description
1	Certificate of Service

**ADMINISTRATIVE LAW JUDGE RULING⁴
(Administrative Law Judge completes)**

	Check all that apply
1. The Notice of Intent (NOI) is rejected for the following reasons:	<input type="checkbox"/>
a. The NOI has not demonstrated the party’s status as a “customer” or an “eligible local government entity” for the following reason(s):	<input type="checkbox"/>
b. The NOI has not demonstrated that the NOI was timely filed (Part I(B)) for the following reason(s):	<input type="checkbox"/>
c. The NOI has not adequately described the scope of anticipated participation (Part II, above) for the following reason(s):	<input type="checkbox"/>
2. The NOI has demonstrated significant financial hardship for the reasons set forth in Part III of the NOI (above).	<input type="checkbox"/>
3. The NOI has not demonstrated significant financial hardship for the following reason(s):	<input type="checkbox"/>
4. The Administrative Law Judge provides the following additional guidance (see § 1804(b)(2)):	<input type="checkbox"/>

⁴ A Ruling needs not be issued unless: (a) the NOI is deficient; (b) the Administrative Law Judge desires to address specific issues raised by the NOI (to point out similar positions, areas of potential duplication in showings, unrealistic expectations for compensation, or other matters that may affect the customer or eligible local government entity’s Intervenor Compensation Claim); or (c) the NOI has included a claim of “significant financial hardship” that requires a finding under § 1802(h).

IT IS RULED that:

1. The Notice of Intent is rejected.	<input type="checkbox"/>
2. The customer or eligible local government entity has satisfied the eligibility requirements of Pub. Util. Code § 1804(a).	<input type="checkbox"/>
3. The customer or eligible local government entity has shown significant financial hardship.	<input type="checkbox"/>
4. The customer or eligible local government entity is preliminarily determined to be eligible for intervenor compensation in this proceeding. However, a finding of significant financial hardship in no way ensures compensation.	<input type="checkbox"/>
5. Additional guidance is provided to the customer or eligible local government entity as set forth above.	<input type="checkbox"/>

Dated _____, at San Francisco, California.

Administrative Law Judge