

**PUBLIC UTILITIES COMMISSION**505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298**FILED**08/10/20
11:29 AM

August 10, 2020

Agenda ID #18694
Ratesetting

TO PARTIES OF RECORD IN APPLICATION 17-09-005:

This is the proposed decision of Administrative Law Judge (ALJ) Elaine Lau. Until and unless the Commission hears the item and votes to approve it, the proposed decision has no legal effect. This item may be heard, at the earliest, at the Commission's September 10, 2020 Business Meeting. To confirm when the item will be heard, please see the Business Meeting agenda, which is posted on the Commission's website 10 days before each Business Meeting.

Parties to the proceeding may file comments on the proposed decision as provided in Rule 14.3 of the Commission's Rules of Practice and Procedure.

Comments must be filed, pursuant to Rule 1.13, either electronically or in hard copy. Comments should be served on parties to this proceeding in accordance with Rules 1.9 and 1.10. Electronic and hard copies of comments should be sent to ALJ Lau at elaine.lau@cpuc.ca.gov and to the Intervenor Compensation Program at icompcoordinator@cpuc.ca.gov. The current service list for this proceeding is available on the Commission's website at www.cpus.ca.gov.

/s/ ANNE E. SIMON

Anne E. Simon

Chief Administrative Law Judge

AES:nd3

Attachment

Decision PROPOSED DECISION OF ALJ LAU
(Mailed 8/10/2020)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of San Diego Gas & Electric Company (U902M) for Authority to Implement Rate Relief and Increase Spend in Support of the San Diego Unified Port District's Energy Management Plan.

Application 17-09-005

DECISION GRANTING INTERVENOR COMPENSATION TO THE UTILITY CONSUMERS' ACTION NETWORK FOR SUBSTANTIAL CONTRIBUTION TO DECISION 19-12-022

Intervenor: Utility Consumers' Action Network	For contribution to Decision (D.) 19-12-022
Claimed: \$76,594.18	Awarded: \$50,132.79 (reduced by 34.5%)
Assigned Commissioner: Marybel Batjer	Assigned ALJ: Elaine Lau

PART I: PROCEDURAL ISSUES

A. Brief description of Decision:	This decision rejected San Diego Gas & Electric Company's (SDG&E's) proposed discounted rate (Shore Power Rate) for the San Diego Unified Port District (the Port) and instead approved a five-year Rate Plan with a reduced rate discount that gradually declines over time to yield a positive contribution to margin (CTM). The five-year Rate Plan began on January 1, 2020. Additionally, this decision approved funding for a specialized energy efficiency pilot program once a Tier 2 Advice Letter addressing the pilot program requirements was filed and approved. Funding for an Enhanced Partnership Program requested by SDG&E to support the implementation of an Energy Management Plan (EMP) authorized by Assembly Bill (AB) 628 (Gorell, 2013) was also denied. Finally, the decision directed SDG&E to
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	coordinate with the parties in this proceeding to jointly develop a long-term Maritime Rate for the Port.
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B. Intervenor must satisfy intervenor compensation requirements set forth in Pub. Util. Code §§ 1801-1812¹:

	Intervenor	CPUC Verification
Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):		
1. Date of Prehearing Conference:	December 12, 2017	Verified
2. Other specified date for NOI:		
3. Date NOI filed:	January 11, 2018	Verified
4. Was the NOI timely filed?		Yes
Showing of eligible customer status (§ 1802(b) or eligible local government entity status (§§ 1802(d), 1802.4):		
5. Based on ALJ ruling issued in proceeding number:	A.17-01-012	Verified
6. Date of ALJ ruling:	April 24, 2017	Verified
7. Based on another CPUC determination (specify):		
8. Has the Intervenor demonstrated customer status or eligible government entity status?		Yes
Showing of “significant financial hardship” (§1802(h) or §1803.1(b)):		
9. Based on ALJ ruling issued in proceeding number:	A. 17-01-012	Verified
10. Date of ALJ ruling:	April 24, 2017	Verified
11. Based on another CPUC determination (specify):		
12. Has the Intervenor demonstrated significant financial hardship?		Yes
Timely request for compensation (§ 1804(c)):		
13. Identify Final Decision:	D.19-12-022	Verified
14. Date of issuance of Final Order or Decision:	December 12, 2019	Verified
15. File date of compensation request:	February 10, 2020	Verified
16. Was the request for compensation timely?		Yes

¹ All statutory references are to California Public Utilities Code unless indicated otherwise.

PART II: SUBSTANTIAL CONTRIBUTION**A. Did the Intervenor substantially contribute to the final decision (see § 1802(j), § 1803(a), 1803.1(a) and D.98-04-059): (For each contribution, support with specific reference to the record.)**

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
<p>Summary:</p> <p>SDG&E filed this Application seeking authority to increase revenues to fund several components of an Energy Management Plan (EMP). The EMP was authorized by AB 628 and required local utilities to work with eligible port districts to prepare and implement an EMP that would help ports reduce energy costs and pollution in their business operations. Specifically, SDG&E sought funding for 1) a Shore Power Rate, 2) a pilot program for Specialized Energy Efficiency measures, and 3) an Enhanced Partnership Program (Partnership Program) to implement and support the EMP.</p> <p>UCAN intervened in this proceeding out of concern for San Diego ratepayers regarding the effect that any EMP funding, including the cost recovery proposals for the proposed rate discount within the EMP, would have on residential rates.</p> <p>UCAN identified and discussed issues (see issue</p>	<p>“In this Application, SDG&E seeks authority to increase revenues to fund several components of the EMP that supports the Port. Specifically, SDG&E seeks funding for: 1) a Shore Power Rate, 2) a pilot program for Specialized Energy Efficiency measures, and 3) an Enhanced Partnership Program (Partnership Program).</p> <p>D.19-12-022, p. 4.</p> <p><i>“[UCAN’s] testimony focuses on the proposed rate discount for the [Port] District’s cruise ship terminal and the cost recovery proposals for the proposed rate discount and EMP funding.”</i></p> <p>UCAN Direct Testimony (Exhibit-UCAN-02), p. 2</p>	<p>Verified</p>

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
<p>section below) through participation in this proceeding including sponsoring expert witness testimony, active involvement at the evidentiary hearings, filing of briefs, and comments on the proposed decision. UCAN will demonstrate its substantial contribution by showing its input into the major issues resolved in the final decision.</p>		
<p>Issues:</p> <p>1. <u>Shore Power Rate</u></p> <p>A major issue in this proceeding was a five-year shore power discount rate proposed by SDG&E for the Port's Cruise Ship Terminal Account as a part of the Energy Management Plan (EMP). SDG&E requested this discount rate to help the Port avoid rate shock as it transitioned to a Med/Large Commercial Rate.</p> <p>UCAN opposed SDG&E's shore power discount rate proposal arguing that the level of discount was unprecedented and would require a large rate subsidy from other customers.</p>	<p>“One component of the Port’s proposed EMP is a five-year shore power discount rate proposed by SDG&E for the Port’s Cruise Ship Terminal Account. SDG&E requests authority to implement this discount rate to help the Port avoid rate shock. SDG&E’s proposed shore power rate is a flat rate that is equal to the class-average rate of SDG&E customers on the Medium/Large Commercial Rate.”</p> <p>D.19-12-022, at 17.</p> <p><i>“SDG&E calculated that to provide a neutral contribution to margin (CTM), meaning that the rate would cover all marginal costs plus non-bypassable charges but provide no contribution towards fixed costs, the [Port’s] rate would need to be \$0.61 cents per kWh. Under SDG&E’s proposal the [Port’s] rate would be just \$0.21 cents per kWh, requiring other customers to pay about \$0.40 cents for each kWh of electricity used at the cruise terminal just to cover marginal costs of this energy usage and</i></p>	<p>Verified</p>

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
<p>UCAN proposed that if a discount was granted, the discounted rate should at least yield a positive Contribution to Margin (CTM) to minimize costs other ratepayers have to pay to fund the Port's discounted rate. UCAN also offered two other rate options for the Commission to consider.</p> <p>UCAN also recommended any discounted rate option should be limited to a transition period of five years and only for existing load.</p>	<p><i>associated non-bypassable cost...the level of discount being proposed is unprecedented."</i></p> <p>UCAN Direct Testimony (Exhibit UCAN-2), p. 12-13</p> <p><i>See also D.19-12-022, at 21, fn. 46.</i></p> <p><i>"The cruise ship terminal should be placed on a rate under which the [Port] would contribute a positive contribution to margin (CTM) and would receive price signals that would indicate the most cost-effective investments for reducing the terminal's cost of service. An appropriate discount off of the Schedule A6-TOU rate that provides for a positive CTM contribution would fulfill these requirements...[If] the Commission determines...to allow the [Port] to take service...under a rate that does not provide for positive CTM...SDG&E should offer...a rate that reduces the [Port's] immediate bill impact and provides cost-based price signals consistent with those to other M/L C&I customers. One option would be to achieve this would be to make the District's cruise ship terminal eligible for Schedule DG-R for a limited period of time. Another option would be to offer a steeper version of the Schedule A6-TOU discount with a declining level of discount so that positive CTM is achieved at the end of the discount period."</i></p> <p><i>"Any discounted rate option should be limited to a transition period of no more than five years and to the cruise terminal's existing load, defined as the terminal's annual maximum load from 2015 through 2018."</i></p>	

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
<p>The Commission agreed with UCAN that the proposed discount was excessive.</p> <p>The Commission used UCAN's CTM argument and five-year duration recommendation to design a rate in which the Port would pay a rate that was approximate to the Port's CTM by the end of a five-year discounted Rate Plan.</p>	<p>UCAN Direct Testimony (Exhibit UCAN-2), p. 34-35.</p> <p><i>See also D.19-12-022, at 18, fn. 43.</i></p> <p><i>See also Conclusion of Law #8</i></p> <p>"...the Commission finds it reasonable to grant a rate discount for the Port's Cruise Ship Account... But, like UCAN and Cal Advocates, the Commission believes that SDG&E's proposed discount rate is excessive."</p> <p>D.19-12-022, at 19.</p> <p>"Although CTM is not required in making our determinations today, CTM remains a useful concept for evaluating the fairness of various discount proposals. In light of this, we will use an approximation of the Port's CTM (CTM Proxy) as the end point of the Rate Plan. Setting the Port's fifth-year rate at the CTM Proxy ensures that the Port's rate is, at the very least, close to its marginal costs and non-bypassable charges at the end of the Rate Plan. This will limit the cross-subsidies SDG&E ratepayers will have to provide to fund the Port's discounts."</p> <p>D.19-12-022, at 21.</p> <p><i>See also Finding of Fact #21</i></p>	<p>Also see at Exhibit UCAN-2 at p.3.</p>
<p><u>2. Funding for the Discounted Rates</u></p> <p>UCAN opposed the recovery of the discounted rates through the Public Purpose Program (PPP) believing that the</p>	<p><i>"SDG&E proposes to recover the cost of the rate discount through PPP charges...SDG&E's rationale is that the rate discount proposal "is designed to meet the policy objectives of AB 628."</i></p> <p><i>"AB 628 does identify ratepayer-funded programs as one potential source of funding or activities included in the EMP. However, this would appear to</i></p>	<p>Verified</p>

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
<p>discounted rate did not further any environmental, energy efficiency, and energy management goals directed by AB 628 or any other public policy goals.</p> <p>The Commission disagreed with UCAN and concluded that the rate discount did support state policy goals of AB 628.</p> <p>Although the Commission did not agree with UCAN regarding this issue, UCAN was cited in the final discussion (<i>see</i> D.19-12-022, at 23). UCAN believes its efforts added to the discussion and aided the Commission in coming to its final decision regarding this issue.</p>	<p><i>refer to ratepayer-funded programs for energy efficiency, energy management technologies, and distributed generation...it would be quite a stretch to see any basis in this language for a ratepayer-funded rate subsidy that does not further the use of energy efficiency or sustainable energy or otherwise support the environmental and energy management goals addressed by AB 628."</i></p> <p>UCAN Direct Testimony (Exhibit UCAN-2), p. 35-37.</p> <p>"Because the Port's rate discount supports the state policy goals outlined in AB 628, it is reasonable for SDG&E to recover costs of the Cruise Ship Account's rate discount through the PPP revenues. Furthermore, all SDG&E ratepayers benefit from the retention of the Port's electric sales, even at discounted rates. Likewise, loss of some or all of the Cruise Ship Terminal's electric sales will increase the revenue burden on all other SDG&E ratepayers. SDG&E shall recover the costs of the Cruise Ship Terminal Account's rate discounts through the PPP revenues."</p> <p>D.19-12-022, at 23-24.</p> <p>See also Conclusion of Law #12</p>	
<p><u>3. Cost Recovery for the Energy Management Plan</u></p> <p>UCAN opposed the two-way balancing account treatment of the Port Energy Management</p>	<p><i>"Under SDG&E's proposal [a two-way PEMPBA to record revenue and costs], ratepayers would be charged for all costs associated with these proposals with no spending limit, subject only to Commission approval of a Tier 2 advice letter filing"</i></p>	<p>Verified</p>

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
<p>Plan Balancing Account (PEMPBA) proposed by SDG&E. UCAN argued that this was an inappropriate way to treat the rate discount, partnership program and energy efficiency proposals because it reduced incentives to control spending and manage efficiently. Instead, UCAN argued for a hard cap, fixed budgets, and one-way balancing accounts that returned any unused funds to ratepayers.</p>	<p>For the Rate Discount proposal, UCAN recommended:</p> <p><i>“...the Commission should set this amount [total discount amount] (or the equivalent amount per the adopted rate discount) as a hard cap for rate recovery. Any rate discount revenue collected from ratepayers and not used should be returned to ratepayers via a one-way balancing account.”</i></p> <p>For the Enhanced Partnership Program (EPP) proposal, UCAN recommended:</p> <p><i>“These administrative and project management costs are costs that SDG&E should be able to – and required to- manage...Providing SDG&E a two-way balancing account reduces the incentive for SDG&E and the District to control spending and manage the project efficiently. Instead, SDG&E and the District should be provided fixed budgets along with one-way balancing accounts to return unused funds to ratepayers.”</i></p> <p>For the Energy Efficiency (EE) proposal, UCAN recommended:</p> <p><i>“...UCAN is concerned about writing a blank check to authorize significant expenditures for a single entity...for projects that have not received vetting that is conducted during the standard energy efficiency proceedings...UCAN encourages the Commission to set a strict budget along with a one-way balancing account to return any unused funds to ratepayers.”</i></p>	

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
<p>The Commission agreed with UCAN and established a one-way balancing account for the EE program.</p> <p>The Commission disagreed with UCAN regarding cost recovery treatment of the Rate Discount and established a two-way balancing account. (The Enhanced Partnership Program (EPP) was denied without prejudice.)</p> <p>Although the Commission did not agree with UCAN regarding the Rate Discount cost recovery issue, UCAN was cited in the final discussion (<i>see</i> D.19-12-022, at 36-37). UCAN believes its efforts added to the analysis and helped the Commission with its reasoning in coming to its final decision regarding this issue.</p>	<p>UCAN Direct Testimony (Exhibit UCAN-2), p. 39-42.</p> <p>“We grant the establishment of the PEMPA as a one-way, interest-bearing balancing account to record the costs of the Specialized EE pilot program... We agree with UCAN that since funding for the Specialized EE pilot program is set with a hard cap, a one-way balancing account treatment is more appropriate.”</p> <p>“Because the costs of the Port’s rate discount will fluctuate depending on a number of factors...the costs of the Port’s rate discount are more appropriately tracked in a two-way balancing account.”</p> <p>D.19-12-022, at 37.</p> <p><i>See also Conclusion of Law #20</i></p>	
<p>4. <u>Long-time Maritime Rate</u></p> <p>UCAN and other parties supported the idea of collaborating to develop a long-term Maritime Rate for the Port. UCAN reasoned that this approach would provide certainty and avoid repeated litigation.</p>	<p><i>“UCAN also supports this [collaborative] approach in order to provide rate certainty and to avoid repeated litigation of this issue. UCAN recommends that the Commission direct SDG&E to work with all parties to this proceeding to develop permanent rates for the Port’s cruise ship terminal.”</i></p> <p><i>See Reply Comments of the Utility Consumers’ Action Network on the Proposed Decision of Administrative</i></p>	Verified

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
The Commission agreed with a collaborative approach and directed SDG&E to coordinate with other parties in the proceeding to jointly develop a long-term Maritime Rate Proposal for the PORT.	<p>Law [Judge] Elaine Lau, p. 1, filed November 25, 2019.</p> <p>“We agree that a collaborative approach is the most effective method in establishing a long-term Maritime Rate for the Port. We direct SDG&E to coordinate with all the parties in this proceeding to jointly develop a long-term Maritime Rate proposal for the Port.”</p> <p>“...by collaborating the parties could develop a rate that takes into account the goals of AB 628, the economics of the Port, and the ratepayer subsidy concerns raised by Cal Advocates and UCAN.”</p> <p>D.19-12-022, at 40-41.</p>	

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

	Intervenor's Assertion	CPUC Discussion
a. Was the Public Advocate's Office of the Public Utilities Commission (Cal Advocates) a party to the proceeding?²	Yes	Verified
b. Were there other parties to the proceeding with positions similar to yours?	No	Yes
c. If so, provide name of other parties:		Public Advocates Office
<p>d. Intervenor's claim of non-duplication:</p> <p>This proceeding addressed a number of complex issues arising from state law requirements for the Port District (AB 628), At Berth Regulations from the California Air Resources Board (CARB), and a changing rate structure at SDG&E for commercial customers that affected the Port District (which moved the Port from a small commercial rate to a medium/commercial & industrial rate). There were two intervenors: Public Advocate's Office of the Public Utilities Commission (Cal Advocates) and Utility Consumers' Action Network (UCAN). There were multiple complex issues in this proceeding and within each issue there were complex parts. This resulted in UCAN analyzing</p>		Noted

² The Office of Ratepayer Advocates was renamed the Public Advocate's Office of the Public Utilities Commission pursuant to Senate Bill No. 854, which the Governor approved on June 27, 2018.

	Intervenor's Assertion	CPUC Discussion
<p>some parts of an issue and Cal Advocates analyzing others. For example, UCAN commented separately on certain parts of the Energy Management Plan which had five main areas of focus. Cal Advocates commented holistically on the EMP (as well as different parts) arguing that the EMP did not contain any meaningful tools to help the Port manage energy demand at its Cruise Ship Account. UCAN chose a part of the EMP plan, the rate discount, to analyze how the rate discount did not send the proper signals to manage energy demand because the bill would be unchanged regardless of when energy was consumed. UCAN and Cal Advocates also had different recommendations for the Shore Power discount, with UCAN recommending a discount that decreased over five years to reach a positive CTM. Cal Advocates proposed a 4.14% escalator as a part of its recommendation which UCAN did not. Additionally, Cal Advocates provided alternative funding recommendations for the Partnership Program (issuing bonds or increasing charges for tenants) whereas UCAN did not discuss the merits of the EMP or the funding requests. This type of evaluation occurred on several of the issues throughout this proceeding. Because UCAN and Cal Advocates were not aligned on all of the issues, and provided analysis and discussion on certain parts of different issues, duplication of effort was kept to a minimum. Due to the complexity of issues addressed in this proceeding, UCAN urges the Commission to find any duplication of efforts was minor and therefore reasonable.</p>		

PART III: REASONABLENESS OF REQUESTED COMPENSATION

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

	CPUC Discussion
<p>a. Intervenor's claim of cost reasonableness: UCAN is requesting reimbursement of \$76,594.18. This amount includes time for UCAN's attorney and representative as well as UCAN's outside experts, Ms. Laura Norin, a Senior Project Manager with over 15 years of energy industry experience and Mr. Brandon Charles, an energy and financial analyst with over 12 years of industry experience. As noted above, this proceeding addressed a number of complex over-lapping issues arising from state law, regulatory rules, and rate structures. UCAN joined this proceeding to represent and protect the interests of San Diego ratepayers, particularly in light of the fact that residential ratepayers were being asked to pay for the rate discount and other parts of the Energy Management Plan (EMP). Given the complexity of the issues UCAN researched, the quality of the work product and the substantial contributions UCAN made to this proceeding that aided the Commission in</p>	<p>Noted, but <i>see</i> CPUC Comments, Disallowances, and Adjustments in Section III.D.</p>

	CPUC Discussion
<p>reaching its final decision, we ask that the Commission grant the full amount of compensation requested.</p> <p>An unanticipated event at UCAN altered the original plan for this proceeding. Several months into the process, UCAN's executive director became unavailable due to health reasons. This meant UCAN had to ask expert Mr. Brandon Charles to become more involved in the preparation for evidentiary hearings and writing the brief and reply brief. Ms. Krikorian had not been working on the proceeding and therefor had to depend on Mr. Charles' expertise to get her up to speed for the evidentiary hearings. Ms. Krikorian stepped in after the executive director was unavailable and worked collaboratively with Mr. Charles to develop and finalize testimony, attend evidentiary hearings (that were extended an extra day in July) and briefing. Also, UCAN did not anticipate the level of complexity with the overlapping issues described above and therefor only listed minimal time for an expert. This resulted in a much lower cost estimate than is now being requested (\$33,525 vs. \$76,594.18). However, as explained above, with the unavailability of UCAN's executive director and his experience, UCAN relied more heavily on Mr. Charles which therefore resulted in more hours than originally anticipated. Despite the oversight in the NOI and the unanticipated unavailability of UCAN's executive director, UCAN believes its contribution was substantial and that San Diego ratepayers benefited from UCAN's participation.</p> <p>San Diego ratepayers benefited from UCAN's participation because UCAN advocated for a lower rate discount as well as budget caps and cost controls to help save money for residential ratepayers. In the end, the Commission agreed with UCAN and used several of UCAN's proposals including a rate discount that gradually reached a positive CTM and five years and a one-way balancing account for the Special Energy Efficiency Pilot Program. The adoption of these proposals will save money for residential ratepayers.</p> <p>Additionally, UCAN made a substantial effort to minimize expenses where possible. For example, for the evidentiary hearings in July 2,3 and 19, 2018, Ms. Krikorian stayed with a friend to avoid lodging expenses. For all of the reasons expressed above, UCAN believes that the \$76,594.18 cost of participation is reasonable.</p>	
<p>b. Reasonableness of hours claimed:</p> <p>UCAN is requesting reimbursement of 17.25 hours for Mr. Kelly, 79.25 hours for Ms. Krikorian, 46.75 hours for Ms. Norin, and 120.25 hours for Mr. Brandon for their substantive work in this proceeding. The amounts listed here are for hours spent examining the issues (discovery, testimony, evidentiary hearings, briefs) and exclude travel hours for travel to the</p>	<p>Noted, but <i>see</i> CPUC Comments, Disallowances, and Adjustments in Section III.D.</p>

			CPUC Discussion																														
<p>Commission for hearings. The hours above also exclude time claimed for NOI and intervenor compensation request preparation.</p> <p>The Port District proceeding is important to ratepayers because as California moves ahead with very aggressive greenhouse gas reduction goals, residential ratepayers are being asked to subsidize the many discounts and programs offered to incentivize utilities and businesses to make changes that improve air quality and lower greenhouse gas emissions. For example, in this proceeding, residential ratepayers will pay for the rate discount to help the Port District reduce its air emissions at the port district by using shore (electric) power. Ratepayers will also pay for the specialized energy efficiency pilot program for the port. However, in part due to UCAN’s advocacy efforts, ratepayers will not pay for the requested Partnership Program that was to provide management and staffing to support the implementation of the Energy Management Program. This alone saved ratepayers over \$5 million dollars. Given the importance of this proceeding to San Diego ratepayers, UCAN’s advocate and expert sought a thorough examination of the issues. As noted above, UCAN’s executive director became unavailable during this proceeding. Due to the complexity of the issues, UCAN relied heavily on Mr. Brandon’s experience with rate design and regulatory policy to examine the core issues. Mr. Brandon crafted sensible and sound arguments that aided the Commission to revise SDG&E’s proposals in a manner fairer to all ratepayers. Given the importance of this proceeding and the fact that several of the concepts UCAN advocated for were included in the decision, UCAN believes the total amount of hours requested for reimbursement is reasonable.</p>																																	
<p>c. Allocation of hours by issue:</p> <table><tr><th>Total Hours</th><th>% of Hours per Issue</th><th></th></tr><tr><td>8</td><td>3%</td><td>1. General Prep (GP)</td></tr><tr><td>3.5</td><td>1%</td><td>2. Hearings, Workshops, and Conferences (HWC)</td></tr><tr><td>40.5</td><td>14%</td><td>3. Filings (F)</td></tr><tr><td>22.25</td><td>8%</td><td>4. Discovery (D)</td></tr><tr><td>79.75</td><td>28%</td><td>5. Testimony (T)</td></tr><tr><td>2</td><td>1%</td><td>6. Coordination (C)</td></tr><tr><td>120</td><td>43%</td><td>7. Evidentiary Hearings (EH)</td></tr><tr><td>5.5</td><td>2%</td><td>8. Settlement (S)</td></tr><tr><td>281.5</td><td>100%</td><td></td></tr></table>			Total Hours	% of Hours per Issue		8	3%	1. General Prep (GP)	3.5	1%	2. Hearings, Workshops, and Conferences (HWC)	40.5	14%	3. Filings (F)	22.25	8%	4. Discovery (D)	79.75	28%	5. Testimony (T)	2	1%	6. Coordination (C)	120	43%	7. Evidentiary Hearings (EH)	5.5	2%	8. Settlement (S)	281.5	100%		<p>Noted, but <i>see</i> CPUC Comments, Disallowances, and Adjustments in Section III.D.</p>
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B. Specific Claim:*

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
Jane Krikorian	2017	2.5	\$155	D.19-04-036	\$387.50	1.25 [1]	\$155	\$193.75
Jane Krikorian	2018	76.5	\$200	D.19-04-038	\$15,300	38.25 [1]	\$200	\$7,650.00
Jane Krikorian	2019	.25	\$205	D.19-12-050	\$51.25	0.125 [1]	\$205	\$25.63
Donald Kelly	2017	2	\$365	D.19-04-038	\$730	2	\$365	\$730.00
Donald Kelly	2018	15.25	\$380	D.19-04-050	\$5,795	15.25	\$380	\$5,795.00
Courtney Cook	2018	1.5	\$160	D.18-11-047	\$240	1.5	\$160	\$240.00
Brandon Charles	2018	117.75	\$250	See Comment 1	\$29,437.50	58.88 [1]	\$225 [2]	\$13,248.00
Brandon Charles	2019	2.50	\$250	See Comment 1	\$625	1.25 [1]	\$245 [2]	\$306.25
Laura Norin	2018	46.75	\$280	D.19-12-050	\$13,090	46.75	\$280	\$13,090.00
George Randolph	2018	16.25	\$150	See Comment 2	\$2,437.50	16.25	\$150	\$2,437.50
William Monsen	2018	.25	\$375	See Comment 3	\$93.75	0.25	\$360 [2]	\$90.00
Subtotal: \$68,187.50						Subtotal: \$ 43,806.13		
OTHER FEES								
Describe here what OTHER HOURLY FEES you are Claiming (paralegal, travel **, etc.):								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate	Total \$
Jane Krikorian	2017	8	\$77.50	D.19-04-036	\$620	4 [1]	\$77.50	\$310.00
Jane Krikorian	2018	19	\$100	D.19-04-038	\$1900	9.5 [1]	\$100.00	\$950.00

CLAIMED						CPUC AWARD		
Brandon Charles	2018	10	\$125	See Comment 1	\$1250	5 [1]	\$112.50 [2]	\$562.50
Subtotal: \$3,770						Subtotal: \$1,822.50		
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate	Total \$
Donald Kelly	2018	1	\$190	D.19-12-050	\$190	1	\$190.00	\$190.00
Jane Krikorian	2020	13.50	\$102.50	D.19-12-050	\$1,383.75	13.50	\$102.50	\$1,383.75
Courtney Cook	2020	2.75	\$82.50	D.19-12-050	\$226.88	2.75	\$82.50	\$82.50
Subtotal: \$1,800.63						Subtotal: \$1,800.63		
COSTS								
#	Item	Detail			Amount	Amount		
1.	Travel and Copies	Travel costs for Jane Krikorian and Brandon Charles. Copies for EH CrossX			\$2,836.05	\$2,703.54 [3]		
Subtotal: \$2,836.05						Subtotal: \$2,703.05		
TOTAL REQUEST: \$76,594.18						TOTAL AWARD: \$50,132.79		
<p>*We remind all intervenors that Commission staff may audit the records and books of the intervenors to the extent necessary to verify the basis for the award (§1804(d)). Intervenors must make and retain adequate accounting and other documentation to support all claims for intervenor compensation. Intervenor’s records should identify specific issues for which it seeks 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. 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.</p> <p>**Travel and Reasonable Claim preparation time are typically compensated at ½ of preparer’s normal hourly rate</p>								

CLAIMED			CPUC AWARD
ATTORNEY INFORMATION			
Attorney	Date Admitted to CA BAR ³	Member Number	Actions Affecting Eligibility (Yes/No?) If “Yes”, attach explanation
Donald Kelly	December 5, 1990	151095	No

C. Attachments Documenting Specific Claim and Comments on Part III:
(attachments not attached to final Decision)

Attachment or Comment #	Description/Comment
	Certificate of Service
Comment 1	<p>UCAN is requesting that Brandon Charles’ rate be increased from the rate of \$225 an hour that was given in D.19-04-034 to \$250 an hour starting in 2018. Mr. Charles’ rate of \$225 an hour was authorized based on 2016 billing rates with COLA adjustments for 2017 and 2018. Mr. Charles has not had a rate increase other than COLA adjustments since 2016. Mr. Charles is an energy consultant and a rate expert with 14 years of experience, including 11 years in the electric utility industry and approximately 8.5 years at MRW & Associates, LLC. Mr. Charles also has had prior experience as a Senior Market Analyst with Bloom Energy and in policy analysis outside of the electric utility industry. Mr. Charles regularly serves as an expert before the Commission.</p> <p>Since 2016, Mr. Charles has been promoted from Senior Associate to Senior Project Manager and has regularly served as an expert before the Commission and managed client engagements. Mr. Charles has recently served as an expert in several ratemaking proceedings before the Commission, including the Southern California Edison (SCE) 2018 General Rate Case Phase 2 proceeding on behalf of the California Farm Bureau Federation, the San Diego Gas & Electric (SDG&E) Application for Authority to Implement Rate Relief and Increase Spend in Support of the San Diego Unified Port District’s Energy Management Plan proceeding on behalf of UCAN, the SDG&E 2019 Sales Forecast proceeding on behalf of the California Farm Bureau Federation, and the Pacific Gas & Electric (PG&E) Application for Approval of Commercial Electric Vehicle Rates proceeding on behalf of Marin Clean Energy and Peninsula Clean Energy.</p>

³ This information may be obtained through the State Bar of California’s website at <http://members.calbar.ca.gov/fal/MemberSearch/QuickSearch>.

Attachment or Comment #	Description/Comment
	<p>The requested hourly compensation rate of \$250 is the rate that UCAN was charged for Mr. Charles' work in this proceeding. UCAN believes that a rate increase from \$225 per hour to \$250 per hour is appropriate given his professional growth during this time period, his expertise on utility rate cases, and his experience at the Commission. The requested billing rate is on the lower end of the compensation range for experts with 13+ years of experience (between \$180 an hour and \$455 an hour for work in 2018, per Resolution ALJ-357).</p>
	<p>UCAN is requesting that George Randolph's rate be increased from the \$140 an hour that was given in D.19-04-034 for work in 2017 to \$150 an hour for work in 2018. Mr. Randolph holds an M.S. degree in Atmospheric Science from the University of Wyoming. In 2015, he joined MRW & Associates, LLC, as an Associate, where he conducts research and analyses related to California energy markets, electricity and natural gas rates, and other energy regulatory and policy issues. Previously, he conducted research on clean energy and developed models of the technical and economic potentials of wind and wave energy technologies.</p> <p>In 2017 and 2018, Mr. Randolph continued his professional growth, supporting the development of testimony and other filings in a multitude of Commission proceedings for various clients and expert witnesses. During this time, he has continued to gain industry knowledge and knowledge of California Public Utilities Commission processes for ratemaking and program evaluation.</p> <p>The requested hourly compensation rate of \$150 is the rate that UCAN was charged for Mr. Randolph's work in this proceeding. This requested billing rate is at the lowest end of the compensation range for experts with 0-6 years of experience (between \$150 an hour and \$215 an hour for work in 2018), per Resolution ALJ-345. Mr. Randolph's resume is attached to this compensation claim. UCAN believes a rate increase from \$145 an hour to \$150 an hour is appropriate given his professional growth during this time period, his expertise on utility rate cases, his industry and Commission knowledge, and the increase in the local cost of living.</p>
	<p>UCAN is requesting that William Monsen's rate be increased from the \$335 an hour that was given in D.19-04-034 for work in 2017 to \$375 an hour for work in 2018. Mr. Monsen is a principal of MRW & Associates, LLC, where he has consulted on California energy issues since 1989. Prior to joining MRW & Associates, he worked as an energy economist with Pacific Gas & Electric and as academic staff at the University of Wisconsin-Madison Solar Energy Laboratory. Mr. Monsen has 35 years of experience in the areas of energy economics, regulatory and policy analysis, and electricity supply and transmission planning, and he has testified as an expert witness more than 75</p>

Attachment or Comment #	Description/Comment
	<p>times. He holds a B.S. degree in Engineering Physics from the University of California, Berkeley, and an M.S. degree in Mechanical Engineering from the University of Wisconsin, Madison.</p> <p>The requested hourly compensation rate of \$375 is the rate that UCAN was charged for Mr. Monsen's work in this proceeding. This requested billing rate is well within the compensation range for experts with 13+ years of experience (between \$180 an hour and \$445 an hour for work in 2018, per Resolution ALJ-357). Mr. Monsen's resume is attached to this compensation claim. UCAN believes a rate increase from \$335 an hour to \$375 an hour is appropriate given his experience and expertise on utility rate cases, his industry and Commission knowledge, and the increase in the local cost of living.</p>

D. CPUC Comments, Disallowances, and Adjustments

Item	Reason																																		
[1] Adjustment for replacement of UCAN Executive Director	<p>At III.A, UCAN states that its Executive Director became unavailable due to health reasons, and was replaced by two people, Jane Krikorian and Brandon Charles.</p> <p>In its Notice of intent UCAN estimated intervenor compensation of \$33,525, less than half what it is now requesting in the current claim.</p> <p>Over 75% of UCAN time billed for the Evidentiary Hearing (EH) is for preparation for the EH, not the EH itself.</p> <p>Because UCAN’s original proposal assumed one person could perform the duties of the executive director, UCAN could have, but did not file an amended NOI to estimate the need for two people to replace its executive director’s work in the current proceeding, and because an inordinate amount of time was spent preparing for EH, we reduce both Jane Krikorian’s and Brandon Charles’ hours by half, in order for their work to add up to one person’s worth of hours.</p> <table><tr><td></td><td colspan="6">Hours</td></tr><tr><td rowspan="2">Name</td><td>Original</td><td>Adjusted</td><td>Original</td><td>Adjusted</td><td>Original</td><td>Adjusted</td></tr><tr><td>2017</td><td>2017</td><td>2018</td><td>2018</td><td>2019</td><td>2019</td></tr><tr><td>Jane Krikorian</td><td>2.5</td><td>1.25</td><td>76.5</td><td>38.25</td><td>0.25</td><td>0.13</td></tr><tr><td>Brandon Charles</td><td>0</td><td></td><td>117.5</td><td>58.75</td><td>2.5</td><td>1.25</td></tr></table>		Hours						Name	Original	Adjusted	Original	Adjusted	Original	Adjusted	2017	2017	2018	2018	2019	2019	Jane Krikorian	2.5	1.25	76.5	38.25	0.25	0.13	Brandon Charles	0		117.5	58.75	2.5	1.25
	Hours																																		
Name	Original	Adjusted	Original	Adjusted	Original	Adjusted																													
	2017	2017	2018	2018	2019	2019																													
Jane Krikorian	2.5	1.25	76.5	38.25	0.25	0.13																													
Brandon Charles	0		117.5	58.75	2.5	1.25																													

Item	Reason
	For the reasons discussed above, we also reduce hours claimed by Jane Krikorian and Brandon Charles for Other Hourly Fees for Travel Time by one half.
[2] Adjustment for Rates	<p>Pursuant to D.19-04-034, Brandon Charles was authorized an hourly rate of \$225 for 2018, which included the COLA prescribed in Resolution ALJ-352. We therefore maintain that authorized rate in the current claim, instead of using the claimed rate of \$250. In determining Brandon Charles' rate for 2019, we apply the COLA rate of 2.35 percent, prescribed in Resolution ALJ-357 to arrive at \$230. Based on Brandon Charles' experience, we then apply a step rate of 5 percent to \$230, which results in a rounded rate of \$245. We therefore adjust the claimed 2019 rate of \$250 for 2019 to \$245.</p> <p>Pursuant to D.19-04-034, William Monsen was authorized an hourly rate of \$335 for 2017, which included the COLAs prescribed in Resolutions ALJ-329 and 345. In determining William Monsen's rate for 2018, we apply the COLA rate of 2.3 percent, prescribed in Resolution ALJ-352 to arrive at \$343. Based on William Monsen's experience, we then apply a step rate of 5 percent to \$343, which results in a rounded rate of \$360. We therefore adjust the claimed 2018 rate of \$375 for 2018 to \$360.</p>
[3] Adjustment for Travel Cost	<p>Pursuant to the Commission's Intervenor Compensation Program Guide at Section III.B.3.b.ii "Time spent traveling one-way distances of 120 miles or less is not compensated. (See D.10-11-032)." Seven Lyft and Uber rides claimed by Jane Krikorian from her home to the Commission and back were for less than 120 miles. Therefore, we reduce Travel cost by \$132.51 (\$17.09 + \$18.89 + \$19.04 + \$19.12 + \$20.03 + \$19.11 + \$19.23).</p> <p>Based on these adjustments, UCAN's claim of \$76,594.18 is reduced by \$26,461.39, or 34.5%, for a total award of \$50,132.79.</p>

PART IV: OPPOSITIONS AND COMMENTS

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

A. Opposition: Did any party oppose the Claim?	No
B. Comment Period: Was the 30-day comment period waived (<i>see</i> Rule 14.6(c)(6))?	No

If not:

Party	Comment	CPUC Discussion

FINDINGS OF FACT

1. Utility Consumers' Action Network has made a substantial contribution to D.19-12-022.
2. The requested hourly rates for Utility Consumers' Action Network's representatives, as adjusted herein, are comparable to market rates paid to experts and advocates having comparable training and experience and offering similar services.
3. The claimed costs and expenses, as adjusted herein, are reasonable and commensurate with the work performed.
4. The total of reasonable compensation is \$50,132.79.

CONCLUSION OF LAW

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

ORDER

1. Utility Consumers' Action Network shall be awarded \$50,132.79.
2. Within 30 days of the effective date of this decision, San Diego Gas & Electric Company shall pay Utility Consumers' Action Network the total award. Payment of the award shall include compound interest at the rate earned on prime, three-month non-financial commercial paper as reported in Federal Reserve Statistical Release H.15, beginning April 25, 2020, the 75th day after the filing of Utility Consumers' Action Network's request, and continuing until full payment is made.
3. The comment period for today's decision is not waived.

This decision is effective today.

Dated _____, at San Francisco, California.

APPENDIX**Compensation Decision Summary Information**

Compensation Decision:		Modifies Decision?	No
Contribution Decision(s):	D1912022		
Proceeding(s):	A1709005		
Author:	ALJ Lau		
Payer(s):	San Diego Gas & Electric Company		

Intervenor Information

Intervenor	Date Claim Filed	Amount Requested	Amount Awarded	Multiplier?	Reason Change/Disallowance
Utility Consumers' Action Network	February 10, 2020	\$76,594.18	\$50,132.79	N/A	Adjustments to hours, rates, and travel cost.

Hourly Fee Information

First Name	Last Name	Attorney, Expert, or Advocate	Hourly Fee Requested	Year Hourly Fee Requested	Hourly Fee Adopted
Jane	Krikorian	Advocate	\$200	2018	\$200
Jane	Krikorian	Advocate	\$205	2019	\$205
Jane	Krikorian	Advocate	\$205	2020	\$205
Donald	Kelly	Attorney	\$365	2017	\$365
Donald	Kelly	Attorney	\$380	2018	\$380
Courtney	Cook	Advocate	\$160	2018	\$160
Courtney	Cook	Advocate	\$165	2020	\$165
Brandon	Charles	Expert	\$250	2018	\$225
Brandon	Charles	Expert	\$250	2019	\$245
George	Randolph	Expert	\$150	2018	\$150
William	Monsen	Expert	\$375	2018	\$360

(END OF APPENDIX)