



## FORM A: BLANK NOTICE OF INTENT TO CLAIM INTERVENOR COMPENSATION

FILED

09/30/20

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Southern California Edison Company (U338E) for Authority to Securitize Certain Costs and Expenses Pursuant to Public Utilities Code Section 850 et seq.	Application 20-07-008 (Filed July 08, 2020)
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**NOTICE OF INTENT TO CLAIM INTERVENOR COMPENSATION  
AND, IF REQUESTED (and ☐ <sup>1</sup> checked), ADMINISTRATIVE LAW JUDGE'S  
RULING ON WILD TREE FOUNDATION'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](mailto:Icompcoordinator@cpuc.ca.gov).**

<b>Customer or Eligible Local Government Entity (party intending to claim intervenor compensation): Wild Tree Foundation</b>		
<b>Assigned Commissioner:</b> Commissioner Marybel Batjer		<b>Administrative Law Judge:</b> ALJ Jason Jungreis
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/ April Maurath Sommer
Date: 9/30/2020	Printed Name:	April Maurath Sommer

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

<b>A. Status as "customer" (see Pub. Util. Code § 1802(b))<sup>2</sup></b> The party claims "customer" status because the party is (check one):	<b>Applies (check)</b>
<b>1. A Category 1</b> 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	<input type="checkbox"/>

<sup>1</sup> 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).

<sup>2</sup> All statutory references are to California Public Utilities Code unless indicated otherwise.

<p>other customers. See, for example, D.08-07-019 at 5-10).</p>	
<p><b>2. A <u>Category 2</u> 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.</b></p>	<input type="checkbox"/>
<p><b>3. A <u>Category 3</u> 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. See D.98-04-059, footnote at 30.</b></p>	<input checked="" type="checkbox"/>
<p><b>4. The party's detailed explanation of the selected customer category.</b></p> <p><u>The party's explanation of its status as a Category 1 customer.</u> A party seeking status as a Category 1 customer must describe the party's own interest in the proceeding and show how the customer's participation goes beyond just his/her own self-interest and will benefit other customers. Supporting documents must include a copy of the utility's bill.</p> <p><u>The party's explanation of its status as a Category 2 customer.</u> A party seeking status as a Category 2 customer must identify the residential customer(s) being represented and provide authorization from at least one customer.</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>The Wild Tree Foundation (Wild Tree) is a non-profit, 501(c)(3) tax exempt corporation registered with the State of California that advocates for the protection of the environment, climate, and wildlife. Wild Tree meets the definition of a Category 3 customer under the Public Utilities Code section 1802(b)(1)(C) as "representative of a group or organization authorized pursuant to its articles of incorporation or bylaws to represent the interests of residential customers..." Article 3, Section 3.3 of Wild Tree's Bylaws specifically authorizes the organization to represent the interests of residential</p>	

<p>ratepayers and seek intervenor compensation for doing so. A copy of Wild Tree's bylaws is attached. Wild Tree represents the interests of residential ratepayers (100 percent) and not small commercial customers receiving bundled electric service from an electrical corporation.</p> <p>Wild Tree also qualifies as a Category 3 customer as an environmental group that represents residential customers with concerns for the environment. (See D.98-04-059, footnote at 30.) The Commission has explained that, "With respect to environmental groups, we have concluded they were eligible [for intervenor compensation] in the past with the understanding that they represent customers . . . who have a concern for the environment which distinguishes their interests from the interests represented by Commission staff, for example." (D.88-04-066.) Wild Tree is such an environmental group because it represents customers with a concern for the environment that is different from other interests in this proceeding.</p> <p>Wild Tree has also demonstrated that it qualifies as a Category 3 customer based upon a rebuttable presumption of eligibility pursuant to D.20-06-051.</p>	
<p><b>Do you have any direct economic interest in outcomes of the proceeding?</b><sup>3</sup></p> <p>If "Yes", explain:</p>	<p><input type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> No</p>
<p><b>B. Conflict of Interest (§ 1802.3)</b></p>	<p><b>Check</b></p>
<p>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?</p>	<p><input type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> No</p>
<p>2. If the answer to the above question is "Yes", does the customer have a conflict arising from prior representation before the Commission?</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>
<p><b>C. Status as an Eligible Local Government Entity (§§1802(d), 1802.4, 1803.1)</b></p>	
<p>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.</p>	<p><input type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> No</p>
<p><u>The party's explanation of its status as an eligible local government entity must include a description of</u></p> <p>(1) The relevant triggering catastrophic event;</p> <p>(2) The impacts of the triggering catastrophic event on the residents within the entity's jurisdiction as a result of public utility infrastructure; and</p>	

<sup>3</sup> See Rule 17.1(e).

(3) The entity's reason(s) to participate in this proceeding.	
<b>D. Timely Filing of Notice of Intent to Claim Intervenor Compensation (NOI) (§ 1804(a)(1)):</b>	
1. Is the party's NOI filed within 30 days after a Prehearing Conference? Date of Prehearing Conference: 9/4/2020	<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 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)

<b>A. Planned Participation (§ 1804(a)(2)(A)):</b>
<p>The party's statement of the issues on which it plans to participate:</p> <ol style="list-style-type: none"> <li>1. The proposed recovery bond are not just and reasonable, are not consistent with the public interest, and have not been demonstrated to minimize ratepayer costs and the application should, therefore, be denied</li> <li>2. If the commission does not deny the application, it should approve a financing order only if the financing order establishes a pre-issuance review process whereby a financing team will make determinations on all financing matters related to structure, marketing and pricing of the bonds</li> <li>3. SCE's application for future advice letter treatment of recovery bond applications should be denied and the commission should open a rulemaking proceeding to determine the appropriate methodology for the handling of securitization bond application</li> </ol> <p>The party's explanation of how it plans to avoid duplication of effort with other parties:</p> <p>Wild Tree has been and will continue to coordinate closely with other parties to avoid duplication of efforts. This coordination will include regular communication with other parties who are likely to take similar positions and, if appropriate, division of issues among parties or other joint efforts to avoid overlapping contributions.</p> <p>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).</p> <p>Wild Tree plans to participate in all aspects of this proceeding including attending</p>

workshops, filing legal briefings, and participating in evidentiary hearings.				
<b>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)):</b>				
<b>Item</b>	<b>Hours</b>	<b>Rate \$</b>	<b>Total \$</b>	<b>#</b>
<b>ATTORNEY, EXPERT, AND ADVOCATE FEES</b>				
April Maurath Sommer	200	\$400	\$80,000	
Expert Aaron Rothschild	200	\$455	\$91,000	
Expert Steven Heller	10	\$455	\$4,550	
<b>Subtotal: \$175,550</b>				
<b>OTHER FEES</b>				
<b>Subtotal: \$</b>				
<b>COSTS</b>				
<b>Subtotal: \$</b>				
<b>TOTAL ESTIMATE: \$175,550</b>				
<b>Estimated Budget by Issues:</b>				
At this point, subject to change as the proceeding develops, Wild Tree expects to participate in this proceeding on the following topics as follows:				
<ol style="list-style-type: none"> <li>1. The proposed recovery bond are not just and reasonable, are not consistent with the public interest, and have not been demonstrated to minimize ratepayer costs and the application should, therefore, be denied (55%)</li> <li>2. If the commission does not deny the application, it should approve a financing order only if the financing order establishes a pre-issuance review process whereby a financing team will make determinations on all financing matters related to structure, marketing and pricing of the bonds (40%)</li> <li>3. SCE's application for future advice letter treatment of recovery bond applications should be denied and the commission should open a rulemaking proceeding to determine the appropriate methodology for the handling of securitization bond application (5%)</li> </ol>				
<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>				

**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)**

<b>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:</b>	<b>Applies (check)</b>
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"/>
<p>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)).</p> <p>Commission's finding of significant financial hardship made in proceeding number:</p>  <p>Date of Administrative Law Judge's Ruling (or CPUC Decision) in which the finding of significant financial hardship was made:</p>	<input type="checkbox"/>
<b>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:</b>	
<p>Participation in this proceeding poses a substantial financial hardship for Wild Tree because the economic interest of the residential ratepayers Wild Tree represents is small in comparison to the costs of Wild Tree's effective participation. (See Pub. Util. Code § 1802, subd. (h)). For any individual residential ratepayer that Wild Tree represents, the costs of participating individually will far outweigh the individual impacts of the outcome of this proceeding. Thus, Wild Tree has shown significant financial hardship and should be allowed to recover its costs in this proceeding. Wild Tree has also demonstrated significant financial hardship based upon a rebuttable presumption of eligibility pursuant to D.20-06-051.</p>	

**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)**

<b>Attachment No.</b>	<b>Description</b>
1	Certificate of Service
2	Wild Tree Foundation Bylaws

**ADMINISTRATIVE LAW JUDGE RULING<sup>4</sup>**  
**(Administrative Law Judge completes)**

	<b>Check all that apply</b>
<b>1. The Notice of Intent (NOI) is rejected for the following reasons:</b>	<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"/>
<b>4. The Administrative Law Judge provides the following additional guidance (see § 1804(b)(2)):</b>	<input type="checkbox"/>

**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	<input type="checkbox"/>

<sup>4</sup> 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).

be eligible for intervenor compensation in this proceeding. However, a finding of significant financial hardship in no way ensures compensation.	
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.

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Administrative Law Judge