



Decision \_\_\_\_\_

**FILED**05/07/21  
09:57 AM

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF  
CALIFORNIA**

Application of San Diego Gas & Electric Company (U 902 E) for Authority to Eliminate the Seasonal Differential in its Residential Rates Per Decision 19-04-018.	A.19-09-014 (Filed September 23, 2019)
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**INTERVENOR COMPENSATION CLAIM OF CENTER FOR ACCESSIBLE  
TEHNOLOGY AND DECISION ON INTERVENOR COMPENSATION CLAIM  
OF CENTER FOR ACCESSIBLE TECHNOLOGY**

**NOTE:** After electronically filing a PDF copy of this Intervenor Compensation Claim (Request), please email the document in an MS WORD and supporting EXCEL spreadsheet to the Intervenor Compensation Program Coordinator at [Icompcoordinator@cpuc.ca.gov](mailto:Icompcoordinator@cpuc.ca.gov).

<b>Intervenor: Center for Accessible Technology (CforAT)</b>	<b>For contribution to Decisions (D.) D.20-05-013 and D.21-03-003</b>
<b>Claimed: \$57,774.00</b>	<b>Awarded: \$</b>
<b>Assigned Commissioner: Genevieve Shiroma</b>	<b>Assigned ALJ: Patrick Doherty</b>
I hereby certify that the information I have set forth in Parts I, II, and III of this Claim is true to my best knowledge, information and belief. I further certify that, in conformance with the Rules of Practice and Procedure, this Claim has been served this day upon all required persons (as set forth in the Certificate of Service attached as Attachment 1).	
<b>Signature:</b>	<b>/S/ Melissa W. Kasnitz</b>
<b>Date: May 7, 2021</b>	<b>Printed Name: Melissa W. Kasnitz</b>

**PART I: PROCEDURAL ISSUES**  
***(to be completed by Intervenor except where indicated)***

<b>A. Brief description of Decision:</b>	<p>D.20-05-013 (the COVID Relief Decision) adjusts the high usage charge (HUC) of the large electrical corporations in response to the COVID-19 pandemic and associated stay-at-home order.</p> <p>D.21-03-003 (the HUC Decision) modifies a contested settlement in this proceeding to potentially eliminate the high usage charge of the large electrical corporations at the</p>
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	completion of each large electrical corporation's migration of its residential customers to time-of-use rates. CforAT was the sole party contesting the settlement. The decision also adopts an uncontested settlement to modify the seasonal price differentials in San Diego Gas & Electric Company's opt-in residential time-of-use rates.
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**B. Intervenor must satisfy intervenor compensation requirements set forth in Pub. Util. Code §§ 1801-1812<sup>1</sup>:**

	<b>Intervenor</b>	<b>CPUC Verification</b>
<b>Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):</b>		
1. Date of Prehearing Conference:	11/6/19	
2. Other specified date for NOI:	N/A	
3. Date NOI filed:	12/6/19	
4. Was the NOI timely filed?		
<b>Showing of eligible customer status (§ 1802(b) or eligible local government entity status (§§ 1802(d), 1802.4):</b>		
5. Based on ALJ ruling issued in proceeding number:	R.20-01-007. See notes below.	
6. Date of ALJ ruling:	5/29/20	
7. Based on another CPUC determination (specify):	N/A	
8. Has the Intervenor demonstrated customer status or eligible government entity status?		
<b>Showing of "significant financial hardship" (§1802(h) or §1803.1(b)):</b>		
9. Based on ALJ ruling issued in proceeding number:	R.20-01-007. See notes below.	
10. Date of ALJ ruling:	5/29/20	
11. Based on another CPUC determination (specify):	See notes below.	
12. Has the Intervenor demonstrated significant financial hardship?		
<b>Timely request for compensation (§ 1804(c)):</b>		

<sup>1</sup> All statutory references are to California Public Utilities Code unless indicated otherwise.

13. Identify Final Decision:	D.21-03-013	
14. Date of issuance of Final Order or Decision:	3/8/2021	
15. File date of compensation request:	5/7/2021	
16. Was the request for compensation timely?		

**C. Additional Comments on Part I: (use line reference # as appropriate)**

#	Intervenor's Comment(s)	CPUC Discussion
1	No ruling on CforAT's eligibility for intervenor compensation has been issued in this proceeding. CforAT's most recent determination of eligibility was issued in R.20-01-007, as noted above.	
2	CforAT has previously filed a request for compensation in Phase 1 of this proceeding, addressing contributions to D.20-04-007 and D.20-06-006. This prior compensation request was submitted on August 17, 2020, and no action has yet been taken on it. A party that is determined to be eligible for compensation in one phase of a proceeding remains eligible in later phases. CPUC Rules of Practice and Procedure, Rule 17.2.	

**PART II: SUBSTANTIAL CONTRIBUTION**  
**(to be completed by Intervenor except where indicated)**

**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
Contributions to D.20-05-013 (the COVID Relief Decision):		

<p>The COVID Relief Decision adjusted the high usage charge (HUC) of the large electrical corporations to be an additional 25% of the Tier 2 price per kilowatt-hour instead of the previously authorized 75% above the Tier 2 price. COVID Relief Decision at p. 2. This modification was in response to the COVID-19 pandemic and associated stay-at-home order, which caused many IOU customers to increase their home energy usage. After adoption of this modification in the COVID Relief Decision, the Commission extended its order in a Ruling issued on September 2, 2020, ensuring that it would remain in place for the duration of the pandemic or until addressed by a subsequent Commission decision in this proceeding.</p> <p>CforAT agreed with the importance of providing relief to customers with increased energy usage in response to the stay-at-home order, but offered an alternative recommendation for how to provide such relief based on increasing the HUC threshold and waiving the HUC for customers that had not previously used high levels of electricity, rather than reducing the HUC price.</p> <ul style="list-style-type: none"> <li>• CforAT’s Comments on Ruling Addressing Interim Changes to the High Usage Charge in Light of the COVID-19 Pandemic, (CforAT Comments on COVID Ruling) filed on April 14, 2020.</li> <li>• CforAT’s Comments on Proposed Decision Adjusting</li> </ul>	<p><i>See generally</i> D.20-05-013; <i>see also</i> Email Ruling Advising Parties of Status of Executive Order N-33-20, issued on September 2, 2020, extending the interim modification of the HUC due to the ongoing COVID emergency.</p> <p>While the Commission declined to adopt CforAT’s alternative proposal, it benefited the Commission to have options to consider how to best assist customers experiencing bill impacts based on increased usage during the pandemic. See COVID Relief Decision at pp. 9-10 (summarizing alternative proposal by CforAT).</p> <p>It is well established that an intervenor may be awarded compensation even if the Commission does not adopt its recommendations if the intervenor’s input enhances the ability of the Commission to effectively consider the issues before it. Specifically, the Commission has recognized that it</p>	
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<p>the High Usage Charge of the Large Electrical Corporations, filed on April 27, 2020.</p> <p>CforAT urged the Commission to be clear that it should not view any action taken to address the pandemic as precedential for its overall review of the HUC in this proceeding. CforAT Comments on COVID Ruling at pp. 5-6. The Commission agreed.</p> <p>CforAT opposed arguments by some parties that a modification to the HUC might result in a revenue shortfall, arguing that “[t]he pandemic and the stay-at-home order are dramatically impacting electricity use throughout the state, and revenues are surely deviating substantially from expectations for all customer classes; residential use is increasing while other forms of usage are lower than average, with overall electricity usage in California showing a substantial decline.” CforAT Comments on COVID Ruling at p. 6. The COVID Relief Decision expressly agreed with CforAT that it would be inappropriate to prejudge the impacts of an emergency HUC adjustment on revenue, and instead directed the IOUs to track actual</p>	<p>“may benefit from an intervenor’s participation even where the Commission did not adopt any of the intervenor’s positions or recommendations.” D.08-04-044. Here, the Commission clearly benefited from CforAT’s participation, even as it declined to adopt our specific recommendations on interim modifications to the HUC due to the pandemic.</p> <p>COVID Relief Decision at p. 15.</p> <p>COVID Relief Decision at pp. 15-17.</p>	
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<p>revenues for the duration of the modification.</p>		
<p><b>Contributions to D.21-03-003 (SDG&amp;E Opt-In TOU Rates):</b></p> <p>CforAT joined all other active parties in support of a settlement regarding seasonal differentials in SDG&amp;E's opt-in TOU rates. The Settlement generally adopted the proposal put forward by SDG&amp;E, while agreeing to defer implementation of the changes to the calculation of seasonal differentials until the summer of 2021, consistent with the position taken by CforAT and other parties.</p> <ul style="list-style-type: none"> <li>• Joint Motion for Adoption of Joint Settlement Agreement Regarding Changes to the Seasonal Differential Present in SDG&amp;E's Opt-In TOU Rates, filed on October 23, 2020, including attached proposed settlement agreement.</li> </ul>	<p>The uncontested settlement was adopted. D.21-03-003 at pp. 28-33 and Ordering Paragraph 7.</p>	
<p><b>Contributions to D.21-03-003 (HUC Decision):</b></p> <p>All parties other than CforAT entered into a settlement that would result in the elimination of the HUC following certain conditions. CforAT objected to the proposed settlement as failing to be in the public interest on multiple grounds, including: (1) the policy basis for the HUC as established in previous Commission decisions means that elimination of the HUC would not be in the public interest; (2) Any disproportionate impacts of the HUC could be better addressed through modification, not elimination, of the charge; and (3) Effort to mitigate the bill impacts of</p>	<p>While finding that the terms of the contested settlement with modifications were reasonable in light of the whole record (over CforAT's opposition), the HUC Decision expressly acknowledged the need to consider CforAT's substantive policy arguments when evaluating whether the settlement was in the public interest. HUC Decision at p. 18 ("Because the HUC settlement adopts a position that is within the range of positions and outcomes proffered by the parties in their testimony, this</p>	

<p>eliminating the HUC are insufficient.</p> <ul style="list-style-type: none"><li>• CforAT Opening Brief Addressing Proposed Settlement Addressing High Usage Charge (CforAT Opening Brief), filed on December 9, 2020</li><li>• CforAT Reply Brief, filed on December 18, 2020.</li><li>• CforAT Comments on HUC PD, filed on April 27, 2020.</li></ul>	<p>decision finds that the HUC settlement is reasonable in light of the whole record. Nevertheless, the substantive policy arguments posed by CforAT in opposition to the HUC settlement are considered when evaluating whether the HUC settlement is in the public interest”).</p> <p>In setting forth CforAT’s public interest objections to the proposed settlement, the HUC Decision expressly notes that CforAT raised “critical issues that must be addressed.” HUC Decision at p. 21.</p> <p>The HUC Decision reviews most, though not all, of the substantial concerns expressed by CforAT in its briefing and comments on the PD, citing CforAT’s input 44 times in a 40-page decision. While it approves the contested settlement over CforAT’s objections, there can be no dispute that CforAT’s input substantially benefitted the record and caused the Commission to provide a more substantive and thorough review of issues than would have been the case otherwise. As noted above, the Commission has noted that it may benefit from an intervenor’s participation even if it does not adopt the intervenor’s position or recommendations.</p>	
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**B. Duplication of Effort (§ 1801.3(f) and § 1802.5):**

	<b>Intervenor's Assertion</b>	<b>CPUC Discussion</b>
<b>a. Was the Public Advocate's Office of the Public Utilities Commission (Cal Advocates) a party to the proceeding?<sup>2</sup></b>	Yes	
<b>b. Were there other parties to the proceeding with positions similar to yours?</b>	Yes for some issues, no for others.	
<b>c. If so, provide name of other parties:</b>  On the issue of temporary adjustment of the HUC in response to the COVID-19 pandemic, CforAT agreed with most active parties that an adjustment would be appropriate but provided a proposal that was different from that put forward by the ALJ. In reply comments, Cal Advocates supported CforAT's alternative proposal.  All active parties joined in a settlement of the issues of how to address seasonal differentials in SDG&E's opt-in time of use rates.  As noted above, CforAT was the sole objector to a settlement addressing the HUC for all of the major IOUs, and thus did not share a position with any other party on that issue.		
<b>d. Intervenor's claim of non-duplication:</b>  The only active parties in this proceeding were the major IOUs, CforAT, the Public Advocates Office and TURN. CforAT coordinated our work effectively with the other non-utility parties on issues other than the HUC, and coordinated even on the issue of the HUC until well into settlement discussions when CforAT determined that we could not support a settlement that other parties agreed to. CforAT continued to work with all parties to resolve those issues that were not subject to dispute and to efficiently address the disputed issues at hearing and in briefs.  CforAT appropriately relied on the work of the other parties for more technical rate analysis, even where we drew different conclusions from such work. Throughout this phase of the proceeding, we maintained our focus on broad policy concerns and overall bill impacts, particularly to our constituency. CforAT thus enriched the conversation about the HUC and		

<sup>2</sup> 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.



avoided duplication of effort, even as we disagreed with the positions taken by other parties.	
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**C. Additional Comments on Part II: (use line reference # or letter as appropriate)**

#	Intervenor's Comment	CPUC Discussion

**PART III: REASONABLENESS OF REQUESTED COMPENSATION**  
**(to be completed by Intervenor except where indicated)**

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

	CPUC Discussion
<p><b>a. Intervenor's claim of cost reasonableness:</b></p> <p>This phase of the proceeding has addressed three separate issues: interim modifications to the HUC in response to the COVID-19 pandemic, changes to the use of seasonal differentials in SDG&amp;E's opt-in TOU rates, and an evaluation of the use of the HUC as an ongoing element of rate design. CforAT appropriately participated on each of these issue areas in order to advocate for the interests of our constituency of utility customer with disabilities. Because people with disabilities are disproportionately low income and because they need access to essential supplies of electricity at affordable rates to maintain their ability to live independently in the community, CforAT appropriately focuses on issues relevant to low-income customers more generally.</p> <p>While it is difficult to assign a dollar value to the work conducted by CforAT, all of our efforts were focused on trying to ensure that low-income customers would not experience harmful bill impacts from the various changes under consideration. While these customers may be adversely affected by the changes adopted to the HUC, CforAT worked to advocate on their behalf and minimize or prevent such harm. These customers would not be likely to advocate for themselves independently before the Commission, and the primary way that their interests are addressed is through the work of intervenors such as CforAT. In order to ensure that the interests of such households are represented, the compensation requested by CforAT is reasonable.</p>	
<b>b. Reasonableness of hours claimed:</b>	

<p>CforAT participated effectively and efficiently in work performed in this phase of the proceeding, working collaboratively to address issues where agreement was possible and coordinating effectively on procedural matters where issues remained in dispute. CforAT also continued our focused on issues of Commission policy and bill impacts, while relying on work done by other parties such as Public Advocate and the IOUs on more technical issues such as calculations of bill impacts.</p> <p>CforAT’s decision to oppose the settlement adopted by the other parties increased the overall work required by parties to this proceeding, but substantially contributed to the record and provided an opportunity for the Commission to delve into important issues of public interest, as discusses above.</p> <p>Finally, CforAT notes that this request seeks compensation for a slightly greater number of hours than is typical for preparation of a compensation request. This request has taken more time to prepare because it represents the first claim submitted by CforAT under the new Market Rate Study resetting intervenor compensation rates, as authorized by Resolution ALJ-393 (issued on December 22, 2020). It is appropriate that CforAT spent time conducting an analysis of an appropriate rate for our Legal Director under the provisions of this study and setting out our rate justification below.</p>	
<p><b>c. Allocation of hours by issue:</b></p> <p style="text-align: center;"><b>2020 Time – Kasnitz</b></p> <p><b>COVID – 11.0 hours (11.8%)</b> The issue area “COVID” includes time addressing the adjustments made to the HUC in response to the COVID pandemic.</p> <p><b>HUC – 22.1 hours (23.8%)</b> The issue area “HUC” includes time spent addressing the issue of potential modifications or elimination of the HUC. This includes time spent on preparing testimony, reviewing party proposals and testimony, discovery, and consideration of alternatives.</p> <p><b>Hearing/Briefing – 39.9 hours (42.9%)</b> The issue area “Hearing/Briefing” includes time spent preparing for and attending the Evidentiary Hearing and preparing post-hearing briefs. The vast majority of the time spent on Hearing/Briefing could alternatively be classified as “HUC.”</p> <p><b>Settlement – 9.9 hours (10.7%)</b> The issue area “Settlement” includes time spent pursuing settlement of HUC issues. CforAT actively participated in settlement discussions until it</p>	

became clear that an all-party agreement could not be reached. Even after this point, CforAT participated in procedural discussions on how to put the contested settlement forward for Commission review.

**TOU – 4.1 hours (4.4%)**

The issue area “TOU” includes time spent developing the all-party settlement regarding adjustments to the seasonal differentials for SDG&E’s opt-in TOU rates.

**Phase 2 General Participation – 5.9 hours (6.4%)**

The issue area “Phase 2 General Participation” includes items that do not fall under the other issue categories including procedural matters such as scheduling and initial participation prior to the issuance of the Scoping Memo.

**2021 Time – Kasnitz (7.9 hours total)**

**PD - 7.9 hours (100%)**

The issue area “PD” includes time spent following the release of the Phase 2 Proposed Decision, including preparation of comments and review of comments from other parties, as well as revisions to the PD. Virtually all time classified as PD could alternatively be classified as “HUC.”

**B. Specific Claim:\***

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hour s	Rate \$	Basis for Rate*	Total \$	Hour s	Rate \$	Total \$
Melissa W. Kasnitz	2020	92.9	\$500	D.20-11-012; see also comment below	\$46,450			
Melissa W. Kasnitz	2021	7.9	\$760	Rate justification per Resolution ALJ-393 and Market Rate Analysis set out below	\$6,004			
Subtotal: \$52,454						Subtotal: \$		
OTHER FEES								
Describe here what OTHER HOURLY FEES you are Claiming (paralegal, travel **, etc.):								

Item	Year	Hour s	Rate \$	Basis for Rate*	Total \$	Hour s	Rate	Total \$						
[Person 1]														
[Person 2]														
<b>Subtotal: \$</b>						<b>Subtotal: \$</b>								
<b>INTERVENOR COMPENSATION CLAIM PREPARATION **</b>														
Item	Year	Hour s	Rate \$	Basis for Rate*	Total \$	Hour s	Rate	Total \$						
Melissa W. Kasnitz	2021	14.0	\$380	½ requested hourly rate	\$5,320									
<b>Subtotal: \$5,320</b>						<b>Subtotal: \$</b>								
<b>COSTS</b>														
#	Item	Detail			Amount	Amount								
1.														
2.														
<b>Subtotal: \$</b>						<b>Subtotal: \$</b>								
<b>TOTAL REQUEST: \$57,774</b>						<b>TOTAL AWARD: \$</b>								
<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. Intervenors' 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>														
<b>ATTORNEY INFORMATION</b>														
<b>Attorney</b>		<b>Date Admitted to CA BAR<sup>3</sup></b>		<b>Member Number</b>		<b>Actions Affecting Eligibility (Yes/No?)</b>								
						<b>If "Yes", attach explanation</b>								
Melissa W. Kasnitz		1992		162679		No								

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

<sup>3</sup> 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
1	<b>Certificate of Service</b>
2	<b>Time Records (Merits and Time on Compensation)</b>
Comment	<p><b>Kasnitz 2020 Rate:</b></p> <p>In various decisions, the Commission has awarded CforAT’s Legal Director, Melissa Kasnitz, two different rates for 2020. Some decisions have set a 2020 rate for Ms. Kasnitz at \$500 per hour, including D.20-11-012. Others have set a 2020 rate for Ms. Kasnitz at \$505 per hour, including D.21-03-016). Out of an abundance of caution, CforAT here requests \$500 for time expended in 2020; however, we believe that rate of \$505 would be more appropriate.</p>
Comment	<p><b>Kasnitz 2021 Rate:</b></p> <p>In keeping with the provisions of Resolution ALJ-393, issued on December 22, 2020, CforAT sets forth below our justification for a newly calculated hourly rate for Ms. Kasnitz based on the Market Rate Study Analysis provided with that resolution. Our analysis under the Market Rate Study and the associated Hourly Rate Chart is summarized as follows:</p> <p><b>Intervenor Representative: Melissa W. Kasnitz</b>  <b>Labor Role: Legal – Legal Director</b>  <b>Level: V</b>  <b>2021 Hourly Rate Range: \$529.38 - \$704.20 - \$884.06</b>  <b>Requested Hourly Rate: \$760</b></p> <p>The detailed explanation of this proposed rate is as follows:</p> <p>Ms. Kasnitz is a 1989 graduate of Yale University and a 1992 graduate of the Boalt Hall School of Law at UC Berkeley (now known as Berkeley Law). She was admitted to the California Bar in 1992. She is admitted to practice in all state and federal courts within California, including the Ninth Circuit, as well as the U.S. Supreme Court.</p> <p>Following graduation, Ms. Kasnitz worked for several years in political and policy work, including local and congressional campaigns, legislative staff work, and environmental policy. In 1997, she joined Disability Rights Advocates where she represented the interests of people with disabilities through class action litigation in state and federal court. Ms. Kasnitz remained at Disability Rights Advocates until 2011, first as a staff attorney and then, beginning in 2004, as Managing Attorney.</p> <p>In 2004, Ms. Kasnitz also took leadership over Disability Rights Advocates’ growing participation representing the interests of people with disabilities before</p>

	<p>the California Public Utilities Commission, participating in both energy and communications proceedings. At that organization, she began raising issues of concern regarding the need for reliable and affordable utility service for people with disabilities, including participation in proceedings addressing low-income programs such as LifeLine and CARE, as well as proceedings addressing issues of rate design in order to support affordability of essential supplies of electricity, and in General Rate Cases where she worked with each major IOU to ensure that they took steps to provide accessible services to their customers, including negotiation of memoranda of understanding to address the needs of utility customers with disabilities. Ms. Kasnitz managed the Commission practice at Disability Rights Advocates, deciding which proceedings to join and developing all strategy for participation.</p> <p>In 2011, Ms. Kasnitz transferred her Commission practice from Disability Rights Advocates to the Center for Accessible Technology, adopting all of her prior work on behalf of her new organization. At CforAT, she has continued to represent the interests of Californians with disabilities and medical vulnerabilities in all industries regulated by the Commission, including water and transportation as well as energy and communications. Ms. Kasnitz has managed all aspects of CforAT's participation before the Commission, including determinations regarding which proceedings to join, and all strategic decision-making. She has been active on issues of rate design (including the extended residential rate reform process directed by R.12-06-013 as well as individual rate design proceedings for the energy IOUs), utility affordability, program structure and policy for a broad range of programs including DDTP, TNC service, and the Class A Water LIRA as well as LifeLine, CARE/FERA and Medical Baseline, and more. She has taken a leading role on issues pertaining to de-energization and disaster response and their impact on people with medical vulnerabilities. Overall, she has served as an outsized presence before the Commission given the small size of her organization.</p> <p>In 2017, CforAT began to add staff to support Ms. Kasnitz's work before the Commission, and Ms. Kasnitz was promoted from Legal Counsel to Legal Director in recognition of the expanded team at CforAT addressing utility issues. Ms. Kasnitz continues to supervise all legal work before the Commission, while also engaging in strategic planning on key issues and concerns for her organization.</p> <p>As of January 1, 2021, Ms. Kasnitz has practiced before the Commission for 17 years, and has worked to advance the rights and provide protections for people with disabilities for 24 years. She has served as CforAT's Legal Director for four years, following six years as Legal Counsel and previous work as Managing Attorney at a successful legal nonprofit advocating for the same constituency.</p> <p>The Market Rate Study Hourly Rate Chart instructs that a Legal Director at Level V should have 15+ years of experience; it does not require the person in</p>
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	<p>this role to have a JD degree or to be licensed to practice law. The study includes a classification specifically for “Legal Director,” which is described as an person who “[o]versees the legal work of the organization, including providing strategic direction,” is “[r]esponsible for coordinating and supervising a legal team,” “participates in the most complex legal actions,” and “oversees all legal operations including case assignment, hiring, supervision and professional development of the legal staff, as well as budgeting.” Ms. Kasnitz generally satisfies these requirements for a Level V Legal Director, in addition to her substantive work as the lead attorney on Commission proceedings.</p> <p>Ms. Kasnitz is a well-respected attorney with an extensive depth and breadth of experience that is highly unusual among CPUC practitioners, including work across industries and on a wide range of issues. She was the first practitioner to focus the attention of the Commission in an ongoing manner on an important but previously overlooked segment of the population, and to ensure that the needs of her constituency were regularly considered by the Commission and the utilities; this now takes place as a matter of course, even without her direct participation in a given proceeding.</p> <p>CforAT is requesting an hourly rate for Ms. Kasnitz between the “median” and the “high” rate established for a Level V Legal Director, which we submit reasonable for her work before the Commission in 2021. Accordingly, CforAT requests that the Commission authorize a 2021 hourly rate of \$760 for Ms. Kasnitz. In support of this request, as specified in Resolution ALJ-393, a current resume for Ms. Kasnitz is attached.</p>
3	<b>Resume for Melissa W. Kasnitz</b>

#### **D. CPUC Comments, Disallowances, and Adjustments (*CPUC completes*)**

<b>Item</b>	<b>Reason</b>

#### **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))**

<b>A. Opposition: Did any party oppose the Claim?</b>		
If so:		
<b>Party</b>	<b>Reason for Opposition</b>	<b>CPUC Discussion</b>

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<b>B. Comment Period: Was the 30-day comment period waived (<i>see</i> Rule 14.6(c)(6))?</b>	
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If not:

<b>Party</b>	<b>Comment</b>	<b>CPUC Discussion</b>

**(Green items to be completed by Intervenor)**

### **FINDINGS OF FACT**

1. Center for Accessible Technology [has/has not] made a substantial contribution to D.20-05-013 and D.21-03-013
2. The requested hourly rates for Center for Accessible Technology'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 \$\_\_\_\_\_.

### **CONCLUSION OF LAW**

1. The Claim, with any adjustment set forth above, [satisfies/fails to satisfy] all requirements of Pub. Util. Code §§ 1801-1812.

### **ORDER**

1. Center for Accessible Technology shall be awarded \$\_\_\_\_\_.
2. Within 30 days of the effective date of this decision, \_\_\_\_\_ shall pay Center for Accessible Technology the total award. [for multiple utilities: "Within 30 days of the effective date of this decision, ^, ^, and ^ shall pay Center for Accessible Technology their respective shares of the award, based on their California-jurisdictional [industry type, for example, electric] revenues for the ^ calendar year, to reflect the year in which the proceeding was primarily litigated. If such data is unavailable, the most recent [industry type, for example, electric] revenue data shall be used."] 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 [date], the 75<sup>th</sup> day after the filing of Center for Accessible Technology's request, and continuing until full payment is made.

3. The comment period for today's decision [is/is not] waived.
4. This decision is effective today.

Dated \_\_\_\_\_, at San Francisco, California.

## APPENDIX

### Compensation Decision Summary Information

Compensation Decision:		Modifies Decision?	
Contribution Decision(s):	D.20-05-013 and D.21-03-003		
Proceeding(s):	A.19-09-014		
Author:			
Payer(s):			

### Intervenor Information

Intervenor	Date Claim Filed	Amount Requested	Amount Awarded	Multiplier?	Reason Change/Disallowance
Center for Accessible Technology	5/7/2021	\$57,774.00		N/A	

### Hourly Fee Information

First Name	Last Name	Attorney, Expert, or Advocate	Hourly Fee Requested	Year Hourly Fee Requested	Hourly Fee Adopted
Melissa	Kasnitz	Attorney	\$500	2020	
Melissa	Kasnitz	Attorney	\$760	2021	

(END OF APPENDIX)