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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Modernize the Electric Grid for a High Distributed Energy Resources Future.	Rulemaking 21-06-017
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NOTICE OF INTENT TO CLAIM INTERVENOR COMPENSATION AND ADMINISTRATIVE LAW JUDGE’S RULING ON GREEN POWER INSTITUTE’S SHOWING OF SIGNIFICANT FINANCIAL HARDSHIP

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

Customer or Eligible Local Government Entity (party intending to claim intervenor compensation): The Green power Institute	
Assigned Commissioner: Darcie Houck	Administrative Law Judges: Carolyn Sisto, Kelly Hymes
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:	
Date: September 10, 2020	Printed Name: Gregg Morris

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

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

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

<p>customers to represent them. Category 2 involves a more formal arrangement where a customer or a group of customers selects a more skilled person to represent the customer’s views in a proceeding. A customer or group of customers may also form or authorize a group to represent them, and the group, in turn, may authorize a representative such as an attorney to represent the group.</p>	<p><input type="checkbox"/></p>
<p>3. A Category 3 customer is a formally organized group authorized, by its articles of incorporation or bylaws to represent the interests of residential customers or small commercial customers receiving bundled electric service from an electrical corporation (§1802(b)(1)(C)). Certain environmental groups that represent residential customers with concerns for the environment may also qualify as Category 3 customers, even if the above requirement is not specifically met in the articles or bylaws. See D.98-04-059, footnote at 30.</p>	<p><input checked="" type="checkbox"/></p>
<p>4. The party’s detailed explanation of the selected customer category. <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 GPI has been participating actively on behalf of the interests of renewable energy development in the original Procurement Proceeding, R.01-10-024, the RPS Proceedings, R.04-04-026, R.06-02-012, R.06-05-027, R.08-08-009, R11-05-005, R.15-02-020, and R.18-07-003, the Long Term Procurement Proceedings, R.04-04-003 R.06-02-013, R.08-02-007, R.10-05-006, R-12-03-014, R.13-12-10, R.16-02-007, and R.20-05-003, and a number of other proceedings for which renewables policy plays a role, including the various distributed energy resources related proceedings. As specified in §1802 (b) of the Public Utility Code, the GPI plans to participate in the new grid modernization for a high DER future proceeding as a “representative of an organization pursuant to its articles of incorporation or bylaws to represent the interests of residential customers” of the California IOUs. The GPI has previously been found to be an eligible category-three customer in a variety of PUC Proceedings.</p> <p>The GPI is the renewable energy program of the Pacific Institute for Studies in Development, Environment, and Security. The Pacific Institute is a non-profit, public-purpose environmental research organization (IRS Code § 501(c)(3)) founded in 1987, and located in Oakland and Berkeley, California. Its Bylaws describe its Purposes and Membership as follows (the Pacific Institute’s Articles of Incorporation and Bylaws are on file with the Commission’s Docket Office in A.16-08-006, filed on February 17, 2017):</p>	

ARTICLE 2. PURPOSES

SECTION 1. OBJECTIVES AND PURPOSES

The primary objectives and purposes of this corporation shall be:

(d) to participate in regulatory and public proceedings by providing information about scientific, technical, and economic implications of public-policy options on behalf of the environmental interests of citizens, including but not limited to community-based organizations, individual utility customers, and individual end-use consumers;

ARTICLE 3. MEMBERS

SECTION 1. DETERMINATION OF MEMBERS

The corporation shall have no “members” within the meaning of Section 5056 of the California Nonprofit Public Benefit Corporation Law. Pursuant to Section 5310(b) of the California Nonprofit Public Benefit Corporation Law, any action which would otherwise, under law or the provisions of the Articles of Incorporation of Bylaws of this corporation, require approval by a majority of all members or approval by the members, shall only require the approval of the Board of Directors. The corporation’s individual financial contributors constitute its non-voting contributing membership. Contributing members receive the Institute’s newsletters and publications, as well as being on the Institute’s email listserv.

From: Amended and Restated Bylaws of Pacific Institute for Studies in Development, Environment, and Security, a California Nonprofit Public Benefit Corporation, as revised February 2017.

The Pacific Institute has more than 125 members who are California residential customers of the regulated gas and electric utility companies. The Pacific Institute represents the interests of its members by conducting research into complex issues with important environmental implications, and applying that research in the public-policy arena. The GPI is the Pacific Institute’s program on renewable energy, and represents an important focus of the Institute. The GPI, on behalf of and in the interests of the Pacific Institute and its officers and members, has been conducting research on renewable energy development and the environmental impacts of energy production and use in California for over two decades. The GPI represents customers who have a concern for environmental quality in California, and supports efforts to implement renewable energy policy in California in a way that is sufficiently cost effective to allow the renewable energy industries to grow and flourish in the state. The GPI represents customers with a concern for the environment that distinguishes

<p>their interests from the interests represented by other consumer advocates who are intervening actively in this proceeding. As an environmental-research organization, neither the GPI, nor the Pacific Institute, have any direct economic interest in the outcome of this proceeding.</p>	
<p>Do you have any direct economic interest in outcomes of the proceeding? ²</p> <p>If “Yes”, explain:</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>B. Conflict of Interest (§ 1802.3)</p>	<p>Check</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 <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 <input type="checkbox"/> No</p>
<p>C. Status as an Eligible Local Government Entity (§§1802(d), 1802.4, 1803.1)</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 <input checked="" type="checkbox"/> No</p>
<p><u>The party’s explanation of its status as an eligible local government entity</u> must include a description of</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> <p>(3) The entity’s reason(s) to participate in this proceeding.</p>	
<p>D. Timely Filing of Notice of Intent to Claim Intervenor Compensation (NOI) (§ 1804(a)(1)):</p>	
<p>1. Is the party’s NOI filed within 30 days after a Prehearing Conference? Date of Prehearing Conference: 8/17/2021</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>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)?</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>

² See Rule 17.1(e).

2a. The party's description of the reasons for filing its NOI at this other time:
2b. The party's information on the proceeding number, date, and decision number for any Commission decision, Commissioner ruling, Administrative Law Judge's ruling, or other document authorizing the filing of NOI at that other time:

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

A. Planned Participation (§ 1804(a)(2)(A)):				
<p>The party's statement of the issues on which it plans to participate: The GPI has been an active participant in the renewables and general procurement proceedings, as well as the Commission's distributed energy resources proceedings. We expect to be an active participant in the grid modernization proceeding, particularly in the areas of distribution system operations and operating rules, distribution system planning, integration and community access, and grid modernization.</p> <p>The party's explanation of how it plans to avoid duplication of effort with other parties: The ultimate extent of the GPI's involvement in this proceeding will depend in part on the work done by other parties representing similar interests. We expect to consult regularly with other participating environmental and consumer organizations and renewable energy associations, as we have done in previous PUC proceedings, and we will make joint filings as appropriate.</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). The GPI has been actively participating in the Commission's general procurement and RPS procurement proceedings, as well as related proceedings dealing with distributed renewable energy resources. We will participate actively in hearings, workshops and working groups, prepare comments, and testimony, and submit motions and briefs as appropriate, as the Proceeding advances.</p>				
B. The party's itemized estimate of the compensation that the party expects to request, based on the anticipated duration of the proceeding (§ 1804(a)(2)(A)):				
Item	Hours	Rate \$	Total \$	#
ATTORNEY, EXPERT, AND ADVOCATE FEES				
Gregg Morris	40	450	\$ 18,000	
Tamlyn Hunt	100	585	\$ 58,500	
Rebecca Davis	80	475	\$ 38,000	
Zoë Harrold	80	225	\$ 18,000	
Subtotal: \$ 132,500				
OTHER FEES				
Subtotal: \$				

COSTS			
Filing and Service Expenses			\$ 50
Misc.			\$ 150
Subtotal: \$ 200			
TOTAL ESTIMATE: \$ 132,500			
Estimated Budget by Issues:			
Distribution system operations and rules			20%
Distribution planning, integration and community access			40%
Grid Modernization			40%
<p><i>When entering items, type over bracketed text; add additional rows to table as necessary. Estimate may (but does not need to) include estimated Claim preparation time. Claim preparation time is typically compensated at 1/2 professional hourly rate.</i></p>			

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

A. The party claims that participation or intervention in this proceeding without an award of fees or costs imposes a significant financial hardship, on the following basis:	Applies (check)
1. The customer cannot afford, without undue hardship, to pay the costs of effective participation, including advocate’s fees, expert witness fees, and other reasonable costs of participation. (§ 1802(h))	<input checked="" type="checkbox"/>
2. In the case of a group or organization, the economic interest of the Individual members of the group or organization is small in comparison to the costs of effective participation in the proceeding. (§ 1802(h))	<input checked="" type="checkbox"/>
3. The eligible local government entities’ participation or intervention without an award of fees or costs imposes a significant financial hardship. (§ 1803.1(b).)	<input type="checkbox"/>
4. A § 1802(h) or § 1803.1(b) finding of significant financial hardship in another proceeding, made within one year prior to the commencement of this proceeding, created a rebuttable presumption in this proceeding (§ 1804(b)(1)).	<input checked="" type="checkbox"/>
Commission’s finding of significant financial hardship made in proceeding number: R.20-05-002	
Date of Administrative Law Judge’s Ruling (or CPUC Decision) in which the finding of significant financial hardship was made:	
An ALJ Ruling dated 11/20/20, issued in proceeding number R.20-05-002, was the most recent Ruling containing a finding of significant financial hardship for the GPI.	

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:

The GPI is part of the Pacific Institute for Studies in Development, Environment, and Security, a non-profit (501(c)(3)), policy-oriented environmental research institution that brings an interdisciplinary perspective to the understanding and analysis of complex public-policy problems. As a public-purpose research institution, the GPI is dependent on outside funding sources to perform its work. This proceeding is a very intense and complex process, and the GPI has identified a strong need for the analytical input that we are planning to provide. The GPI cannot afford, without undue hardship, to pay for the costs of the effective participation of our staff and professionals in this proceeding without the assistance of the intervenor compensation program. Because the nature of our participation focuses on the technical and environmental impacts of the matters under consideration in this proceeding, the direct economic impacts on the organization and its members are anticipated to be negligible.

PART IV: ATTACHMENTS DOCUMENTING SPECIFIC ASSERTIONS MADE IN THIS NOTICE

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

Attachment No.	Description
1	Certificate of Service

**ADMINISTRATIVE LAW JUDGE RULING³
(Administrative Law Judge completes)**

	Check all that apply
1. The Notice of Intent (NOI) is rejected for the following reasons:	<input type="checkbox"/>
a. The NOI has not demonstrated the party’s status as a “customer” or an “eligible local government entity” for the following reason(s):	<input type="checkbox"/>

³ 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).

b. The NOI has not demonstrated that the NOI was timely filed (Part I(B)) for the following reason(s):	<input type="checkbox"/>
c. The NOI has not adequately described the scope of anticipated participation (Part II, above) for the following reason(s):	<input type="checkbox"/>
2. The NOI has demonstrated significant financial hardship for the reasons set forth in Part III of the NOI (above).	<input type="checkbox"/>
3. The NOI has not demonstrated significant financial hardship for the following reason(s):	<input type="checkbox"/>
4. The Administrative Law Judge provides the following additional guidance (see § 1804(b)(2)):	<input type="checkbox"/>

IT IS RULED that:

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

Dated _____, at San Francisco, California.

 Administrative Law Judge