



Decision _____

FILED
09/14/21
04:19 PM

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Oversee the Resource Adequacy Program, Consider Program Refinements, and Establish Forward Resource Adequacy Procurement Obligations.	Rulemaking 19-11-009 (Filed November 7, 2019)
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**INTERVENOR COMPENSATION CLAIM OF [THE PROTECT OUR COMMUNITIES FOUNDATION]
AND DECISION ON INTERVENOR COMPENSATION CLAIM OF [THE PROTECT OUR COMMUNITIES FOUNDATION]**

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 lcompcoordinator@cpuc.ca.gov.

Intervenor: The Protect Our Communities Foundation	For contribution to Decision (D.) 21-07-014	
Claimed: \$23,896.13	Awarded: \$	
Assigned Commissioner: Marybel Batjer	Assigned ALJ: Amin Nojan and Debbie Chiv	
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).		
Signature:		/s/ Julia Severson
Date: 09/14/2021	Printed Name:	Julia Severson

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

A. Brief description of Decision:	Decision 21-07-014 addresses issues scoped as Track 3B.2 to restructure the Resource Adequacy (RA) program and sets forth a process and schedule for further development of Track 3B.2 proposals.
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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:	12/16/2019	
2. Other specified date for NOI:	N/A	
3. Date NOI filed:	1/15/2020	
4. Was the NOI timely filed?		
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:	R.18-12-005	
6. Date of ALJ ruling:	April 17, 2019	
7. Based on another CPUC determination (specify):	D.19-04-031 (April 25, 2019); D.19-05-035 (May 30, 2019); D.19-10-047 (Oct. 24, 2019); D.19-12-017 (Dec. 5, 2019); D.20-04-021 (April 16, 2020); D.20-04-017 (April 16, 2020).	
8. Has the Intervenor demonstrated customer status or eligible government entity status?		
Showing of “significant financial hardship” (§1802(h) or §1803.1(b)):		
9. Based on ALJ ruling issued in proceeding number:	R.18-12-005	
10. Date of ALJ ruling:	April 17, 2019	
11. Based on another CPUC determination (specify):	D.19-04-031 (April 25, 2019); D.19-05-035 (May 30, 2019);	

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

	D.19-10-047 (Oct. 24, 2019); D.19-12-017 (Dec. 5, 2019); D.20-04-021 (April 16, 2020); D.20-04-017 (April 16, 2020).	
12. Has the Intervenor demonstrated significant financial hardship?		
Timely request for compensation (§ 1804(c)):		
13. Identify Final Decision:	D.21-07-014	
14. Date of issuance of Final Order or Decision:	7/16/2021	
15. File date of compensation request:	8/14/2021	
16. Was the request for compensation timely?		

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

#	Intervenor’s Comment(s)	CPUC Discussion
B.5-12	The Protect Our Communities Foundation (“PCF”) meets the definition of a Category 3 customer under the Public Utilities Code section 1802(b)(1)(C) as a “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 PCF’s Bylaws specifically authorizes the organization to represent the interests of Southern California residential utility ratepayers in proceedings before the Commission and to seek intervenor compensation for doing so. PCF advocates for just and reasonable rates and against unreasonably costly or unnecessary utility projects. PCF advocates for fair and reasonable energy practices, policies, rules, and laws, for the protection of natural	

	<p>resources from the impacts of large-scale energy and industrial infrastructure projects, and in support of sustainable, clean, locally-based energy systems.</p> <p>PCF also qualifies as an environmental group within the scope of Section 1802(b)(1)(C) because it represents the interests of customers with a concern for the environment. A copy of PCF’s Bylaws is on file with the Commission in R.13-12-010. In R.13- 12-010, PCF was found to have satisfied eligibility requirements and to have shown significant financial hardship in the September 26, 2014 Administrative Law Judge’s Ruling on Protect Our Communities Foundation’s Amended Showing of Significant Financial Hardship. A copy of PCF’s Bylaws, as well as a copy of PCF’s Articles of Incorporation, is also on file in A.15-09-013. In A.15-09-013, PCF was found to have satisfied eligibility requirements and to have shown significant financial hardship in D.19-04-031, Decision Granting Compensation to Protect Our Communities for Substantial Contribution to Decision 18-06-028 (April 25, 2019).</p> <p>PCF continues to meet the Commission’s longstanding requirements for a finding of significant financial hardship. The economic interest of the individual members of PCF “is small in comparison to the costs of effective participation in this proceeding.” (Pub. Util. Code, § 1802, subd. (h).) PCF is nonprofit public benefit corporation organized for charitable and public purposes within the</p>	
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	<p>meaning of Section 501(c)(3) of the Internal Revenue Code. PCF represents the interests of a specific constituency: San Diego and other Southern California area residential utility ratepayers, the majority of whom do not have the financial ability to represent themselves in this proceeding, and whose interests are often not adequately represented in Commission proceedings. PCF certifies that the economic interest in this proceeding of individual PCF members and constituents is small compared to the cost of effective participation. PCF's circumstances are materially the same now as when PCF was found to meet the Commission's eligibility requirements for intervenor compensation in numerous prior decisions including those listed here:</p> <p>R.17-06-026, D.21-05-025 (May 29, 2021); A.20-08-011, D.21-05-029 (May 20, 2021); A.20-03-018, D.21-04-009 (April 15, 2021); R.16-02-007, D.21-03-039 (March 18, 2021); A.15-09-010, D.21-02-027 (February 11, 2021); A.15-09-010, D.20-04-021 (April 16, 2020); R.18-12-005, D.20-04-017 (April 16, 2020); A.15-09-010, D.19-12-017 (December 5, 2019); A.12-10-009, D.19.10-047 (October 24, 2019); A.15-09-010, D.19-05-035 (May 30, 2019); A.15-09-013, D.19-04-031</p>	
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(April 25, 2019); R.16-02-007, D.18-09-039 (September 27, 2018); A.15-09-010, D.18-07-034 (July 26, 2018); A.14-07-009, D.15-12-045 (Dec. 12, 2014).	
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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
RA Restructuring (Track 3B.2) PCF made recommendations and comments on the restructuring proposals based on the requirements of Section 380. “...[I]t best addresses Principle 1 by protecting ratepayers from increasing costs. Further, it best addresses the part of Principle 2 that calls for energy reliability/sufficiency in all hours of the day.” (PCF 06/30/2021 Comments on PD on Track 3B.2 Issues, p. 3) “The PD highlighted many strengths of the SCE/CalCCA’s RA restructuring proposal, and PCF agrees that the proposal provides many appealing characteristics that address each of the four Principles.” (PCF 06/30/2021 Comments on PD on Track 3B.2 Issues, p. 4)	RA Restructuring (Track 3B.2) The Commission selected a proposal to be further developed based on the Section 380 principles. PCF’s emphasis on Section 380 principles in restructuring proposals enriched the Commission’s deliberations and supported its decision making. “To evaluate the restructuring proposals, the Commission considered key principles that address the concerns regarding the current RA framework and the objectives of the RA program, as set forth in Public Utilities (Pub. Util.) Code Section 380.” (D.21-07-014, pp. 25-26)	

<p>“In that way it better addresses Principle 4 requiring the proposals to be ‘implementable in the near-term.’” (PCF 06/30/2021 Comments on PD on Track 3B.2 Issues, p. 4)</p> <p>“The PG&E proposal addresses reliability and ease of implementation – partially fulfilling Principle 1 and reasonably meeting Principle 4.” (PCF 06/30/2021 Comments on PD on Track 3B.2 Issues, p. 4)</p>		
<p>UCAP proposal</p>	<p>UCAP proposal</p>	
<p>PCF highlighted flaws in the CAISO’s UCAP proposal.</p> <p>“The UCAP proposal presumes that CAISO and the Commission are passive observers of generator outage rates, and limits its oversight role to documenting these outage rates and discounting NQCs based on the observed outage rates. The UCAP Proposal does not contemplate that the generator owner/operators: 1) may not be taking the steps necessary to assure that the generators are available during tight supply conditions, or 2) may be scheduling planned outages at times when tight supply conditions could potentially occur.” (PCF 03/12/2021 Comments on Track 3B Proposals, p. 9)</p>	<p>The Commission highlighted PCF’s contribution to the analysis of CAISO’s UCAP proposal, wherein PCF’s contributions enriched the Commission’s deliberations and the record.</p> <p>“Parties that oppose CAISO’s proposal include... PCF....” (D.21-07-014, p. 42)</p>	
<p>PCF opposed the UCAP proposal as an improper way to address generator outages because it bypasses statutory requirements, revises the PRM, and attempts to shift authority from the Commission to the CAISO. (PCF</p>	<p>The Commission agreed with PCF by recommending further review of the best method to address generator outages.</p> <p>“We decline to adopt the proposal at this time but direct parties to</p>	

<p>06/30/2021 Comments on PD on Track 3B.2 Issues, pp. 6-7)</p>	<p>consider the proposal in workshops, or other means of accounting for forced outage rates in a resources RA value (e.g., exceedance methodology), to potentially be layered onto a final proposed framework.” (D.21-07-014, p. 43)</p>	
<p>Bid Cap and Hedging Proposals</p>	<p>Bid Cap and Hedging Proposals</p>	
<p>PCF objected to the hedging proposals, which PCF noted as distinct from the Bid Cap proposal.</p> <p>“[I]nstead of continuing to consider any of the hedging proposals, the Commission should simply adopt the Energy Division’s Bid Cap proposal, which is superior to the hedging proposals. The PD does not need to allow more working group discussion on the PG&E hedging proposals.” (PCF 06/30/2021 Comments on PD on Track 3B.2 Issues, p. 2)</p>	<p>The Commission formally acknowledged and considered PCF’s concerns when forming their decision, exemplifying that PCF’s comments enriched the Commission’s deliberations and decision making (see Comment II.A below).</p> <p>“The Commission acknowledges some parties’ concerns as to whether inadequate LSE energy hedging is indeed an issue that needs to be addressed through the RA program.” (D.21-07-014, p. 38)</p>	
<p>PCF highlighted the many benefits inherent in the Bid Cap proposal as an alternative to the SFPFC.</p> <p>“PCF continues to support the Energy Division’s Bid Cap proposal – in the absence of SFPFC proposal adoption. The Energy Division’s Bid Cap proposal addresses and solves the problems of price spike concerns, bidding failure concerns, and the loopholes that allow RA providers to sell to out-of-state LSEs during peak demand windows. Additionally, the Bid Cap proposal allows generators to make money on capacity and energy services while effectively prohibiting generator profiteering behavior that harms ratepayers and games the CAISO market.” (PCF</p>	<p>The Commission agreed with PCF that the SFPFC or the bid cap could solve energy supply issues and directed further development of the bid cap or elements of the SFPFC.</p> <p>“Therefore, the Commission directs parties in workshops to discuss and propose a hedging component as part of the final proposed framework, such as PG&E’s hedging proposal, Energy Division’s bid cap proposal, or aspects of the SFPFC concept.” (D.21-07-014, p. 38)</p>	

<p>06/30/2021 Comments on PD on Track 3B.2 Issues, p. 6)</p>		
<p>Multi-Year System and Flexible Requirements</p>	<p>Multi-Year System and Flexible Requirements</p>	
<p>PCF opposed multi-year system and flexible requirements.</p> <p>“The new central procurement entity framework and the RA restructuring framework both need to be implemented and mature before other radical changes take place.” (PCF 06/30/2021 Comments on PD on Track 3B.2 Issues, p. 7)</p> <p>“The Commission should not force LSEs to sign long-term contracts with fossil-fueled generators simply to protect the market viability of the fossil-fueled generator.” (PCF 06/30/2021 Comments on PD on Track 3B.2 Issues, p. 7)</p> <p>“The only reason a generator would need a three-year contract instead of a single year contract would be if that generator believed that its RA capacity, including upgrades and maintenance, could not compete on the open market with other new and existing generators for all three years.” (PCF 07/06/2021 Reply Comments on PD on Track 3B.2 Issues, p. 4)</p>	<p>The Commission agreed with PCF that multiyear system and flexible RA procurement should not be immediately adopted.</p> <p>“[T]here are uncertainties in the RA program that may create market confusion about system requirements, including how such requirements will work with the CPEs procuring local RA that will lower system RA requirements on behalf of all LSEs in PG&E and SCE service territories. We decline to adopt multi-year requirements at this time;” (D.21-07-014, p. 45)</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.	
b. Were there other parties to the proceeding with positions similar to yours?	Yes.	
c. If so, provide name of other parties: Cal Advocates, CEJA/Sierra Club, SCE/CalCCA		
d. Intervenor’s claim of non-duplication: While PCF took similar positions as other parties on some topics, PCF made unique arguments in favor of its positions. Additionally, PCF was one of the few parties to argue in favor of the Energy Division’s restructuring proposal as an elegant and innovative way to streamline the RA process and more easily address load departures which continue to occur. This analysis enriched the record and the Commission’s deliberations and decision making. Further, PCF’s positions did not overlap with the same parties on each issue considered, further clarifying PCF’s unique perspective. Due to PCF’s citations to statutes and studies and PCF’s data-backed arguments, the Commission was able to make a more informed decision. PCF’s participation provided the Commission with a unique perspective that enriched the Commission’s deliberations and decision-making. To the extent PCF’s arguments were similar to other parties’ arguments, they supplemented, complemented, and contributed to the presentations by other parties; and they were neither unproductive nor unnecessary. All of PCF’s comments were necessary for a fair determination of D.21-07-014. PCF’s evaluation and analyses responded directly to the Amended Scoping Memo topics and parties’ proposals. To PCF’s knowledge, no other party participating in this proceeding is focused on representing the interests of Southern California and San Diego residential utility ratepayers both with respect to ratepayer and environmental protection.		

C. Additional Comments on Part II: (use line reference # or letter as appropriate)

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 Comment	CPUC Discussion
II(A)	<p>Substantial Contribution. Pursuant to Section 1802(j), “Substantial contribution” means that, in the judgment of the commission, the customer’s presentation has substantially assisted the commission in the making of its order or decision because the order or decision has adopted in whole or in part one or more factual contentions, legal contentions, or specific policy or procedural recommendations presented by the customer.”</p>	
II(A)	<p>Substantial Contribution Includes Enriching Deliberations and the Record. The Commission’s past decisions recognize that the Commission does not need to adopt an intervenor’s position on a particular issue for that intervenor to make a substantial contribution. D.08-04-004, p. 4-5; D.19-10-019, p. 3; D.03-03-031, p. 6 (“substantial contribution includes evidence or argument that supports part of the decision even if the Commission does not adopt a party’s position in total”). Rather, intervenors substantially contribute when they have “provided a unique perspective that enriched the Commission’s deliberations and the record.” D.05-06-027, p. 5. Intervenors also substantially contribute when they provide a full discussion of the matters at issue so as to allow the Commission “to fully consider the consequences of adopting or rejecting” the parties’</p>	

	<p>proposals, and when they “assist[] the Commission in the decision-making process.” D.08-04-004, p. 5-6; D.19-10-019, p. 4.</p>	
<p>II(A)</p>	<p>Substantial Contribution Includes Contributions that lead to adoption of procedural changes. The Commission’s past decisions establish that intervenors substantially contribute and “assist with the decision-making process” when the Commission considers a party’s contentions and then adopts procedural changes. <i>See e.g.</i> D.19-10-019, p. 4 & decisions cited therein.</p>	
<p>II(B)(d)</p>	<p>No Duplication. No reduction to PCF’s compensation due to duplication is warranted given the standard adopted by the Commission in D.03-03-031 and consistent with Public Utilities Code Sections 1801.3(b) & (f), 1802(j), 1802.5, and 1803. Section 1803 sets forth the requirements for awarding intervenor compensation. Pub. Util. Code, § 1803; D.03-03-031, p. 12-14. An award of compensation for reasonable fees for participation in a proceeding is required when an intervenor (1) complies with Section 1804 and (2) “satisfies both of the following requirements: (a) The customer’s presentation makes a substantial contribution to the adoption, in whole or in part, of the commission’s order or decision. (b) Participation or intervention without an award of</p>	

	<p>fees or costs imposes a significant financial hardship.” Pub. Util. Code, § 1803.</p> <p>Section 1801.3(f) seeks to avoid only (1) “unproductive or unnecessary participation that duplicates the participation of similar interests otherwise adequately represented” or (2) “participation that is not necessary for a fair determination of the proceeding.” Pub. Util. Code, § 1801.3, subd. (f); D.03-03-031, p. 15-18. The “duplication language contained in the first dependent clause requires the compensation opponent to establish three elements – duplication, similar interests, and adequate representation.” D.03-03-031, p. 18.</p> <p>Section 1802.5 provides for full compensation where participation “materially supplements, complements, or contributes to the presentation of another party.” Pub. Util. Code. § 1802.5; <i>see also</i> D.03-03-031, p. 14.</p>	
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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>a. Intervenor’s claim of cost reasonableness:</p> <p>PCF’s advocacy reflected in this claim substantially contributed to a decision that will impact local capacity requirements and the RA program. PCF provided legal and factual citations in its comments that enriched the Commission’s deliberations and informed the Commission’s decision-making, resulting in a decision that will save Southern California and San Diego ratepayers unnecessary costs. Moreover, PCF’s advocacy that leads to reducing the need for unnecessary electricity procurement protects</p>	

<p>California’s environment from unneeded infrastructure encroachment and the environmental costs of unnecessary energy infrastructure.</p>											
<p>b. Reasonableness of hours claimed:</p> <p>PCF’s experts, Tyson Siegele and Bill Powers, efficiently prepared detailed comments and provided extensive analyses at the opportunities provided by the Commission in this proceeding. Mr. Siegele’s and Mr. Powers’s comments informed the Commission’s deliberations and the determination of this decision and enriched the record. [Due to the interweaving of various RA issues addressed in comments related to the most recent two RA decisions (e.g. PRM), PCF submitted Mr. Powers’s time on the PCF claim in the RA proceeding filed last month on 8/24/2021.]</p> <p>PCF is not claiming any time spent on administrative matters, such as time spent filing and serving comments. Further, PCF is not claiming any time spent by PCF’s board member Loretta Lynch in discussing or editing PCF’s comments or proposals.</p> <p>In an effort to minimize costs, PCF advocate Julia Severson, whose rate is significantly lower than that of PCF’s experts and attorneys, aided in preparing this request.</p> <p>All of the hours claimed in this request were reasonably necessary to PCF’s participation in the determination of D.21-07-014.</p>											
<p>c. Allocation of hours by issue:</p> <p>Based on the details in the time sheets, the approximate allocation of time spent towards D.21-07-014 is as follows:</p> <table border="1" data-bbox="251 1255 1214 1486"> <tr> <td>50%</td> <td>Track 3.B.2 RA restructuring</td> </tr> <tr> <td>40%</td> <td>Track 3.B.2 RA misc (e.g. Hedging, Bid Cap, UCAP and Multi-year reqs)</td> </tr> <tr> <td>10%</td> <td>General Participation</td> </tr> <tr> <td></td> <td></td> </tr> <tr> <td></td> <td></td> </tr> </table>	50%	Track 3.B.2 RA restructuring	40%	Track 3.B.2 RA misc (e.g. Hedging, Bid Cap, UCAP and Multi-year reqs)	10%	General Participation					
50%	Track 3.B.2 RA restructuring										
40%	Track 3.B.2 RA misc (e.g. Hedging, Bid Cap, UCAP and Multi-year reqs)										
10%	General Participation										

B. Specific Claim:*

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
Tyson Siegele	2021	58	\$305	See Comment #1.	\$17,690			
Tyson Siegele	2020	7.50	\$295	See Comment #2.	\$2,212.50			
Malinda Dickenson	2019	5.20	\$440	See Comment #3.	\$2,288			
Subtotal: \$22,190.50						Subtotal: \$		
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 \$
Travel to PHC	2019	5	\$220	½ of Ms. Dickenson's 2019 hourly rate.	\$1,100			
Subtotal: \$1,100						Subtotal: \$		
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate	Total \$
Julia Severson	2021	1.25	\$57.50	½ of hourly rate. See Comment #4.	\$71.88			
Tyson Siegele	2021	3.50	\$152.50	½ of hourly rate. See Comment #1.	\$533.75			
Subtotal: \$605.63						Subtotal: \$		
COSTS								

#	Item	Detail	Amount	Amount
1.				
2.				
			<i>Subtotal: \$</i>	<i>Subtotal: \$</i>
			<i>TOTAL REQUEST: \$23,896.13</i>	<i>TOTAL AWARD: \$</i>
<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>				
ATTORNEY INFORMATION				
Attorney	Date Admitted to CA BAR³	Member Number	Actions Affecting Eligibility (Yes/No?) If "Yes", attach explanation	
Malinda Dickenson	2002	222564	No	

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

Attachment or Comment #	Description/Comment
Attachment #1	Certificate of Service
Attachment #2	Time Sheet and Categorization
Attachment #3	Travel Receipts
Attachment #4	Tyson Siegele Resume
Attachment #5	Malinda Dickenson Resume
Attachment #6	Julia Severson Resume
Comment #1	Tyson Siegele Basis for 2021 Rate: \$305/hour Per Resolution ALJ-393, PCF calculates new 2021 rates and justifies them herein. Based on the expert knowledge and experience Mr. Siegele provides to PCF, the organization categorizes his work as "Expert – Not Otherwise Classified."

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

	<p>Mr. Siegele has served as an expert witness in Commission proceedings and has earned numerous certifications and licenses. Mr. Siegele has earned licenses as an architect, general contractor, and Energy Star Builder. Of those certifications, Mr. Siegele continues to maintain his architecture license which supplements his expertise as an energy analyst by bringing to PCF an in depth understanding the intricate interactions between energy and the built environment. Additionally, Mr. Siegele spent 4 years as a leading voice aiding Southern California’s transition to electric transportation, including in his former role as the president of the Electric Vehicle Association of San Diego. In recognition of his work as an electric vehicle expert and advocate, Mr. Siegele received the 2019 award “MVP of the Western U.S.” from the Electric Auto Association.</p> <p>Because of Mr. Siegele’s work as an expert witness at the Commission; degree in architecture; licenses and certifications in architecture and contracting; leadership in electric transportation; and two decades of experience in energy and the built environment, PCF recommends that the Commission categorize Mr. Siegele as “Expert – Not Otherwise Classified,” “Level V,” and set his hourly rate at \$305, which corresponds to an hourly rate close to the median for his level of experience.</p>
<p>Comment #2</p>	<p>Tyson Siegele Basis for 2020 Rate: \$295/hour</p> <p>[\$270/hour rate adopted in D.21-03-039 for Mr. Siegele for 2019 rate.</p> <p>PCF requests a 5% step increase for Mr. Siegele’s rate in 2020 due his further experience in CPUC proceedings supplementing his two decades of work within highly demanding technical fields including over a decade of work on energy. Thus, starting with the adopted 2019 rate of \$270/hour:</p> <p>$\\$270 + 5\% \text{ step increase} = \\$283 \text{ (rounded up to the nearest } \\$5) = \\$285$</p> <p>COLA for 2020 per Resolution ALJ-387 = 2.55%</p> <p>$\\$285 \times 1.0255 \text{ (COLA) and rounded up to the nearest } \\$5 = \\$295/\text{hour as the requested rate for Mr. Siegele for 2020]}$</p>
<p>Comment #3</p>	<p>Malinda Dickenson Basis for 2019 Rate: \$440/hour</p> <p>[\$450/hour rate adopted in D.21-05-029 for Ms. Dickenson for 2020.</p> <p>Thus, by using a reverse COLA calculation to calculate a 2019 rate based on a 2020 adopted rate:</p> <p>COLA for 2020 per Resolution ALJ-387 = 2.55%</p> <p>$\\$450 / (2020 \text{ COLA of } 1.0255) = \\$439, \text{ then rounded up to the nearest } \\$5 = \\$440/\text{hour equaling the requested rate for Ms. Dickenson for 2019.]}$</p>

Comment #4	<p>Julia Severson Basis for 2021 Rate: \$115/hour Per Resolution ALJ-393, PCF calculates new 2021 rates and justifies them herein. Based on the variety of work Ms. Severson completes at PCF, Ms. Severson is most accurately categorized as “Advocate – Not Otherwise Classified.” Level I of the 2021 rate calculations sets the experience timeline to 0-1 years. Level II sets the experience timeline to 2-5 years. Ms. Severson holds a bachelor’s degree and 1.5 years of experience in the legal field, which exceeds the experience of Level I. Based on her experience and Ms. Severson’s substantial and substantive responsibilities at PCF, PCF requests a 2021 rate of \$115, which is commensurate with the high-level rate for Level I. This rate is also the median rate for Paralegals with less than one year of experience. Ms. Severson has more than one year of experience assisting and supporting attorneys with research, which thus also supports Ms. Severson’s requested hourly rate for 2021.</p>
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D. CPUC Comments, Disallowances, and Adjustments *(CPUC completes)*

Item	Reason

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?	
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If so:

Party	Reason for Opposition	CPUC Discussion

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

Party	Comment	CPUC Discussion

(Green items to be completed by Intervenor)

FINDINGS OF FACT

1. [THE PROTECT OUR COMMUNITIES FOUNDATION] [has/has not] made a substantial contribution to D.21-07-014.
2. The requested hourly rates for [THE PROTECT OUR COMMUNITIES FOUNDATION]'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. [THE PROTECT OUR COMMUNITIES FOUNDATION] shall be awarded \$ _____.
2. Within 30 days of the effective date of this decision, _____ shall pay [THE PROTECT OUR COMMUNITIES FOUNDATION] the total award. [for multiple utilities: "Within 30 days of the effective date of this decision, ^, ^, and ^ shall pay [THE PROTECT OUR COMMUNITIES FOUNDATION] 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 75th day after the filing of [THE PROTECT OUR COMMUNITIES FOUNDATION]'s request, and continuing until full payment is made.

Revised October 2018

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.21-07-014		
Proceeding(s):	R.19-11-009		
Author:			
Payer(s):			

Intervenor Information

Intervenor	Date Claim Filed	Amount Requested	Amount Awarded	Multiplier?	Reason Change/Disallowance
THE PROTECT OUR COMMUNITIES FOUNDATION	09/14/2021	\$23,896.13		N/A	

Hourly Fee Information

First Name	Last Name	Attorney, Expert, or Advocate	Hourly Fee Requested	Year Hourly Fee Requested	Hourly Fee Adopted
Tyson	Siegele	Expert	\$295	2020	
Tyson	Siegele	Expert [Not Otherwise Classified]	\$305	2021	
Julia	Severson	Advocate [Not Otherwise Classified]	\$115	2021	
Malinda	Dickenson	Attorney	\$440	2019	

(END OF APPENDIX)