



FORM A: BLANK NOTICE OF INTENT TO CLAIM INTERVENOR COMPENSATION

FILED

09/16/21

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 (Filed June 24, 2021)
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**NOTICE OF INTENT TO CLAIM INTERVENOR COMPENSATION
AND, IF REQUESTED (and [X]¹ checked), ADMINISTRATIVE LAW JUDGE'S
RULING ON UTILITY CONSUMERS' ACTION NETWORK'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):		
Assigned Commissioner: Darcie L. Houck		Administrative Law Judge: Carolyn Sisto and Kelly A. 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:		/s/ Jane Krikorian
Date: September 16, 2021	Printed Name:	Jane Krikorian

**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))² 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,	<input type="checkbox"/>

¹ 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).

² All statutory references are to California Public Utilities Code unless indicated otherwise.

<p>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).</p>	
<p>2. A Category 2 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.</p>	<input type="checkbox"/>
<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>	<input checked="" type="checkbox"/>
<p>4. The party's detailed explanation of the selected customer category.</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><u>Explanation for UCAN's status as a Category 3 customer:</u> UCAN is a 501(c) (3) non-profit public benefit corporation dedicated to protecting and representing the interests of residential and small business customers in the San Diego Gas & Electric service territory. UCAN has a thirty-eight year history of intervening in CPUC proceedings on behalf of SDG&E customers. UCAN's work</p>	

<p>also includes helping individuals resolve consumer disputes with utility service providers of electricity, gas, water and telecommunications. UCAN has approximately 20,000 members listed in our membership database, of which approximately 98% are residential customers. In addition, at the end of 2020 UCAN mailed 5,000 individuals annual membership information, and as of September 16, 2021 has received contributions from approximately 265 individuals.</p> <p>In D.98-04-059, the Commission directed intervenors to state in their NOIs which of three customer “categories” they fall within. UCAN is a “group or organization authorized pursuant to its articles of incorporation or bylaws to represent the interests of residential ratepayers.” The decision also requires a group such as UCAN to include in their NOI a copy of the authorization in their articles of incorporation to represent residential customers, or to provide a reference to a previous filing (see D.98-04-059, p. 30.) UCAN has previously provided to the Commission the relevant portion of our articles of incorporation. An ALJ Ruling filed on June 28, 2005 in A.05-02-019 noted that UCAN is a customer as that term is defined in §1802(b) and is a group or organization authorized by its bylaws or articles of incorporation to represent the interests of residential and small commercial customers (<i>See</i> Ruling, pp. 1-2). UCAN most recently included a copy of our articles of incorporation in a NOI filed in A.17-01-019 on April 3, 2017, (<i>see</i> Attachment 2 of that NOI filing) later consolidated under A.17-01-012. The articles of incorporation have not changed since the time of those earlier submissions.</p>	
<p>Do you have any direct economic interest in outcomes of the proceeding?³</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>

³ See Rule 17.1(e).

<p>The party's explanation of its status as an eligible local government entity must include a description of</p> <ol style="list-style-type: none"> (1) The relevant triggering catastrophic event; (2) The impacts of the triggering catastrophic event on the residents within the entity's jurisdiction as a result of public utility infrastructure; and (3) The entity's reason(s) to participate in this proceeding. 	
<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 type="checkbox"/> No</p>
<p>2a. The party's description of the reasons for filing its NOI at this other time:</p>	
<p>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:</p>	

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

<p>A. Planned Participation (§ 1804(a)(2)(A)):</p>
<p>The party's statement of the issues on which it plans to participate:</p> <p>UCAN's main goal in this proceeding is to protect ratepayers from unnecessary and avoidable costs as California strives to meet its ambitious clean energy and air goals. UCAN supports preparing and modernizing the electric grid for a high distributed energy resources future and believes this proceeding marks the beginning of a critical phase for California's energy transition. However, UCAN continues to be concerned about the costs and burdens ratepayers are bearing and continues to advocate for modernization that will lower the costs of electricity for all ratepayers. UCAN believes with thoughtful and careful analyses and planning that this goal is possible.</p> <p>The following issues are determined based on the OIR. Additional issues may become relevant for UCAN after the Scoping Memo is issued. UCAN expects to participate in all tracks and phases of this proceeding.</p> <p>The issues UCAN intends to address are:</p> <ul style="list-style-type: none"> - Distribution System Operator Roles and Responsibilities including DSO models, grid architecture, and implementation feasibility.

- Distribution Planning, Data Portals, Community Engagement, and DER Integration including electrification impacts on distribution planning, DPP improvement, DRP data portal improvement and DPP Guidelines.
- Smart Inverter Operationalization, Grid Modernization, and GRC Alignment

The party's explanation of how it plans to avoid duplication of effort with other parties:

UCAN intends to work with other intervenors to coordinate efforts and avoid duplication where possible. UCAN expects to engage with the Public Advocates Office of the Public Utilities Commission (Cal Advocates) as well as The Utility Reform Network (TURN) and other consumer focused groups that are also parties to this proceeding to discuss where each party aligns or diverges on relevant issues. UCAN intends to present material that is either unique or that compliments and supports the showing of other parties.

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).

UCAN has submitted comments on the OIR and attended the pre-hearing conference. UCAN plans on attending the Energy Division Workshop scheduled for September 22, 2021 and provide reply comments on the OIR after the workshop. UCAN plans to participate in all phases, tracks, and workshops and provide any and all necessary feedback both formal and informal. If it is determined that hearings are necessary, UCAN is prepared to file testimony and actively participate in the hearings through cross-examination questions and providing a witness. UCAN plans to submit any needed data requests, write opening and reply briefs and any other necessary pleadings as well as respond to a proposed decision.

Please note: At this time (September 16, 2021) Commission workshop, conferences and hearings are being held remotely. In the event that this changes during this proceeding, travel costs will be added to the final intervenor compensation claim but do not appear in this NOI.

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				
Jane Krikorian	200	\$510	\$102,00	
Samuel Golding	250	\$332	\$83,000	
Courtney Cook-Sloan	25	\$186	\$4,650	
Subtotal: \$189,650				
OTHER FEES				
Subtotal: \$0				

COSTS				
Subtotal: \$0				
TOTAL ESTIMATE: \$189,650				
Estimated Budget by Issues:				
Issue:	Time:	Budget:		
Distribution System Operator Roles and Responsibilities including DSO models, grid architecture, and implementation feasibility.	40%	\$75,860		
Distribution Planning, Data Portals, Community Engagement, and DER Integration including electrification impacts on distribution planning, DPP improvement, DRP data portal improvement and DPP Guidelines.	35%	\$66,377.50		
Smart Inverter Operationalization, Grid Modernization, and GRC Alignment	25%	\$47,412.50		
Total:	100%	\$189,650		
<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 ½ 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)
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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 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"/>
<p>Commission's finding of significant financial hardship made in proceeding number: R.20-07-013</p> <p>Date of Administrative Law Judge's Ruling (or CPUC Decision) in which the finding of significant financial hardship was made: December 15, 2020</p>	
<p>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:</p> <p>UCAN is a nonprofit 501(c)(3) consumer advocacy organization with a 38-year history dedicated to representing the interests of residential customers of SDG&E in Commission proceedings. UCAN has a long history of intervening in CPUC proceedings, and has regularly been found to satisfy the § 1802(g) "significant financial hardship" requirement. The last such finding was made by in a ruling, R.18-07-006, on May 30, 2019. On April 13, 2020, in R.20-01-007, July 17, 2020 in A.20-04-014, October 14, 2020 in A.20-07-016, and May 26, 2021 in R.21-03-011, UCAN filed a NOI and requested the "significant financial hardship" finding. To date, there has been no ruling on those requests.</p> <p>UCAN has approximately 20,000 members listed in our membership database, of which approximately 98% are residential customers, and in the last year UCAN has mailed almost 5,000 individuals annual membership information and received contributions from over 265 individuals. The comparison test requires that the economic interest of the individual members of the group or organization be small in comparison to the costs of UCAN's effective participation in this proceeding. UCAN notes that the cost of UCAN's participation in Commission proceedings substantially outweighs the potential economic benefit to the individual members we represent. UCAN members are residential customers of SDG&E whose individual interests in this proceeding are very small relative to the costs of our effective participation, and therefore, UCAN members will not see financial benefits that exceed the costs of our participation.</p>	

As noted in UCAN's Articles of Incorporation (see section IV) all net income that UCAN receives will be irrevocably dedicated for a charitable purpose:

"The property of this corporation is irrevocably dedicated to charitable purposes and no part of the net income or assets of this organization shall ever inure to the benefit of any private persons".

UCAN also notes how valuable intervenor compensation is and how without it our ability to represent SDG&E residential ratepayers in Commission proceedings would be significantly impaired. UCAN expects to rely on intervenor compensation awards for the bulk of its operating income in the next year. Without being eligible for intervenor compensation UCAN would not have the ability to effectively participate in CPUC proceedings.

In FY18/19, UCAN's income was \$638,654, with \$614,565 derived from Intervenor Compensation, and expenses of \$566,758 for a positive net income of \$71,896. UCAN's fiscal-year balance was \$188,464.

For FY19/20, UCAN's income was \$800,287 with \$777,096 from Intervenor Compensation, and expenses of \$634,080 for a positive net income of \$166,208. UCAN's fiscal-year balance was \$286,044.

For FY20/21, UCAN's income was \$748,493 with \$730,560 from Intervenor Compensation, and expenses of \$834,348 for a negative net income of (\$85,855). UCAN's fiscal-year balance was \$280,348.

For FY21/22, UCAN is projecting income of \$550,000 and expenses of \$645,070 for a forecasted negative net income of (\$95,070). As of August, 2021, UCAN's current Assets are \$294,322 with Liabilities totaling \$86,165 and a total Equity of \$208,157.

The Commission, for the past 38 years, has found that UCAN qualified for a finding of significant financial hardship given that the economic interest of UCAN's individual members is small in comparison to the costs of our effective participation. What was true for the last 38 years remains true today. Given the showing in this NOI, UCAN believes that we have satisfied the requirements found in Public Utilities Code section 1802 (g) and we therefore ask for a finding of "significant financial hardship."

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 RULING⁴
(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"/>
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 <u>significant financial hardship</u> 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.

⁴ 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).

Administrative Law Judge