**FILED****BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**09/21/21
04:59 PM

In the Matter of the Application of Liberty Utilities (CalPeco Electric) LLC (U933E), for Authority to Among Other Things, Increase Its Authorized Revenues for Electric Service, Update Its Energy Cost Adjustment Clause Billing Factors, Establish Marginal Costs, Allocate Revenues, And Design Rates, as of January 1, 2022

A.21-05-017
(Filed May 28th, 2021)

**NOTICE OF INTENT TO CLAIM INTERVENOR COMPENSATION
AND, IF REQUESTED (and ☒ checked), ADMINISTRATIVE LAW JUDGE'S
RULING ON **TAHOE ENERGY RATEPAYERS GROUP'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): Tahoe Energy Ratepayers Group (Tahoe ERG)

Assigned Commissioner: Martha Guzman Aceves

Administrative Law Judge: Adeniyi A. Ayoade

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/ Anita Taff-Rice

Date: September 21, 2021

Printed Name: Anita Taff-Rice

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

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).

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, 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).	☐
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.	☐
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.	☒
4. The party’s detailed explanation of the selected customer category. Tahoe ERG was created for the purpose of representing the interests of residential energy customers before the California Public Utilities Commission (“CPUC”). Tahoe ERG advocates for energy rates that unite the interests of Lake Tahoe residential energy users in seeking fair, reasonable and non-discriminatory electric rates. Tahoe ERG has filed for party status in this proceeding and intends to advocate for rates that do not discriminate between (i) permanent, full-time, primary, or owner-residents of Lake Tahoe on the one-hand, and (ii) temporary, part-time, seasonal, renter, or second home-owner residents of Lake Tahoe on the other-hand. Currently, 80% of Tahoe ERG’s members are utility ratepayers in Liberty’s service area and are therefore directly affected by the outcome of this proceeding. They have a direct interest in Liberty Energy’s proposal to bifurcate the classification of residential energy customers in Lake Tahoe into two categories: Residential-Permanent and Residential-Seasonal; and to charge Residential-Permanent customers less than Residential Seasonal customers for identical energy usage. Tahoe ERG is a California unincorporated Association, (Attachment 1), and as stated in the “Articles of Association - Tahoe Energy Ratepayers Group” (Attachment 2), Tahoe ERG’s official mission is to represent the interests of	

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

residential energy utility customers in Lake Tahoe. Tahoe ERG meets the definition of a Category 3 customer, as set forth in Pub. Util. Code Section 1802(b).	
Do you have any direct economic interest in outcomes of the proceeding? ³ If “Yes”, explain:	☐ Yes ☒ No
B. Conflict of Interest (§ 1802.3)	Check
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?	☐ Yes ☒ No
2. If the answer to the above question is “Yes”, does the customer have a conflict arising from prior representation before the Commission?	☐ Yes ☐ No
C. Status as an Eligible Local Government Entity (§§1802(d), 1802.4, 1803.1)	
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.	☐ Yes ☒ No
<u>The party’s explanation of its status as an eligible local government entity must include a description of</u> (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.	
D. Timely Filing of Notice of Intent to Claim Intervenor Compensation (NOI) (§ 1804(a)(1)):	
1. Is the party’s NOI filed within 30 days after a Prehearing Conference? Date of Prehearing Conference: 8/23/2021	☒ Yes ☐ No
2. Is the party’s NOI filed at another time (for example, because no Prehearing Conference was held, the proceeding will take less than 30 days, the schedule did not reasonably allow parties to identify issues within the timeframe normally permitted, or new issues have emerged)?	☐ Yes ☐ No

³ 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)):

1. What is the nature of your planned participation in this proceeding (as far as it is possible to describe on the date this NOI is filed)? On what issues do you plan to participate?

Tahoe ERG, if granted party status, intends to be an active participant in the proceeding and plans to conduct discovery, participate in the evidentiary hearing, prepare testimony, defend its testimony, cross examine witnesses, and prepare briefs.

There are three additional parties in this proceeding: "Small Business Utility Advocates" representing small business customers; "A-3 Customer Coalition" representing commercial customers; and, "Cal Advocates" representing customers in general. All three parties listed the issues they intend to address in the "Revised Prehearing Conference Statement" filed on September 7, 2021. None of the stated issues are duplicative of the issues being raised by Tahoe ERG; however, there are outstanding discovery requests for documentation and data that still have not been fulfilled by Liberty Energy. It is possible that upon receipt of the outstanding discovery, Cal Advocates and Tahoe ERG may have some complimentary interests. Tahoe ERG will work closely with Cal Advocates to avoid any duplication of effort. Tahoe ERG anticipates that it will play a major role in identifying, obtaining and representing evidence to assist with the Commission's analysis. A scoping memo has not yet been issued, but Tahoe ERG anticipates that it will present evidence on all of the following issues.

- Whether there exists an actual factual and legal basis for Liberty Energy's proposal to bifurcate the classification of residential energy customers in Lake Tahoe into two categories: Residential-Permanent and Residential-Seasonal; and to charge Residential-Permanent customers less than Residential-Seasonal customers for identical energy usage. Upon careful review of Liberty Energy's Rate Case Application, Tahoe ERG discovered flawed and/or absent factual and legal analysis to justify its departure from traditional rate design principles such as cost causation, marginal costs, customer impact and protection of low-income customers as set forth by the CPUC in D.15-07-001.
- Whether there exist detailed definitions of the key concepts of "Residential-Permanent" and "Residential-Seasonal" customers. And, if such definitions exist, are they consistent with traditional rate design principles and factually and legally support the following conclusions used in Liberty Energy's Rate Case Application:

- a. Approximately half of the electricity Liberty delivers is to residential customers and approximately 60 percent of its residential accounts are second vacation homes or rentals.⁴
 - b. Liberty's claim that the cost of serving the permanent residential rate class is lower than the cost of serving the "seasonal" residential rate class...⁵
 - c. Liberty's assertion that the cost of serving the permanent residential rate class is \$0.230 per 3 kWh, while the cost of serving the "seasonal" residential rate class is \$0.251 per kWh, or 8.85 percent higher.⁶
 - d. Based on these findings, Liberty is proposing substantially disparate rates for residential permanent customers and residential "seasonal" customers.⁷
- Whether Liberty Energy has conducted any analysis on the makeup of "seasonal" residents. Liberty refers to them as "second-home owners," while many may actually be seasonal workers, such as service workers in ski resorts, restaurants and hotels in Lake Tahoe, who occupy residential dwellings, and may be low income, but may not qualify for CARE.
 - Whether the "Marginal Cost Study" referred to repeatedly by Liberty Energy in Chapter 12 and used as the basis for its rate design, is available for review and analysis by Tahoe ERG. This "Marginal Cost Study" is not attached to Liberty Energy's Rate Application, nor available on Liberty Energy's website, nor available on the CPUC website.

Tahoe ERG reserves the right to amend the scope of its participation after issuance of the Scoping Memo and after receipt of all discovery in this proceeding.

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				
Anita Raff-Rice	120	\$497.15	\$59,658	
[Attorney 2]				
Unidentified Experts			\$7,500	
[Expert 2]				
[Advocate 1]				
[Advocate 2]				
Subtotal: \$67158				
OTHER FEES				
[Person 1]				
[Person 2]				
Subtotal: \$0.00				

⁴ Liberty Energy Rate Application, II. Background, A. Liberty's Operations

⁵ Chapter 12 – Marginal Cost and Rate Design, Pg.8, lines 15 - 16

⁶ Chapter 12 – Marginal Cost and Rate Design, Pg. 9, lines 2 – 4

⁷ Chapter 12 – Marginal Cost and Rate Design, Pg. 9, lines 6 - 7

COSTS				
Transcripts				\$1800
Copying				\$ 250
Legal Research				\$700
Travel				\$500
Subtotal: \$3250				
TOTAL ESTIMATE: \$70,408				
Estimated Budget by Issues:				
<i>When entering items, type over bracketed text; add additional rows to table as necessary. Estimate may (but does not need to) include estimated Claim preparation time. Claim preparation time is typically compensated at ½ professional hourly rate.</i>				

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

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))	☐
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))	☒
3. The eligible local government entities' participation or intervention without an award of fees or costs imposes a significant financial hardship. (§ 1803.1(b).)	☐
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)).	☐
Commission's finding of significant financial hardship made in proceeding number:	
Date of Administrative Law Judge's Ruling (or CPUC Decision) in which the finding of significant financial hardship was made:	
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 cost of Tahoe ERG’s participation in CPUC proceedings, which is estimated to be \$70,408, substantially outweighs the benefit to the individual members it represents. Tahoe ERG’s members are residential energy customers whose individual interests in the proceeding are approximately \$413 for Residential Permanent customers and \$687 for Residential Seasonal customers in potential annual rate changes.⁸, Accordingly, these economic interests are small relative to the costs of participation. It is unlikely that Tahoe ERG’s members will see financial benefits that exceed their costs of intervention.

**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	Articles of Association “Tahoe Energy Ratepayers Group”
2	Secretary of State Filing of “Statement by Unincorporated Association – Tahoe Energy Ratepayers Group”
3	Certificate of Service

ADMINISTRATIVE LAW JUDGE RULING⁹
(Administrative Law Judge completes)

	Check all that apply
1. The Notice of Intent (NOI) is rejected for the following reasons:	☐
a. The NOI has not demonstrated the party’s status as a “customer” or an “eligible local government entity” for the following reason(s):	☐
b. The NOI has not demonstrated that the NOI was timely filed (Part I(B)) for the following reason(s):	☐
c. The NOI has not adequately described the scope of anticipated participation (Part II, above) for the following reason(s):	☐

⁸ Liberty Energy General Rate Case Application, filed 5/28/21, Table 12-1.

⁹ A Ruling need 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).

2. The NOI has demonstrated significant financial hardship for the reasons set forth in Part III of the NOI (above).	☐
3. The NOI has not demonstrated significant financial hardship for the following reason(s):	☐
4. The Administrative Law Judge provides the following additional guidance (see § 1804(b)(2)):	☐

IT IS RULED that:

1. The Notice of Intent is rejected.	☐
2. The customer or eligible local government entity has satisfied the eligibility requirements of Pub. Util. Code § 1804(a).	☐
3. The customer or eligible local government entity has shown significant financial hardship.	☐
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.	☐
5. Additional guidance is provided to the customer or eligible local government entity as set forth above.	☐

Dated _____, at San Francisco, California.

Administrative Law Judge

ATTACHMENT 1

Articles of Association

**MINUTES OF THE JOINT ORGANIZATIONAL MEETING OF
MEMBERS OF THE "TAHOE ENERGY RATEPAYERS GROUP"
AND ITS INITIAL BOARD OF DIRECTORS
SEPTEMBER 3, 2021**

1. Pursuant to California Corporations Code Sect. 18,000 *et seq.*, the TAHOE ENERGY RATEPAYERS GROUP ("Tahoe ERG" or "the "Association") was created by the consent of its initial members as a California non-profit unincorporated Association at an organizational meeting held on September 3, 2021 held at 59 Alcatraz Ave., Half Moon Bay, CA.
2. The initial members in attendance of the organizational meeting are listed as "Exhibit A" to these Minutes.
3. The initial members in attendance unanimously elected Joanne H. Kerbavaz as provisional secretary for the purposes of conduct of the organizational meeting.
4. After debate, the initial members unanimously agreed to form the Association as set-forth above.
5. After debate, the initial members unanimously agreed to adopt proposed "Articles of Association" as its Governing Documents in the form attached hereto as "Exhibit B".
6. After debate, in accordance with the terms of the Articles of Association, the initial members unanimously elected the following directors who each agreed to serve as such:
 - a. Joanne H. Kerbavaz, Half Moon Bay, CA
 - b. Chris Rodgers, South Lake Tahoe, CA
7. Upon election of the Board of Directors, the Board of Directors convened a joint meeting continuing with the meeting of the members still in session.
8. After debate, the Board of Directors Appointed the following officers of the Association:
Joanne H. Kerbavaz: President, Treasurer, and Secretary
9. After debate, the Board authorized and directed the President to confer with Anita Taff-Rice of the Law Offices of Anita Taff-Rice for the purpose of engaging Anita Taff-Rice as its attorney for the purposes of opposing the current general rate application filed by Liberty Energy with the California Public Utilities Commission ("CPUC") and in particular in opposing those portions of the Liberty application that propose to treat consumer electric ratepayers who are not "permanent residents" of the service area less favorably than "permanent residents" of such area. Such engagement would contemplate that any fees and expenses for such engagement would be payable only from and to the extent of an award by the CPUC in connection with such proceedings.
10. The President reported that Anita Taff-Rice was already in the process of filing an appropriate registration statement with the California Secretary of State: (i) listing Joanne Kerbavaz as President, (ii) listing Joanne Kerbavaz's address at 2494 William Ave., South Lake Tahoe, CA 9150 as the Association's principal office and (iii) designating Joanne Kerbavaz as the Association's Agent for Service of process.
11. The Board further authorized and directed that upon proposal and execution of such an engagement agreement with Anita Taff-Rice, the President would thereafter immediately request Attorney Anita Taff-Rice to file and vigorously pursue on the Association's behalf a request to intervene in and oppose Liberty Energy's rate request for the purposes referenced above.
12. The Board of Directors and all initial members reviewed a draft form of these minutes and acting both as members and as the Board of Directors unanimously ratified,

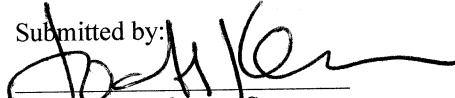
authorized, and approved all of the actions taken by the organizers of the Association on its behalf as reported in these minutes.

13 ~~8~~
12

The Joint Meetings were thereafter adjourned.

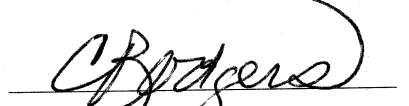
Dated September 3, 2021

Submitted by:

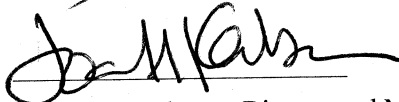

Joanne H. Kerbavaz, Secretary

APPROVED AND RATIFIED

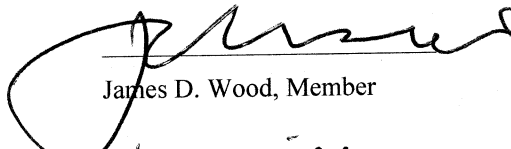
Dated: Sept. 3, 2021


Chris Rodgers, Director and Member

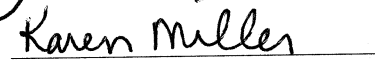
Dated: Sept. 3, 2021


Joanne H. Kerbavaz, Director and Member

Dated: Sept. 3, 2021


James D. Wood, Member

Dated: Sept. 3, 2021


Karen Miller, Member

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INDEX TO EXHIBITS

LIST OF INITIAL MEMBERS.....	EXHIBIT A
ARTICLES OF ASSOCIATION	EXHIBIT B

EXHIBIT A

LIST OF INITIAL MEMBERS: TAHOE ENERGY RATEPAYERS GROUP

1. Joanne H. Kerbavaz
2. James D. Wood
3. Karen Miller
4. Chris Rodgers

EXHIBIT B

**ARTICLES OF ASSOCIATION
"TAHOE ENERGY RATEPAYERS GROUP"
SEPTEMBER 3, 2021**

RECITALS

- A. Pursuant to California Corporations Code Sect. 18,000 *et seq.*, the TAHOE ENERGY RATEPAYERS GROUP ("Tahoe ERG" or "the "Association") was created by the consent of its initial members as a California non-profit unincorporated Association on September 3, 2021.
- B. These "Articles of Association ("Articles") have been adopted by the Association's charter members and, pursuant to California Corporations Code Sects. 18005-18008, constitute the Association's "Governing Documents" as of September 3, 2021.

ARTICLES OF ASSOCIATION

- 1. **NAME:** The Association will apply to the California Secretary of State to register as an unincorporated tax exempt nonprofit association under the name "Tahoe Energy Ratepayers Group". In the event of any dispute over use of the name, rights to the name shall belong to a majority of the members of the Association.
- 2. **PURPOSES:** The Association shall have the following purposes:
 - a. To represent the interests of residential energy customers before the California Public Utilities Commission ("CPUC") and other government or regulatory entities' proceedings;
 - b. To advocate for reasonable and just rates;
 - c. To advocate for reliable, safe, and nondiscriminatory public utility energy service in the area of Lake Tahoe, California;
 - d. To advocate for energy public utility compliance with state and federal laws and regulations; and
 - e. Without limitation of the foregoing, to advocate specifically for energy rates that unite the interests of Lake Tahoe residential energy users and that do not discriminate between (i) permanent, full-time, primary, or owner-residents of Lake Tahoe on the one-hand, and (ii) temporary, part-time, seasonal, renter, or second home-owner residents of Lake Tahoe on the other-hand.
- 3. **BOARD OF DIRECTORS:**
 - 3.1 The Association shall initially have two Directors who shall be responsible for the operation of the Association. If either director reports that there is a deadlock or impasse in the operation of the Board, the Board shall be expanded to three members in which case a third director will be elected after notice by a majority of members voting.
 - 3.2 The Directors shall serve without compensation except as otherwise authorized by the Association's Governing Documents. The Director's duties are to:
 - a. Appoint, supervise, and remove a President, Vice President, Treasurer, and Secretary and such other offices as it may create . To the extent permitted by applicable law, a single person may simultaneously serve as any or all such officers.
 - b. Authorize and direct the officers of the Association to take actions otherwise consistent with the Association's Governing Documents to promote the purposes of the Association even if out of the ordinary course of its affairs.

- c. Limit or condition the authority of the Association's President and other officer's' authority to act even if such officers' authority is otherwise conferred by the Association's Governing Documents or applicable law.
- 3.3 Upon receipt of an authenticated request by at least (i) the lesser of 50%, or (ii) five (5) members, the Secretary or other officer (or if none the Directors) shall promptly communicate to all members and schedule a membership vote regarding any proposal to revise or amend any or all of the Association's Governing Documents, or to replace any or all Directors.
- 3.4 Members may replace any or all of the Directors by a vote of at least 51% of the members voting. Members may revise the Governing Documents by a vote of at 51% of the members voting provided that any change that in form or effect fundamentally changes the purposes of the Association must be approved by a vote of 2/3 of the members voting on the question.
- 3.5 Unless replaced by vote of the members, Directors shall serve for a one-year term or until replacements are elected and qualify. Any member may serve as a Director. Any vacancy of an office of Director shall promptly be filled by vote of the majority of members.
- 4. **OFFICERS**
- 4.1 Duties of President. Subject to the instructions and supervision of the Board of Directors:
 - a. Manage the operations of the Association in the ordinary course of its affairs.
 - b. Execute the instructions and policies of the Board of Directors otherwise adopted in accordance with the Association's Governing Documents and applicable law.
 - c. Recruit and maintain membership, including limiting the number of members as necessary;
 - d. Represent and advocate the positions of the Association and its members before the CPUC and other government entities;
 - e. Report to the Board of Directors and members significant events and inform and advise members and other energy utility users of energy utility issues when appropriate;
 - f. Supervise the maintenance of records as necessary and communicate regularly with members;
 - g. Supervise the Association's compliance with applicable laws and regulations;
- 4.2 In addition to officers, the Association may have one or more non-member advisors such as an attorney who is authorized to assist members of Association with all necessary steps to operate and govern the Association.
- 4.3 The Board of Directors may define the duties of other officers.
- 5. **MEMBERS:**
- 5.1 Appropriate Officers shall seek to recruit and maintain members.
- 5.2 All natural persons may be members who support the goals and purposes of the Association including but not limited to persons who are residential consumers of energy in the Lake Tahoe, California area. By majority vote of members voting any member's membership may be terminated for any reason not prohibited by law. After notice and opportunity to cure any financial default or delinquency, a member's membership shall terminate upon failure to pay any dues or other financial obligation to the Association.
- 5.3 The Association shall not sell, give away, or otherwise share the membership list with any other organization, nor shall it be used for any purpose other than to communicate

with members. Except as may be necessary to accomplish the purposes of the Association or as may be required by applicable law or regulation, the Association shall not reveal the identity of any member without prior consent of the member.

- 5.4. Subsequent to the initial adoption of its Governing Documents, individual members have no authority to make decisions for Association nor to represent Association as its agent or representative. Members have no authority to incur debt on behalf of Association. The Board of Directors, or any officer who the Directors delegate to, have sole authority to represent Association before government entities, make business decisions for Association, and to act as its agent.
6. **DUES:** Member dues shall initially be Twenty dollars (\$20) per year per person. However, dues may be reduced or waived at the discretion of Board of Directors if the Association has sufficient assets to cover operating expenses and/or if a potential member has a financial hardship making him or her unable to pay such dues. Changes in dues must be approved by a majority of members voting.
7. **[Reserved]**
8. **OFFICES:** The Association shall maintain an office at a location determined by the Board of Directors.
9. **FINANCES:**
 - 9.1 The Association shall maintain any necessary financial records, which may be reviewed by any member upon reasonable notice.
 - 9.2 Members, officers and directors are not responsible or liable for any financial obligation incurred by Association except to the extent such obligation is imposed by applicable law.
 - 9.3 Only the Board of Directors or an officer to the extent expressly authorized by the Board of Directors may incur financial obligations on behalf of Association.
 - 9.4 The Board of Directors shall prepare, or direct an officer, representative or agent, to prepare a budget for the Association on a regular basis identifying expenses needed to conduct the business of the Association.
 - 9.5 The Association, at the discretion of the Board of Directors, may maintain a checking account in the name of Association. The signatory authority for any account shall be determined by the Board of Directors or such officer to whom it may delegate such authority.
 - 9.6 The Association shall use member dues to pay for reasonable expenses including registration fees paid to the Secretary of State of the State of California, or fees paid to any other local, state or federal agency.
 - 9.7 The Association may borrow money from anyone including Directors, Officers, and members to cover the costs of operating costs if member dues on hand are insufficient to cover such costs.
 - 9.8 If the Association receives intervenor compensation awarded by the CPUC or other similar body, the Association's Directors, Officers, attorneys, consultants, experts, witnesses, etc. may be compensated by the Association to the extent that such costs and fees for work performed are included in the compensation award.
 - 9.10 The Association shall use any income of Association derived from other sources to offset operating expenses not covered by member dues or compensation awards.
 - 9.11 In the event that Association is dissolved or disbanded, any assets that belong to Association shall be distributed to a charitable or public purpose organization chosen by vote of the members or the last Board of Directors if there are no members.

10. **TERM OF EXISTENCE:** The Association shall continue in existence unless disbanded or dissolved. Such dissolution may be authorized by the majority vote of members or if there are no remaining members by vote of the last Board of Directors.

Adopted: September 3, 2021 at Half Moon Bay, California.

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ATTACHMENT 2

**California Secretary of State Filing of
“Statement by Unincorporated Association”**



State of California Secretary of State

Statement By Unincorporated Association (Corporations Code section 18200)

A \$25.00 filing fee must accompany this form.

IMPORTANT – Read instructions before completing this form.

FILED

Secretary of State
State of California

8977

Filing Number

09/13/2021

Filing Date

This Space For Filing Use Only

Entity name

1. Name of Unincorporated Association

Tahoe Energy Ratepayers Group

Principal Office Address in California, if any (If any, in Item 2 list the street address of the association's principal office address in California and proceed to Item 4 (leave Item 3 blank.) If the association has no principal office address in CA, leave Item 2 blank and proceed to Item 3a.)

2. Street Address of Principal Office in CA

City

State

Zip Code

Street & Mailing Addresses (If Item 2 was not completed, in Item 3a list the association's complete street address to which the Secretary of State shall send any required notices and, if different from Item 3a, in Item 3b list the association's mailing address.)

3a. Street Address of Unincorporated Association

City

State

Zip Code

2494 William Avenue

South Lake Tahoe

CA

96150

3b. Mailing Address of Unincorporated Association, if different from Item 3a

City

State

Zip Code

59 Alcatraz Avenue

Half Moon Bay

CA

94019

Agent For Service of Process (If Item 2 was completed, the association **may** designate an agent for service of process. If, however, Item 3 was completed, the association **must** designate an agent for service of process. If the agent is an individual, the agent must reside in California and both Items 4 and 5 must be completed. If the agent is a corporation, the agent must have a certificate pursuant to California Corporations Code section 1505 on file and Item 4 must be completed (leave Item 5 blank).)

4. Name of Agent for Service of Process

Joanne Kerbavaz

5. If an individual, Street Address of Agent for Service of Process in CA

City

State

Zip Code

59 Alcatraz Avenue

Half Moon Bay

CA

94019

Amended Filing (If the unincorporated association filed a previous statement with the Secretary of State, enter the Secretary of State file number in Item 6, and if the name under which the unincorporated association previously filed differs from the name entered in Item 1, enter the former name of the unincorporated association in Item 7. If the last statement filed by the association has expired, or if no prior statements have been filed, leave Items 6 and 7 blank and proceed to Item 8.)

6. Secretary of State File Number

7. Former Name of Unincorporated Association (if different from the name in Item 1 above)

Execution

8. The information contained herein is true and correct.

Signature of Person Completing This Form

JOANNE H KERBAVAZ President

Type or Print Name and Title of Person Completing This Form

ATTACHMENT 3

Certificate of Service

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

Application of Liberty Utilities (CalPeco Electric) LLC (U933E), for Authority to Among Other Things, Increase Its Authorized Revenues for Electric Service, Update Its Energy Cost Adjustment Clause Billing Factors, Establish Marginal Costs, Allocate Revenues, And Design Rates, as of January 1, 2022

A.21-05-017
(Filed May 28th, 2021)

CERTIFICATE OF SERVICE

I hereby certify that, pursuant to the Commission's Rules of Practice and Procedure, I have this day caused to be served a true and correct copy of the following document

NOTICE OF INTENT TO CLAIM INTERVENOR COMPENSATION AND, IF REQUESTED, ADMINISTRATIVE LAW JUDGE'S RULING ON TAHOE ENERGY RATEPAYERS GROUP'S SHOWING OF SIGNIFICANT FINANCIAL HARDSHIP

on all parties identified on the attached service list for A.21-05-017, et al. Service was effected by transmitting copies via e-mail to all parties who have provided an e-mail address, and by U.S. Mail for any party which has not provided an email address.

Signed and dated on September 21, 2021 at Walnut Creek, CA.

iCommLaw
/s/Anita Taff-Rice
1547 Palos Verdes, #298
Walnut Creek, CA 94597
Phone: (415) 699-7885
Fax: (925) 274-0988
Email: anita@icommlaw.com