



Decision _____

FILED

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

01/20/23

04:59 PM

R1812006

Order Instituting Rulemaking to Continue the Development of Rates and Infrastructure for Vehicle Electrification.	Rulemaking 18-12-006
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**INTERVENOR COMPENSATION CLAIM OF
[NATIONAL DIVERSITY COALITION]
AND DECISION ON INTERVENOR COMPENSATION CLAIM OF
[NATIONAL DIVERSITY COALITION]**

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

Intervenor: National Diversity Coalition	For contribution to Decision (D.) D.22-11-040
Claimed: \$215,075.09	Awarded: \$
Assigned Commissioner: Clifford Rechtschaffen	Assigned ALJ: <u>Brian Korpics and Marcelo Poirier</u>
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/ Tadashi Gondai
Date: 1/20/2023	Printed Name: Tadashi Gondai

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

A. Brief description of Decision:	D.22-11-040 adopts a long-term transportation electrification policy framework that includes a third-party administered statewide transportation electrification infrastructure rebate program and directs the California electrical corporations to jointly fund the program and associated activities. This proceeding remains open.
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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:	03/01/2019	
2. Other specified date for NOI:	N/A	
3. Date NOI filed:	03/28/2019	
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:	A.17-10-007 et. al	
6. Date of ALJ ruling:	11/13/2018	
7. Based on another CPUC determination (specify):	(most recently A.21-10-010, 5/26/2022)	
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:	A.17-10-007 et. al	
10. Date of ALJ ruling:	11/13/2018	
11. Based on another CPUC determination (specify):	(most recently A.21-10-010, 5/26/2022)	
12. Has the Intervenor demonstrated significant financial hardship?		
Timely request for compensation (§ 1804©):		
13. Identify Final Decision:	D.22-11-040	
14. Date of issuance of Final Order or Decision:	11/21/2022	
15. File date of compensation request:	01/20/2023	
16. Was the request for compensation timely?		

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

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

#	Intervenor's Comment(s)	CPUC Discussion

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
<p><i>Effective Participation (EP)</i> <i>Procedural Matters (PROC)</i> <i>Coordination (COOR)</i> <i>Research (RSCH)</i></p> <p>The National Diversity Coalition (NDC) has actively participated in the proceeding thus far, which required considerable efforts that are difficult to assign to isolated specific issues. NDC reviewed Commission rulings and filings from other parties, conducted research, and filed multiple rounds of opening and reply comments on the OIR, various portions of the Draft TEF, the application of AB 841, the New Staff Proposal on the statewide TE program, and on the proposed decision on Transportation Electrification Policy And Investment.</p> <p>All ratepayers, but particularly low-income and minority ratepayers benefited from</p>	<p><i>Comments of the National Diversity Coalition (2/11/2019) ("OC on OIR").</i></p> <p><i>Reply Comments of the National Diversity Coalition (2/26/2019) ("RC on OIR").</i></p> <p><i>Reply Comments Of The National Diversity Coalition On Sections 2, 3.1, 3.2, 3.3, 4, And 5 Of The Energy Division's Draft Transportation Electrification Framework (4/27/2020) ("RC on Plans and Priorities").</i></p> <p><i>Reply Comments Of The National Diversity Coalition On Sections 3.4 And 11.3 Of The Energy Division's Draft Transportation Electrification Framework (6/19/2020) ("RC on LCFS and Metrics").</i></p> <p><i>Opening Comments Of The National Diversity Coalition On Sections 7 And 8 Of The Energy Division's Draft Transportation Electrification Framework (7/14/2020) ("OC on Safety and Tech").</i></p>	

<p>NDC’s advocacy in this proceeding because these groups are the most impacted by the lack of access to EV charging infrastructure, yet these communities have the least capacity and resources to engage in Commission proceedings to make their needs and voices heard. Therefore, it is essential that NDC highlight the perspectives of underserved ratepayer groups in Commission proceedings.</p> <p>As in every case, NDC’s participation entailed a certain amount of work to review and research issues and address substantive and procedural matters that did not result in outcomes which are directly evident in the final decision but were nonetheless essential for effective participation in the overall case. NDC also voluntarily discounted for time that was spent on issues which did not ultimately contribute substantially to the final decision, or took longer time than typical for experienced intervenors.</p> <p>NDC’s advocacy efforts are further detailed below, broken down by issue.</p>	<p><i>Reply Comments Of The National Diversity Coalition On Sections 7 And 8 Of The Energy Division’s Draft Transportation Electrification Framework (8/7/2020) (“RC on Safety and Tech”).</i></p> <p><i>Opening Comments Of The National Diversity Coalition On Sections 6, 11.1 And 11.2 Of The Energy Division’s Draft Transportation Electrification Framework (8/21/2020) (“OC on Equity”).</i></p> <p><i>Reply Comments Of The National Diversity Coalition On Sections 6, 11.1 And 11.2 Of The Energy Division’s Draft Transportation Electrification Framework (9/4/2020) (“RC on Equity”).</i></p> <p><i>Reply Comments Of The National Diversity Coalition On Sections 9, 10, And 12 Of The Energy Division’s Draft Transportation Electrification Framework (9/25/2020) (“RC on Rates and Partnerships”).</i></p> <p><i>Opening Comments Of The National Diversity Coalition Regarding Implementation Of Assembly Bill 841 (2/5/2021) (“OC on AB841”).</i></p> <p><i>Reply Comments Of The National Diversity Coalition Regarding Implementation Of Assembly Bill 841 (2/19/2021) (“RC on AB841”).</i></p> <p><i>Opening Comments Of The National Diversity Coalition On The New Energy Division Staff Proposal To Establish Transportation Electrification Funding Cycles And Statewide Behind-The-Meter Program (4/25/2022) (“OC on SP”)</i></p>	
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	<p><i>Reply Comments Of The National Diversity Coalition On The New Energy Division Staff Proposal To Establish Transportation Electrification Funding Cycles And Statewide Behind-The-Meter Program (5/16/2022) (“RC on SP”)</i></p> <p><i>Opening Comments Of The National Diversity Coalition On The Proposed Decision On Transportation Electrification Policy And Investment (11/3/2022) (“OC on TEPI PD”)</i></p> <p><i>Reply Comments Of The National Diversity Coalition On The Proposed Decision On Transportation Electrification Policy And Investment (11/8/2022) (“RC on TEPI PD”)</i></p>	
<p>2. Draft TEF (DRFT)</p> <p>In response to Rulings requesting comment on the Draft TEF, NDC provided research and analysis on numerous aspects of the proposal, which were critical to shaping the issues addressed in the final TEPI decision. Review of the Draft TEF helped to inform stakeholder and Commission positions on how to design and implement TE programs which both indirectly and directly led to the provisions incorporated into the final TEPI.</p> <p>Therefore, even though the final TEPI decision does not adopt all of the particular proposals in the draft TEF, intervenor comments and contributions during the early years of this proceeding on the</p>	<p>“The overall TEP budgets should provide guidance for the overall TE investment strategy of each utility, while the specific budget requests for each individual TE application must be closely evaluated... NDC recommends that any TE programs submitted by the utilities that exceeds the estimated TEP budgets should be required to provide justification for why additional funds and programs are necessary. Such applications should be presumed unreasonable and subject to heightened scrutiny because they exceed the reasonable budget, planned coordination, and measured interference of utilities in the TE market.” – RC on Plans and Priorities at 4.</p> <p>“Inflated and excessive utility spending is restrained through careful review of TEP estimates, implementation of additional scrutiny for TE applications that exceed TEP budgets, and – most importantly – rigorous evaluation of</p>	

<p>draft TEF should be evaluated as substantial contributions to shaping and developing the ideas that led to the Final TEPI decision.</p> <p>NDC provides references to portions of our Draft TEF comments that relate to TEPI topics such as appropriate budgets, cycles for planning and review, implementation, market impacts and appropriate utility roles, reasonable market segments for focus or exclusion, and appropriate evaluation and accountability metrics. Our analyses and recommendations addressed robust deployment targets in underserved communities, identifying appropriate metrics to define financial and environmental burdens, evaluating market needs and unfair competition concerns, equitable workforce development, technology and cyber security, alternative financing options, and ME&O. The rationale for many of our arguments here were incorporated into the Final TEPI decision.</p> <p>Equity issues in the draft TEF substantially overlap with numerous aspects of the TEPI staff proposal, and are further discussed separately below.</p>	<p>budget requests in individual TE applications.” – RC on Plans and Priorities at 5.</p> <p>“NDC sees a market maturity assessment as both necessary and valuable. Ratepayers can only bear a limited burden in funding TE programs, and anti-competitive utility interference in the open market must be minimally used for maximum public benefit. Therefore, even if the TE market in general were considered nascent, a market maturity assessment would still be important in helping determine the sectors that are the most <i>relatively</i> immature and the most appropriate as targets for utility TE programs. This way, limited ratepayer and utility resources will be directed to the most underserved and vulnerable areas most in need of TE acceleration.” – RC on Plans and Priorities at 8.</p> <p>“NDC agrees with the recommendations to target substantial investment toward underserved communities. These areas are the most impoverished and polluted areas of our state, and therefore most in need of the financial assistance available in utility TE programs and the pollution reduction that comes from greater EV adoption in their communities. These are also the most risky markets for third-party providers to serve, because the barriers to entry for consumers are high, meaning demand is weak. This situation makes utility intervention in underserved communities more appropriate and less likely to hinder the competitive market.” – RC on Plans and Priorities at 9.</p> <p>“The simplest way to properly prioritize underserved communities is to prioritize deployment targets in these</p>	
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	<p>communities. Instead of meaninglessly low (<i>e.g.</i> 10 percent) deployment targets using overly broad definitions for disadvantaged communities, the primary focus and majority of deployments in TE programs (<i>e.g.</i> minimum 50 percent) must be reserved for communities facing real hardships. Underserved communities must be identified based on their financial and pollution burdens on a statewide basis, so that investments are not directed toward objectively healthy but relatively disadvantaged areas.” – RC on Plans and Priorities at 10.</p> <p>Setting and tracking statewide and market segment targets – <i>See</i> RC on LCFS and Metrics at 2-10.</p> <p>“The first listed parameters of ESJ community characteristics are meaningful and appropriate for the ESJ Plan, since it was developed to allow the Commission to broadly review issues of injustice and inequality. However, they are not particularly well-defined for the purposes of targeting communities for additional support in individual TE programs. It is not clear how to calculate or reference from reports which census tracts or zip codes would qualify as underrepresented or disproportionately impacted. This is likely intentional, in that the ESJ Plan specifically states that they use ‘ESJ communities’ and ‘environmental and social justice’ only in evaluating broader efforts and issues, but programs that target ‘disadvantaged communities’ should follow statutory definitions.” – OC on Equity at 3.</p> <p>“Given the intended use of the ESJ Plan, the broad definition for ESJ Communities is not appropriate for</p>	
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	<p>program implementation purposes through the TEF.” – OC on Equity at 4.</p> <p>“The CPUC Tribal Consultation Policy (‘TCP’) is designed to ‘encourage and facilitate tribal government participation in CPUC proceedings [and] ...CPUC-approved utility programs’ as well as ‘encourage investments by tribal governments and tribal members in [clean energy technologies]’, among other goals...The TCP is an important document to support increased tribal government participation before the Commission. However, the TCP is not meant to and does not identify underserved or disadvantaged communities, and therefore does not provide parameters that help prioritize target areas in utility TE programs.” – OC on Equity at 4.</p> <p>“The CARB Low-Income Barriers Study (‘LIB Study’) identifies ‘low-income community’ and ‘low-income household’ as they are defined in AB 1550, based on median household incomes at or below 80 percent of the statewide median income or the threshold designated by the Department of Housing and Community Development. Under the LIB Study definition, low-income communities can be identified using census and survey data, or information provided by government agencies. As directed by SB 350, the LIB Study examines barriers that low-income residents must overcome to increase access to low and zero-emission transportation and develops recommendations on how to address those barriers. As such, the LIB Study is exceedingly appropriate to reference in identifying and prioritizing underserved communities in IOU TE programs.” – OC on Equity at 4-5.</p>	
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	<p>“[T]he final TEF should adopt definitions for disadvantaged and low-income communities (collectively ‘underserved communities’) as required by and provided in statute. Then, after the proper statutory underserved communities definition has been adopted, the Commission must exercise its regulatory authority and responsibility to further refine the statutory definition for appropriate implementation in IOU TE programs.” – OC on Equity at 6.</p> <p>“Therefore, SB 350’s reliance on CARB and CARB’s reference to the AB 1550 low-income definition is controlling on the Commission, and also provides inter and intra agency consistency among projects that support low-income communities.” – OC on Equity at 8-9.</p> <p>Additional discussion of statutory definition for underserved and low-income communities. – <i>See</i> RC on Equity at 2-3.</p> <p>Additional discussion of the need for robust equity requirements, prioritization of underserved communities, and measurable benefits – <i>See</i> RC on Equity at 6-8.</p> <p>“Beyond targets and metrics, the Commission must not neglect their statutory responsibility to regulate utility activity, not simply monitor and evaluate. Strong targets and requirements must be backed up with performance accountability measures that will penalize utilities for misuse of ratepayer funds, as required under Public Utilities Code section 740.12(b). Although the EV market is still developing, the opportunity to earn</p>	
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	<p>profit on billions of dollars of ratepayer funds as well as expanding the utility business model into transportation more than justifies the financial risk that the IOUs face with strong accountability measures. Additionally, as the TEF is designed to regulate TE programs for years to come, and utilities have been running TE programs for over 5 years now, arguments that these programs are too novel to be subject to standards of performance accountability becomes less and less reasonable as the utilities gain more and more experience.” – OC on Equity at 14.</p> <p>Additional discussion of accountability measures and metrics. – <i>See</i> RC on Equity at 10-12.</p> <p>“NDC also recommends that IOUs work closely with community-based organizations (‘CBOs’) to locate, recruit, and train electricians from diverse communities. The IOUs must not rely solely on in-house or union hall labor, but must reach further to develop more workers especially from underserved communities. CBOs are more effective in connecting with and providing ethnically relevant information and training to diverse individuals, who in turn will be more effective in working in and with the diverse communities where EVSE infrastructure will be deployed.” – OC on Safety and Tech at 3.</p> <p>“Instead, NDC broadly recommends that more specific, less general VGI and V2G requirements be adopted for the various and experimental TE programs that are and will be deployed by the IOUs. NDC understands that not all TE applications and technologies will be suitable for VGI and V2G usage. For</p>	
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	<p>example, if EVSE is deployed at industrial or commercial sites where vehicles are likely to be in continuous use, it may not be possible or economically feasible for them to respond to pricing signals and charge when most beneficial for the grid. Or if EVSE is deployed at a workplace where employees will park their cars all day then drive home, there may be no opportunity for those EVSE to connect to EVs to provide energy back to the grid during peak demand evening hours. In such cases, it is appropriate that VGI or V2G requirements only be applied as warranted by the intended purpose of the project... The inclusion of VGI and V2G should be addressed in utility program applications where the anticipated use of the EVSE is explained.” – OC on Safety and Tech at 4.</p> <p>“NDC appreciates the important distinction between requirements for minimum EVSE capabilities and for utilizing those capabilities, and is generally more in favor of requirements for capabilities, as appropriate utilization may vary substantially between project designs...It appears there is still significant development and debate on the most appropriate communication standards. For example, SCE raises interesting points about the potential versatility and cost savings on future upgrades achieved by using the IEEE 2030.5 standard that allows multiple EVSE to communicate through a gateway, versus the ISO 15118 standard recommend by the Draft TEF which would need to be implemented, replaced, and upgraded on each EVSE individually. To the extent that there are ‘basic’ or ‘universal’ EVSE capabilities that enable VGI or V2G (perhaps such</p>	
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	<p>as wired or wireless networking capability) that have already been widely adopted, NDC supports requiring such capabilities for all ratepayer funded EVSE. But requirements that all ratepayer funded EVSE must utilize specific functions or protocols may not be appropriate at this time, and should be evaluated project by project.” – RC on Safety and Tech at 4-5.</p> <p>“EVSE providers utilize a variety of different technologies and designs to met customer needs and preferences. Certainly some are novel and require careful evaluation to identify security gaps and confirm adherence to industry standards. Many other EVSE designs are well-established and do not represent any significantly different cybersecurity threat than other familiar technologies. For example, many EVSE use cellular communications technology or connect through customer wi-fi networks. These technologies have been used in hundreds of other devices with well-established security protocols that are continually being developed and updated. While the Commission and IOUs should be vigilant in reviewing the progress of cybersecurity standards, it may not be appropriate to view all EVSE with any greater concern for cybersecurity than using a laptop or cellphone to access sensitive grid information.” – OC on Safety and Tech at 5.</p> <p>“While it is true that addressing TE cost allocation in Phase 2 proceedings would reduce litigation versus addressing it in multiple TE programs, it would avoid even more unnecessary litigation in Phase 2 proceedings to simply address the issue in the Final TEF...the</p>	
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	<p>uniqueness of TE costs and timing concern issues are both better addressed by determining appropriate cost allocation in the final TEF. The TEF OIR has evaluated TE issues more comprehensively and has a more fully developed record to determine proper cost allocation for TE costs than individual applications will have, and making the determination here will provide more timely guidance than waiting until the end of each application.” – RC on Rates and Partnerships at 3-4.</p> <p>“Alternative financing options such as On-Bill Financing (OBF) and Tariff-Based Recovery (TBR) for TE upgrades can be effective methods of relieving ratepayer burdens for funding TE and reducing financial barriers to individual EV adopters.” – RC on Rates and Partnerships at 4.</p> <p>“However, NDC notes SCE’s recommendation that such explorations are better conducted through the Clean Energy Financing (‘CEF’) OIR. As the CEF OIR is a new proceeding specifically dedicated to exploring and developing alternative financing options, versus this soon-to-be concluded TEF OIR with a broader goal of streamlining TE applications, it is likely that the CEF OIR will be able to more fully develop financing options to inform utility program applications. Therefore, NDC recommends that any efforts taken through this proceeding to explore alternative financing options should coordinate with the CEF OIR.” – RC on Rates and Partnerships at 5.</p> <p>“NDC supports comments which recognize that different TE programs will require different levels of funding</p>	
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<p>--</p> <p>The passage of AB 841 subsequent to the filing of comments on the Draft TEF significantly changed the legislative environment for utility TE programs. Among other things, AB841 made all utility-side TE infrastructure part of the overall distribution infrastructure, with costs recovered in GRC proceedings, not individual TE application proceedings. This change</p>	<p>for their ME&O components, depending on the nature of the program design and the target participants. More novel programs that customers will be less familiar with or that target harder to reach customers will naturally require more outreach efforts than the familiar EVSE deployment programs for workplaces that utilities have run for years.” – RC on Equity at 13.</p> <p>“NDC agrees with the need to set appropriate ME&O budgets in individual TE projects based on the objectives and targets of the program. However, NDC also recommends using a separate statewide ME&O budget for general EV awareness and adoption. This will reduce requests for duplicative EV awareness ME&O within individual utility TE portfolios and streamline general messaging that applies to all consumers. Consumers will be less confused or overwhelmed by having general EV outreach coming from a single statewide source, and they can learn more about specific, relevant utility programs directly from their own utility that is in charge the project.” – RC on Equity at 13-14.</p> <p>--</p> <p>“The EV Infrastructure Rules represent a major policy shift since the issuance of the Draft TEF. Before implementation of AB 841, the Commission approved both utility-side and customer-side TE investments associated with programs through specific, one-off IOU TE applications, and the IOUs tracked the costs for recovery through balancing accounts associated with the individual TE programs. Outside of programs before implementation of AB 841, customers would take service under</p>	
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<p>required a major redesign of the proposal in the draft TEF, and made many sections and comments on those sections no longer directly applicable.</p> <p>However, the Final Decision acknowledges that the significant comments and discussion on Draft TEF issues contributed to the development of the TEPI adopted in the Final Decision. The Staff Proposal which is the basis of the TEPI decision incorporated comments on the Draft TEF specifically related to the funding cycle budget and framework, market maturity evaluation and deployment targets, equity considerations broadly applicable to many TEPI parameters, employment training and development, technology standards, rate recovery, and ME&O. NDC's comments on the Draft TEF added to the record and significantly contributed to the process of developing the final TEPI decision.</p>	<p>Rule 16, which would determine the amount of utility-side costs the customer versus ratepayers would pay. Pursuant to the new EV Infrastructure Rules, the IOUs socialize across all ratepayers the costs of service line extensions and electrical distribution infrastructure for EV charging—for customers other than those in single-family residences. Single-family residences already receive similar treatment under existing permanent exemptions from the Rules 15 and 16, governing customer contributions for new infrastructure.” – Decision at 9.</p> <p>“Under the new approach, investments associated with EV infrastructure on the utility side of the meter are now part of the IOUs’ overall distribution system upgrade plans.” – Decision at 9</p> <p>“The Staff Proposal responds to stakeholder comments on the Draft TEF and recent developments in the TE market and proposes a modified approach to TE funding through the remainder of the decade and beyond.” – Decision at 17.</p> <p>“In light of the developments described above, the Staff Proposal does not address investments on the utility side of the meter. In this decision, the Commission addresses both the outstanding issues from the Draft TEF and the Staff Proposal.” – Decision at 17.</p> <p>“The Staff Proposal only pertains to BTM TE investments because the new EV Infrastructure Rules—constituting a major policy shift since the issuance of the Draft TEF—address utility-side TE investments. Considering parties’ comments on the Draft TEF, the IOUs’</p>	
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	<p>implementation of Commission-approved programs, additional TE funding allocations, and the state’s EV charging needs, the Staff Proposal properly updates the following areas of the Draft TEF... – Decision at 68.</p> <p>“In this decision, we decline to adopt the TEP framework and the associated proposals. The Staff Proposal takes parties’ comments on the proposed TEPs into consideration of its design of the funding cycle framework.” – Decision at 21.</p> <p>“We decline to adopt the market maturity assessment proposal because most, if not all, TE market segments are not yet mature... However, the program evaluation described later in this decision may include metrics to analyze market conditions, and these metrics could help to justify adjustments to the adopted rebate program during the Mid-Cycle Assessment, as discussed in more detail later in this decision. Further, although we decline to adopt the market maturity assessment proposal, this decision provides guidance on the appropriate role of the IOUs in deploying TE infrastructure.” – Decision at 25-26.</p> <p>“We address equity considerations in Section 4.3.5 of this decision to ensure that the benefits of TE and ratepayer funded investments in EV charging fully reach all segments of the California population, particularly underserved communities.” – Decision at 28.</p> <p>“To scale up TE and achieve state climate and reliability goals, California needs a well-trained workforce to support its safety requirements. Accordingly, the IOUs must address any</p>	
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	<p>workforce training necessary to ensure safe installation of IOU-funded TE infrastructure. If special training is necessary for specific TE programs or technology, the IOUs have an important role to ensure that the appropriate training is available. Additionally, the Commission’s Environmental and Social Justice Action Plan adopts an objective to promote high road career paths and economic opportunity for residents of environmental and social justice communities.” – Decision at 33.</p> <p>“As to the recommendation for the IOUs to evaluate whether any additional installer safety-related training is necessary beyond state licensing requirements, parties generally agree that ensuring specialized training is important, while differing on the role of the IOU in that process... NDC states that the IOUs should coordinate with community-based organizations (CBOs) in addition to unions to ensure training of electricians from diverse and underserved communities... Section 4.3.5.6 discusses workforce development and safety-related training requirements for the Program Administrator to implement.” – Decision at 34-35.</p> <p>“To ensure interoperability and open standards, these requirements apply to all future ratepayer-funded BTM TE infrastructure programs. We clarify here that the FC1 rebate program adopted in this decision is one such ratepayer-funded BTM TE infrastructure programs.” – Decision at 39.</p> <p>“NDC supports the workshop proposal to explore options to reduce financial barriers to individual EV adopters and relieve ratepayer burdens related to</p>	
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	<p>funding the TE program.” – Decision at 52.</p> <p>“We decline to take further action on alternative financing programs in this proceeding as we are addressing that topic in R.20-08-022, which focuses on the investigation and design of alternative financing programs for all clean energy technologies. That proceeding addresses outstanding issues that need further discussion, including the IOUs’ proposals on TE alternative financing pilots. Our consideration of alternative financing mechanisms for TE in R.20-08-022 ensures consistency in alternative financing program design and efficiently utilizes stakeholders’ and the Commission’s resources.” – Decision at 53.</p> <p>“Section 4.3.4 of this decision provides direction for ME&O activities, but we make certain findings here based on feedback received on the Draft TEF’s ME&O proposal. We agree that ME&O efforts are critical to EV charger utilization and find that post-energization ME&O may help to increase charger utilization rates... In response to several parties’ support of narrowing the IOU role on ME&O to ensure ratepayer funds do not duplicate broad EV awareness campaigns, we find that the FC1 program should not replicate statewide efforts promoting EV awareness, including the \$5 million program to promote ZEV awareness funded by the Governor’s Office of Business and Economic Development.” – Decision at 63-64.</p>	
3. Funding Cycle (FC)	<p>“By the start of FC1, the IOUs have had over a decade and almost \$2 billion to</p>	

<p>NDC supported a 5-year funding cycle with mid-cycle evaluation as appropriate, given the duration of time IOUs have already been operating TE infrastructure deployment programs, and that the proposed rebate program is relatively simple. In order to first incorporate programmatic improvements and then assess the impact of those changes, NDC recommended additional assessments within FC1.</p> <p>NDC also reviewed the IOUs history of underutilization of approved funding, and concluded that there was greater likelihood of underspent funds than “gaps in funding”, obviating the need to provide additional pathways to request more money.</p> <p>In order to obtain critical information from prior programs to inform later program designs, transition TE programs to a consistent statewide effort and reduce confusion, and reduce historical utility inefficiency in implementation, NDC recommended that the Commission provide clarification on when programs approved prior to FC1 should be concluded, and specify timeline and processes on how evaluation of FC1 will impact development of EC2. Clearer understanding and transparency on how FC1 programs will be evaluated to develop FC2 will allow</p>	<p>demonstrate results. In light of this history, a five-year period to attempt a simpler rebate program seems appropriate.</p> <p>As long as there are requirements for timely review and evaluation, and opportunities to refine the rebate program priorities and amounts, there is little risk that the five-year funding cycle will be any less effective than the current system of perpetual IOU infrastructure programs.” – OC on SP at 3-4.</p> <p>“A single mid-cycle reassessment will not provide sufficient opportunity to implement changes and assess their impacts, or to inform the next funding cycle. An earlier assessment is helpful to allow time to evaluate whether changes were effective and attempt further refinements. There should be an assessment at the 2-year mark, with changes implemented by 2.5 years, followed by another evaluation at the 4.5-year mark. This will allow time to gather enough initial program data to support the first meaningful evaluation, and then time to implement changes and gather additional data for a robust second reassessment, with time remaining for overall evaluations to inform the final design of FC2.” – OC on SP at 4.</p> <p>“FC0 runs through 2024, and represents approximately \$1.48 billion in authorized unspent funding, which is almost five times as much as the IOUs have been able to utilize since 2016. If additional needs were to arise during FC0, the TEF Near-Term Priorities decision (D.21-07-028) allows IOUs to submit standard applications to and request expedited proceedings for ‘extensions’ of existing programs. The</p>	
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<p>stakeholders to better coordinate efforts toward achieving common goals.</p> <p>NDC also supported annual roundtables to discuss data audits and equity issues and provide more frequent feedback for program improvement. While noting benefits of including equity discussions and stakeholders in with data analysis, NDC cautioned against allowing equity issues to be subsumed or supplanted by other data related discussions.</p>	<p>New SP notes that ‘there are currently no explicit or implied limits to what the IOUs may request in terms of additional TE spending if the need should arise prior to FC1.’</p> <p>As seen in the latest IOU TE application, there is indeed no limit to what the IOUs can and will request under the Near-Term Priorities decision.” – OC on SP at 1.</p> <p>“Given the substantial amount of unspent funding still available in FC0 coming just from ratepayers, aside from the additional state, federal, and private money also available to support TE, the Commission is more likely to face the issue of how to address unspent funds at the beginning of FC1 than gaps in funding. The Near-Term Priorities decision provides excessively accommodating pathways for IOUs to seek additional funding for TE programs. No additional considerations are necessary to address hypothetical ‘gaps in funding’.” – OC on SP at 2.</p> <p>“All current FC0 programs should be completed before FC1, so that data from the FC0 IOU programs is available to inform FC1 policies and priorities. If FC0 programs have not been completed, they have not fulfilled one of their most important functions in providing as much data as possible to effectively develop future programs that minimize ratepayer costs and maximize ratepayer benefits. For any current FC0 programs that were intended to conclude before 2025 but which cannot meet their goals in time, this would indicate poor planning and implementation on the part of the IOU...</p> <p>As much as it would be beneficial for FC0 programs to conclude before 2025, all FC0 programs should be allowed to</p>	
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	<p>end based on the timelines approved within their governing decision. If FC0 programs have some specific justification to continue past 2025, that reason can be identified and addressed in the program’s authorizing decision, with a ruling that the specific program does not disqualify the IOU from accessing FC1 funds.” – OC on SP at 2.</p> <p>“The Near-Term Priorities decision justified IOU submissions only to address near-term priority issues, and then only during a short interim period until a long-term TE framework could be put in place. It would be inappropriate to extend such allowances long term into Funding Cycle 1. Furthermore, the purpose of this rulemaking, which has been developing since 2018, was to stop the endless ad hoc IOU proposals that drained Commission and intervenor resources, repeatedly litigated similar issues, and lacked cohesive and cooperative targets... If the IOUs were allowed to continue requesting ad hoc programs, an essential benefit of streamlining and unifying Commission TE programs under the framework would be lost.” – RC on SP at 8-9.</p> <p>“The Commission should at least define a general timeline of the targets for the FC0 and FC1 program to hit. All stakeholders should understand what information and data is anticipated and when it will be available, that will inform the design of FC2...FC1 must also be reviewed to determine whether the IOUs, program administrator, and EVSP and CBO partners were effective in their roles. The CPUC should define specific targets they want to see attained, so they can evaluate the ability of those implementing the program to</p>	
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	<p>achieve program goals, and then modify the relationships in FC2 if necessary.” – OC on SP at 3.</p> <p>“Annual reviews with mechanisms to quickly implement program modifications would be beneficial to help measure and achieve the actual public benefits anticipated from more charger deployment. Partnering with CBOs for evaluation and modification is necessary to comply with the ESJ action plan requirements to engage with underserved communities, in order to understand and address their needs. These ESJ groups must be allowed to meaningfully participate and direct program efforts meant to support their communities.” – OC on SP at 18.</p> <p>“Combining the Data Summit and Equity roundtables could allow equity stakeholders to review program data more in depth. Stakeholders such as CBOs with expertise in providing direct service may not be as familiar with data analysis. Discussions with equity stakeholders on how to evaluate and improve the data would support the goals of transparency and community engagement.</p> <p>However, NDC cautions that the important purpose of each roundtable may be supplanted if one issue requires more time or attention at combined meetings. NDC recommends keeping dedicated discussions to identify and address equity issues separate, but inviting equity stakeholders to also participate in the Data Summit. This way, equity issues will be properly addressed, and equity stakeholders can have the opportunity to understand and advise on data concerns.” – OC on SP at 25.</p>	
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<p>--</p> <p>The Final Decision adopted a five-year funding cycle with mid-cycle evaluation. In line with NDC recommendations, the Final Decision does not extend authorization for expedited applications into FC1 nor provide new pathways for supplemental programs, finding that the near-term pathways are no longer relevant past FC0, and that SB 350 is sufficient for supplemental programs.</p>	<p>“...the Final Decision should be clear and explicit that after December 31, 2026, all FC0 programs must immediately terminate, any unused funding from FC0 programs is forfeit, and any funding that was already collected must be returned to ratepayers. The Commission must send a clear message to the IOUs, who have historically been slow and ineffective in implementing their excessive TE programs²³, that the December 31, 2026 deadline is the cut-off for the old way of disjointed, <i>ad hoc</i> TE investment. If the IOUs continue to drag their feet, they will lose their opportunity to profit on their FC0 programs that capitalize TE infrastructure deployments. Clearly stating the Commission’s intent to transition fully to the state-wide program after December 31, 2026 will avoid wasting resources addressing utility requests for extensions or authorization to modify inefficient FC0 programs.” – OC on TEPI PD at 7.</p> <p>--</p> <p>“NDC and ATE support the five-year funding cycle provided there is a Mid-Cycle Assessment within FC1 to evaluate the program and refine the rebate program priorities.” – Decision at 73.</p> <p>“We adopt a five-year funding cycle structure, finding it an appropriate period over which to authorize investments in TE to stimulate the market and foster private investment from 2025 through 2029. Our adoption of a five-year funding cycle provides clarity and certainty as to policy and program design that is easy to understand for customers and</p>	
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<p>In response to NDC recommendations for clarifications, the Decision also affirmatively restricts how long previously approved programs should continue into FC1.</p> <p>Although additional assessment period are not incorporated, the TEPI adopts annual roundtable reviews to gain feedback regarding program adjustments and impacts and directs roundtable discussions to emphasize review of equity considerations, addressing concerns raised by NDC. The Decision also adopts timelines for FC2 development based on scheduled evaluation and assessment activities, ensuring that FC2 effectively incorporates learnings from FC1.</p>	<p>stakeholders. It will also provide a reasonable timeframe for the periodic evaluation of BTM TE investments.” – Decision at 73.</p> <p>“Several parties agree that the near-term priorities decision’s authority is adequate during FC0...NDC also agrees, but emphasizes that it is more likely that the Commission will have to address the issue of unspent funds rather than funding gaps due to the existing substantial amount of unspent funding.” – Decision at 74.</p> <p>“We find that the recently adopted near-term priorities decision adequately addresses IOU funding opportunities for the remainder of FC0. We do not find it necessary to extend the near-term priorities decision authorization to allow for Advice Letters and expedited applications through FC1. The near-term priorities decision addresses critical near-term priorities in the period prior to the adoption of further long-term TEF guidance. Given that focus, the pathways and guidance authorized in that decision are no longer relevant beyond FC0.” – Decision at 75-76.</p> <p>“Several parties call for the completion or near completion of FC0 programs prior to FC1 programs commencing. NDC argues for the completion of all current FC0 programs prior to FC1 so the data from FC0 program can inform FC1 policies and priorities. NDC indicates that such a requirement is necessary to protect ratepayers. NDC contends that each FC0 program should have a specific justification to continue beyond 2025 and be addressed through the authorizing decision.” – Decision at 76-77.</p>	
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	<p>“Any near-term priority expedited application or Advice Letter filed after the issuance of this decision shall be filed no later than May 31, 2023, and the IOUs must not accept customer applications or agreements within any approved near-term priority program after December 31, 2026.” – Decision at 78.</p> <p>“We agree with the need of an overlap between FC0 and FC1 to allow for a grace period while FC1 ramps up and FC0 programs ramp down. We adopt a default two-year grace period for FC0 to overlap with FC1 in order to allow the IOUs to spend previously authorized FC0 funds—meaning the IOUs shall not accept customer applications or agreements within FC0 programs after December 31, 2026, unless the governing program decision directs another end date. This grace period provides sufficient flexibility to allow for the effective completion of FC0 programs and allocation of the associated funding.” – Decision at 78.</p> <p>“NDC calls for an assessment at the two-year mark and another assessment at the 4.5-year mark.” – Decision at 79.</p> <p>“We find that a single Mid-Cycle Assessment in 2027, the third year of FC1, is appropriate to ensure flexibility in program implementation, sufficient review of FC1, and confirmation of whether investments are adequately serving the market and contributing to state goals. We also adopt an annual review to allow for program adjustments based on feedback from annual roundtables...We find that the combination of these two processes provides sufficient flexibility for the FC1 program, while not overburdening</p>	
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	<p>stakeholders, the IOUs, and the Program Administrator”. – Decision at 79.</p> <p>“NDC comments that annual reviews with mechanisms to quickly implement program modifications would be beneficial to help measure and achieve the actual public benefits anticipated from the investments.” – Decision at 83.</p> <p>“Based on party comment, we adopt a single annual roundtable, as opposed to separate data- and equity-focused roundtables.” – Decision at 83.</p> <p>“The scope of the roundtables shall include stakeholder input and review of program data and evaluation results to inform any proposed modifications to the Program Handbook, such as adjustments to the rebate levels and changes to better reach underserved communities. The roundtables should emphasize review of equity considerations.” – Decision at 84.</p> <p>“NDC stresses the need for evaluation of FC0 and FC1 prior to the development of FC2, which it recommends should occur in the last year of FC1.” – Decision at 84.</p> <p>“We find it appropriate to adopt a timeline and process for the development of FC2 guidance. The development of FC2 shall be based on the evaluation of the FC1 program, additional BTM infrastructure needs, and an assessment of the continued role of IOUs in supporting BTM infrastructure. Any FC2 funding should consider findings from program evaluations, market studies and, to the extent feasible, infrastructure planning analyses.” – Decision at 85.</p>	
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	<p>“Several parties raise the issue of whether the IOUs should be allowed to file additional applications for supplemental and pilot programs during FC1....Other parties, including CLECA, Cal Advocates, EPUC, Clean Energy Fuels, NDC, and TURN, raise affordability concerns with authorizing additional TE funding beyond the FC1 program.</p> <p>We find that the existing Commission application pathway per SB 350 is sufficient. Any application, including for supplemental programs or pilots, submitted via that pathway will be reviewed in the context of the funding the Commission has authorized to date.”</p> <p>– Decision at 86.</p>	
<p>4. TEPI Funding and Budget (FUND)</p> <p>NDC recommended that the FC1 program design should have a reduced overall budget to appropriately account for historical utility underutilization of approved funding, lack of demonstrated benefits proportional to costs, rapidly rising utility rates, and significant increases in available non-ratepayer funding for TE since the Staff Proposal was originally drafted.</p> <p>NDC also supported limiting the amount of the FC1 budget available to IOUs in the first three years before the Mid-Cycle assessment, to evaluate whether and to what degree continued ratepayer funding is appropriate.</p>	<p>“The considerable non-ratepayer funds pouring into the EV infrastructure market, coupled with the demonstrated inability of the market and IOUs to utilize approved funding expeditiously, makes the \$200 million annual FC1 budget unreasonable. In the early years of CPUC TE programs (2015-2017), the IOUs were only running pilot programs and were still developing their understanding and abilities. But after a few years, they had much more substantial programs and budgets approved, with experience to inform their effort. Yet throughout 2018-2020, their annual expenditures stayed in the narrow \$75-78 million range, and even dropped off in 2021 to \$50 million, leading to the current \$1.48 billion in excess unspent approved funds. This demonstrates that there is a limit to how much ratepayer funding for charging infrastructure the EV market can absorb, and additional funding is not necessarily the answer.” – OC on SP at 5.</p>	

<p>NDC also recommended that the Commission set budget caps both for annual expenditures and specific program aspect costs, in order to provide clear guidance to IOUs on reasonable expectations and to provide rate stability for ratepayers. NDC argued that administrative costs should be set at no more than ten percent, in line with other similar rebate programs authorized by the Commission, and that ME&O and Technical Assistance costs should be increased beyond only six percent total, recognizing the need for education and awareness on the benefits of TE to accelerate EV adoption, especially in underserved communities.</p> <p>NDC recommended evaluation budget amounts in line with recent TE program decisions and based on the complexity of the rebate program, limited to one percent of total budget. For a \$1 billion program, that would be \$10 million, which the IOUs would manage. For the Energy Division evaluation budget, NDC argued that IOU managed evaluations of past TE programs have not resulted in meaningful assessment or improvements, and supported the \$3 million annual budget for ED evaluations as being appropriate to safeguard the billions of ratepayer dollars used on TE expenditures.</p>	<p>“At the same time, there is considerable reason for the Commission to be cautious in approving excessive funding. Utility rates have been rising for decades, far outpacing wage increases, inflation, and the price of other consumer goods. Essential utility services are becoming more and more unaffordable, with significant increases in recent years to fund ever more expensive wildfire hardening and renewable energy projects. Furthermore, the very idea of electrifying transportation and home appliances and heating becomes less and less attractive or financially feasible as energy rates rise, undercutting the goal of so many of the electrification programs that themselves cause higher bills.” – OC on SP at 5.</p> <p>“Because (1) the TE market has historically utilized only about \$75 million annually of ratepayer funds, which included TTM costs that are not part of FC1 costs, (2) the Commission must be vigilant in keeping rapidly rising utility rates under control, and (3) there are considerable state, federal, and private funds supporting EV infrastructure deployment, the budget for FC1 should be limited to no more than \$75 million annually, or \$375 million over 5 years. This amount can be reevaluated during FC1 and in developing FC2.” – OC on SP at 6.</p> <p>“Caps on program funding should provide limits and stability on rate increases. The IOUs must only collect up to the set amount for the program each year, which NDC recommends should be \$75 million annually, as discussed previously. Any unspent amounts that remain should be saved for</p>	
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<p>Because the purpose of the statewide program is to transition ICE vehicles to EVs, NDC recommended that each IOU contribute a proportion of the overall TEPI budget based on the statewide proportion of ICE vehicles in each service territory. This would allow for lower ratepayer contributions based on how successfully EV adoption proceeded in each territory, rewarding progress. Contributions could factor in proportions of light-, medium-, and heavy-duty vehicles, and also factor in the proportion of underserved communities in each IOU territory, as targeting TE to these markets is part of state and equity goals.</p> <p>NDC argued that distribution of funding in each service territory would need to be based on contributions from each IOU, as this is statutorily necessary and fair that the ratepayers paying into the program should receive the benefits.</p> <p>NDC provided comments on cost recovery, arguing that using the public purpose program charge and equal cents per kilowatt hour basis were more appropriate given the nature, use, and benefits of TE infrastructure. NDC also argued against using distribution rates and the System Average Percent Change basis as being inequitable to residential customers.</p>	<p>later program use, and at the end of the program, be refunded to ratepayers. If funds are fully committed before the end of any annual funding period, this is a design feature and not a problem. The annual cap is supposed to limit the bill increases to amounts that the Commission has determined are in line with what ratepayers can afford, what the market can utilize, and what utilities can actually implement effectively. Once an appropriate and reasonable amount of funds have already been allocated, ratepayers must not be forced to fund any more.” – OC on SP at 7.</p> <p>“NDC agrees that waiting to see the effects of the massive amounts of funding currently available would be prudent, especially given that over 80 percent of the approved ratepayer funding for IOU TE programs has not yet been invested. Waiting until current IOU programs have been fully implemented not only allows for a better assessment of any funding needs to accelerate the TE market, but as NDC explained in Opening Comment will also provide more complete data from IOU TE programs necessary to inform future program designs.” – RC on SP at 2-3.</p> <p>“The PD notes considerable <i>additional</i> non-ratepayer funding now available, which was not considered in the New SP. The PD acknowledges the now-approved state budget allocating \$10 billion for the next five years to support TE (\$8 billion more than contemplated in the New SP) and the \$1.7 billion in EV charger tax credits from the Inflation Reduction Act (not considered in the New SP). Rather than rebalance the FC1 budget lower to account for the substantially increased taxpayer funds</p>	
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	<p>now available, the PD completely disregards the facts in the record of the additional \$9.7 billion dollars newly allocated for TE support. Given the significant additional non-ratepayer funding now available, the \$1 billion budget for FC1 proposed by the New SP is no longer reasonable and not supported by the record.” – OC on TEPI PD at 9.</p> <p>“The PD limits the amount of the FC1 budget that the IOUs can access within the first three years to 60 percent, and provides for a Mid-Cycle assessment to determine if continued ratepayer support is appropriate. This provision is appropriate, especially given the possibility of even more substantial amounts of funding for TE which may become available in the near future. The availability of additional funding must be balanced with concerns for affordability, and result in reduced ratepayer burdens for TE investment.” – OC on TEPI PD at 9-10.</p> <p>“NDC supports evaluation budgets in line with recent TE program decisions and recommends a 1 percent of total costs evaluation budget. For the New SP proposed \$1 billion budget for FC1, that would be \$10 million for evaluation.” – OC on SP at 8.</p> <p>“Recent CPUC decisions authorizing evaluation budgets for TE programs have considered the authorized percentage in relation to overall budget. SDGE’s Power Your Drive 2 was authorized three percent (\$1.37 million) of a \$43.5 million budget, and SCE’s Charge Ready 2 only one percent (\$4.3 million) of a \$436 million budget. These decisions specifically discuss and</p>	
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	<p>compare appropriate evaluation budgets in relation to overall program size. Given that the New SP proposes a \$1 billion budget for FC1, and that the program is a relatively simple rebate program, two percent (\$20 million) for evaluation seems excessive. The FC1 evaluation budget should be set closer to the SCE CR2 program's one percent evaluation budget, which would be \$10 million." – OC on SP at 23.</p> <p>"To date, IOU evaluations have not resulted in meaningful program revisions, and often include many unsound assumptions designed to make their programs appear more effective, such as inflated claims of resulting EV adoption. It is not clear how ED staff developed their request for \$3 million annually for FC0 evaluation funds. However, given the remaining \$1.48 billion in authorized TE funds the IOUs have left to spend, \$3 million annually for the remaining 3 years of FC0, or \$9 million, would only be 0.6 percent of the unspent amount. This small percentage does not seem unreasonable, even given that each current TE program has its own set evaluation budget." – OC on SP at 24.</p> <p>"Because TE programs are meant to support transitions from the use of internal-combustion engine ('ICE') vehicles to electric vehicles, the funding from each IOU to support this goal should be based on their proportionate amount of ICE vehicles. The Commission should consider the proportion of registered light duty ('LD') ICE vehicles as well as medium-duty ('MD') and heavy-duty ('HD') ICE vehicles in each IOU territory and require contributions to the FC1 accordingly.</p>	
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	<p>Additionally, the Commission wants TE projects to address issues of fairness and equity for areas that need greater support to achieve EV adoption. Some areas of the state face challenges due to populations that are lower income, or geography that creates barriers to charger distribution. IOUs should contribute more based on the greater need for support in their service territory.” – OC on SP at 6.</p> <p>“Although TE has some broader air quality benefits that extend beyond IOU territory lines, the primary benefits are to the customers receiving the rebates. Customers in each IOU territory pay their bills to the IOU, who pays the money into the FC1 program. As long as the IOUs are contributing to the FC1 program based proportionately on the amount each IOU needs and uses, it is fair to limit each IOU territory to the amount of funding they contributed. Otherwise, other IOUs will be taking funding contributed by ratepayers in a different territory but providing the main benefits to their own customers.” – OC on SP at 7.</p> <p>“Program administration is expected to be relatively simple for the FC1 rebate program... SOMAH had a budget of approximately \$100 million, and admin expenses were limited \$10 million or 10 percent of total funds. D.17-12-022 also required that the SOMAH program administrator was ‘to undergo a periodic audit of program expenditures’ in part to ensure ‘administrative funds are spent in a reasonable and appropriate manner.’ NDC recommended an overall lower program budget of \$75 million annually. Recognizing that the administrator will need to verify rebate requests that may cover a variety of complex work</p>	
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	<p>including large scale commercial construction projects, NDC supports a cap of up to 10 percent of the total budget for administration (\$7.5 million/yr of a \$75 million annual budget). This is in line with the size of the SOMAH program administration budget. The FC1 administrator should similarly be subject to an audit when the program is evaluated, which should include a determination of whether administrative funds were spent in a reasonable and appropriate manner. This will safeguard against unreasonable administration costs.” – OC on SP at 7-8.</p> <p>“The New SP suggests capping ME&O and Technical Assistance components at six percent of the total budget, but does not provide any explanation for how this amount was derived. ME&O regarding TE is essential to accelerating EV adoption and will only become more important as other barriers are addressed over time, such as the availability of EV chargers, the initial price of EVs, and the availability of EV model options. A lack of understanding of the value and benefits of EV is greatest among lower income consumers, who are disproportionately ethnic minorities, non-English speaking, and have attained lower levels of education. These consumers are also the hardest to reach with necessary and helpful information. Therefore, funding to promote ME&O on the availability of rebates and on the benefits of EVs in general should be a major component of the FC1 program, and not relegated to less than even administrative costs. A substantial proportion of total ME&O funds should also be dedicated to reaching low-income, minority, and other underserved communities.</p>	
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	<p>NDC recommends at least 10 percent of the total FC1 budget be dedicated for ME&O, with half specifically set aside for outreach to underserved communities.” – OC on SP at 8-9.</p> <p>“NDC supports comments from parties recommending that TE program costs be recovered on an equal cents per kilowatt hour (‘equal ¢/kWh’) basis, through the public purpose program (‘PPP’) non-bypassable charge. While TE infrastructure deployments may be referred to as ‘distribution’ upgrades, they do not provide distribution benefits to the grid in the traditional sense and should not be recovered through the traditional distribution allocator... This means that commercial and industrial workplaces and fleets that upgrade to medium- and heavy-duty EV receive the largest subsidies for massive EVSE installations, as these are the most expensive TE infrastructure to deploy. While the majority of direct benefits flow to these commercial and industrial customers (who are ironically the greatest individual polluters), the costs if recovered through the distribution allocator fall disproportionately upon residential customers. This is unfair and inequitable by any measure. Those who receive the greatest and most direct program benefits should bear the largest portion of the costs.” – RC on Rates and Partnerships at 1-2.</p> <p>“The equal ¢/kWh basis ensures that while everyone has to cover the costs for public benefits that everyone receives, customers pay more based on how much energy they use. Paying more for the energy commodity in proportion to how much energy is used is fair by definition, since customers will pay more or less if they use more or less. The SAPC basis would require all classes of customers to</p>	
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	<p>bear the same average present rate increase to cover TE program costs, reducing the correlation between energy usage and amount of program costs paid. This results in customers paying higher costs disproportionate to the public benefits they receive, <i>and also</i> paying higher costs disproportionate to the amount of energy commodity they use. The SAPC basis would add an additional layer of inequity on top of the fundamental imbalance with costs for public benefits. SAPC levelizes costs by customer class, which results in a lower cost impact for high-load commercial customers. Residential customers would suffer greater affordability burdens from increased rates than would commercial customers who can recoup higher energy costs by increasing their product prices. SAPC would result in additional layers of inequity without justification and should be rejected.” – RC on TEPI PD at 4-5.</p>	
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<p>The Final Decision adopts the proposed \$1 billion budget, but limits available funds to only 60 percent before the Mid-Cycle assessment, which will determine if additional funding is warranted.</p> <p>Funding contributions are to be based on EV sales, incorporating NDC recommendations to tie funding to the proportion of EVs in each service territory. Funding distributions will be based on each IOUs contributions, as NDC recommended.</p>	<p>“NDC contends that the budget is excessive due to the large amount of non-ratepayer funds already committed to TE. NDC cites the ‘inability of the market and IOUs to utilize approved funding expeditiously’ as well as ratepayer affordability concerns in recommending a FC1 budget of \$75 million annually or \$375 million over five years.” – Decision at 87.</p> <p>“We adopt the proposed \$1 billion budget for FC1. We find that this level of funding appropriately balances the benefits of increased access to TE and the costs of continued ratepayer investment.” – Decision at 89.</p> <p>“Of the authorized \$1 billion program budget, the IOUs may only access up to</p>	

<p>The Final Decision adopts specific budget caps in line with NDC recommendations such as the eight percent cap for administrative costs, increasing ME&O and TA budgets above six percent total to six percent each, IOU-managed evaluation budget of about \$8 million total (0.8 percent) and \$3 million annual ED evaluation budget.</p> <p>As argued and supported by NDC, the Final Decision rejects IOU calls for additional FC1 funding pathways to cover “potential gaps” and to capitalize BTM rebate costs.</p> <p>The Final Decision requires cost recovery through distribution rates instead of the PPP charge, but adopts the equal cents per kilowatt hour recommendation.</p>	<p>60 percent of the budget within the first three years. During the Mid-Cycle Assessment, the Commission will assess the progress of the BTM program in meeting its objectives and the need for continued ratepayer support for BTM infrastructure given available resources, especially in view of the primary role of ratepayers to fund utility-side infrastructure upgrades. The Commission may modify or terminate the program if ratepayers are unduly burdened. This provides flexibility to determine if the full \$1 billion is reasonable over the five-year period.” – Decision at 89-90.</p> <p>“NDC supports a funding contribution level proportional to the amount of internal combustion engine vehicles in an IOU service territory since the purpose of the TE program is to [90] transition away from these vehicles, consistent with state policy.” – Decision at 90-91.</p> <p>“We adopt a funding allocation that is based on each IOU’s percentage of electric sales for 2024. We find that this methodology is the most efficient and equitable way to determine each IOUs’ budget allocation.” – Decision at 91.</p> <p>“Several parties support limiting the funding to each IOU’s service territory, arguing that it unreasonable and inequitable for ratepayer of one IOU to subsidize ratepayers in a different IOU.” – Decision at 91-92.</p> <p>“We find that funding dispersed in each IOU territory must be limited to each IOU’s funding contribution to the FC1 Program. Allowing ratepayers of one IOU to fund another IOU’s customers’ participation in this program would</p>	
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	<p>unjustly and unreasonably raise rates without commensurate benefits.” – Decision at 92.</p> <p>“Several parties also support an annual cost cap, arguing it will ensure ratepayers are not unduly burdened with unnecessary costs and provide stability on rate increases.” – Decision at 92-93.</p> <p>“NDC finds that the program administration cap is too high given the large budget for FC1 and the relative simplicity of program administration.” – Decision at 94. <i>(NDC actually recommended admin costs up to 10 percent [OC on SP at 7-8].)</i></p> <p>“We find a cap of up to eight percent for administrative costs is reasonable. The eight percent cap on administrative costs shall apply over the total amount authorized for collection (<i>i.e.</i>, 60 percent for first three years) to allow for flexibility in program administration. The eight percent cap includes both IOU and Program Administrator administrative expenses, which is consistent with our approach in prior programs that similarly rely on program administrators...” – Decision at 94.</p> <p>“Additionally, we find it is appropriate to audit the Program Administrator to confirm that spent administrative funds do not exceed the cap.” – Decision at 94.</p> <p>“The Staff Proposal requests comment on the appropriateness of the six percent aggregate cap for ME&O and TE advisory services, or TA. Several parties find the ME&O and TA caps too low. ...GPI and NDC advocate for a ten percent cap for ME&O due to concerns about low utilization rates for</p>	
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	<p>chargers as well as difficulty reaching low-income, minority, and other underserved communities.” – Decision at 95.</p> <p>“We find merit in the arguments that the budget for both ME&O and TA should be higher, especially to ensure adequate outreach and engagement with and participation from hard-to-reach and underserved communities. Therefore, we find that ME&O and TA shall each have a budget of up to six percent of the total budget. We shall evaluate these caps in the Mid-Cycle Assessment to determine if adjustments are necessary and if the minimum expenditure requirement for underserved communities, described in Section 4.3.4.1 below, is being met.” – Decision at 95-96.</p> <p>“The Staff Proposal recommends a program evaluation budget of two percent of the FC1 program budget, to be split between ED and the IOUs. In addition, it proposes \$3 million for ED staff to manage.</p> <p>Several parties’ comments address the funding proposal. NDC argues for one percent and supports \$3 million for ED evaluation budget, arguing that this figure is consistent with authorized evaluation budgets in recent Commission decisions on SDGE’s Power Your Drive 2 and SCE’s Charge Ready 2.” – Decision at 96.</p> <p>“Due to the potential for changes to the rebate program during the Mid-Cycle Assessment and to ensure adequate technical support is available for ED staff up to and throughout FC1, we adopt a slightly modified evaluation budget structure consisting of two</p>	
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	<p>separate budgets: (1) IOU managed and (2) ED managed.</p> <p>For the IOU-managed evaluation budget, we allocate \$3 million for the first three years of the funding cycle and up to \$5 million for the full five years of FC1... For the ED-managed evaluation budget, we adopt an annual expenditure limit of \$3 million from 2023 through 2029 for technical consulting and support funding, totaling \$21 million. ED staff may carry forward the funds from year to year.” – Decision at 96-97.</p> <p>“The Staff Proposal requests comment on how to address a potential need for additional funding in FC1.</p> <p>Several parties assert that any concern for funding gaps is unwarranted...EPUC and NDC stresses that any additional funds beyond existing program funds should be covered by private industry, not ratepayers, and the exhaustion of program funds signals a fulfillment of ratepayer obligation to TE efforts.” – Decision at 99.</p> <p>“We do not adopt any process to authorize additional funds for FC1. We agree with TURN and NDC that any gaps would indicate a robust market.” – Decision at 100.</p> <p>“TURN opposes the capitalization of the BTM rebate costs, arguing that capitalizing costs is significantly more expensive over time and is a primary reason for current high rates... EPUC and NDC also oppose the capitalization proposal.</p> <p>We do not adopt the proposal from SCE to capitalize BTM rebate costs.” – Decision at 104.</p> <p>“[Parties] argue for allocation of the costs on an equal cents per kilowatt-</p>	
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	<p>hour (kWh) basis through the Public Purpose Program (PPP) surcharge because the TE program serves a broader social interest and its costs are direct subsidies by ratepayers who do not use the charging infrastructure to those who do... NDC argues that although TE infrastructure deployments are referred to as distribution upgrades, they do not provide distribution benefits to the grid in the traditional sense; therefore, TE program costs should not be recovered through the distribution rates.” – Decision at 48.</p> <p>“The EV Infrastructure Rules also direct cost recovery through distribution rates, with review during the IOUs’ GRCs.” – Decision at 50.</p> <p>“We also require the IOUs to allocate FC1 program costs and all BTM TE program costs moving forward on an equal cents per kWh basis. This helps ensure that costs are distributed across all customer classes equitably. Further, parties’ comments described above do not account for the new EV Infrastructure Rules and, therefore, address both BTM and utility-side costs. As utility-side costs are not included in the program contemplated here, it is even more appropriate to adopt the equal cents per kWh approach.” – Decision at 51.</p>	
<p>5. Rebate Structure (RBTE)</p> <p>NDC argued against excessive rebates for EVSE installations based on IOU claims of “customer demand”. Instead, rebate amounts should be set based on rational factors such as actual per port costs, value</p>	<p>“IOUs repeated cited to overwhelming customer interest in obtaining ratepayer subsidies that covered all or nearly all of the costs of charger deployment. However, the fact that customers have considerable interest in receiving excessive incentives is irrelevant in determining an effective amount of</p>	

<p>of benefits, customer willingness to pay, equity, and other rational and relevant factors. Using such considerations, greater incentives should be offered for low-income multi-unit dwellings, as these locations have the greatest barriers and can realize the greatest benefits from TE. Specifically targeting more support at low-income MUDs, as opposed to all MUDs located within underserved communities, would more efficiently support EV adoption among those drivers that would otherwise be unable to participate.</p> <p>NDC also recommended a declining rebate structure, in order to test market response, incentivize faster participation, and reduce program costs.</p> <p>NDC supported allowing participants to stack incentives offered through multiple TE programs, since the funding for the TEPI has taken such available funding into consideration and the purposes of individual programs will be met regardless what other funding sources are utilized. NDC did advocate for limiting customer from receiving rebates that would reimburse more than the full cost of EVSE installations, as this would expend funds without providing additional benefits.</p>	<p>incentive to efficiently encourage EV adoption. Setting rebates at the minimum amount that will incentivize the maximum amount of EV adoption will result in the greatest benefits while imposing the least burdens on ratepayers.” – OC on SP at 10.</p> <p>“In setting appropriate rebate levels, the Commission, stakeholders, and administrators must consider the average per port costs for BTM EVSE deployment, the value of the benefits the customer will receive, customer willingness and ability to pay, the existence and amount of other subsidies, the need for financial support and air quality improvement at the customer’s location, and fair additional incentives to counter historical inequity. With these considerations, rebate amounts should be set highest for low-income multi-unit dwellings where barriers and needs are highest.” – OC on SP at 10.</p> <p>“Initial rebate amounts should be set through the proposed stakeholder process led by the third-party administrator. Initial rebate amounts should be higher for the more underserved market segments (low-income MUDs) and lower for other segments. Then, all rebate amounts should decrease in 10 percent increments.” – OC on SP at 11.</p> <p>“NDC recommends that rebates amounts be divided into blocks based on market segments, so that all areas are encouraged to sign up quickly. If rebate reductions are triggered based on when proportions of the rebates available in each market segment are claimed, areas that are traditionally underserved and slower to respond to TE incentive programs will not need to compete with</p>	
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	<p>areas that are more receptive to TE and that take advantage of incentives more readily.” – OC on SP at 11.</p> <p>“Declining rebates provide many additional benefits including encouraging interested participants to sign up early and achieving program benefits sooner, sending appropriate signals that ratepayer subsidies will not always be available, allowing limited ratepayer funds to support more projects, and providing critical data on various incentive levels to inform future programs.” – RC on SP at 5.</p> <p>“Participants should be allowed to stack incentives offered through other programs. The amount of ratepayer funds offered through this funding cycle program takes into account the total amount of funds available from other programs, so that the entire basket of incentives is taken into consideration to set the appropriate amount of ratepayer contribution. Therefore, participants should be able to utilize the entire basket of available funds. Additionally, different programs may seek to prioritize and target certain groups with additional support. ...</p> <p>The Commission should prohibit customers from receiving FC rebates if that would reimburse more than 100 percent of TE costs. Such a windfall is clearly excessive, unnecessary to encourage EV adoption, and would reduce the program’s ability to support other customers.” – OC on SP at 11-12.</p> <p>“Using the considerations discussed above including the average per port cost for BTM EVSE deployment, the value of the benefits the customer will receive, customer willingness and ability to pay, the existence and amount</p>	
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	<p>of other subsidies, the need for financial support and air quality improvement at the customer’s location, and fair measures to counter historical inequity, different market segments should be eligible for different rebate amounts. The rebates offered to low-income MUDs should be approximately 35 percent higher than rebates offered to the average customer, reflecting the level of support for prioritized groups established in other programs.” – OC on SP at 12.</p> <p>“...specifically targeting higher incentives to MUDs with a majority low-income residents is much more effective and appropriate than allowing any customer located in an underserved community to receive higher rebates. A significant proportion of total rebates should still be set aside for customers located in underserved communities, but the highest rebate amounts should specifically go to low-income MUDs.” – OC on SP at 12.</p> <p>“Prioritizing low-income MUDs and public charging that supports low-income MUDs by offering them higher rebates is in line with the CEC AB2127 assessment, which concluded that ‘more public charging investments may need to be targeted toward low-income communities and high-population-density neighborhoods to enable more proportionate charging infrastructure distribution throughout the state.’ – OC on SP at 14.</p> <p>“the AB841 definition of ‘underserved communities’ encompasses metrics beyond pollution burden and is broader than the prior SB350 ‘DAC’ definition based on CalEnviroscreen scores. This means that customers located in</p>	
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<p>The Final Decision adopts the rebate design structure, and allows for stacking of incentives from various programs, with the limit that rebates not exceed total costs, in line with NDC recommendations.</p> <p>Rather than set rebate amounts, the Final Decision defers the determination to a stakeholder discussion process. The Commission adopts guidelines in the Program Handbook which are to be used in setting rebate levels, in line with NDC’s recommended guidelines, especially for low-income MUDs.</p> <p>Although the Final Decision does not implement a predetermined declining rebate structure <i>per se</i>, it does provide for the rebate amount to be changed annually following reassessment at the annual roundtables and at the Mid-Cycle evaluation. This design supports much of the customer incentive, market data gathering, and cost saving benefits NDC advocated for.</p>	<p>“We find that the rebate program provides a suitable solution to accelerating TE infrastructure development. The rebate amount may be fixed for the duration of FC1, assessed via the roundtables, and reevaluated mid-cycle. Rebates may also vary according to certain parameters.” – Decision at 107</p> <p>“NDC supports declining block rebates and emphasizes that any declines should occur on a predetermined schedule to provide simplicity and important market data.” – Decision at 109.</p> <p>“We decline to adopt a declining block structure...It is uncertain at this time that the costs of BTM infrastructure will decline in the same manner as equipment in the solar sector. Furthermore, we can still achieve an overall phasing out of the incentives over time without this approach. If the Mid-Cycle Assessment finds that a declining block structure would be beneficial, given new information available, then we may modify the program.” – Decision at 109-110.</p> <p>“Several parties support stacking, but indicate that the Commission should ensure that the same equipment is not funded twice and that allowed rebates do not exceed costs.” – Decision at 110-111.</p> <p>“We find it appropriate to allow the stacking of rebates, provided that the total received rebates do not exceed 100 percent of the installation and equipment costs. The ability to stack rebates allows for the installation of a broader and larger amount of TE infrastructure, thereby promoting the</p>	
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	<p>California’s TE goals. A customer’s application must include a full disclosure of costs and other rebates that have been received or that are pending.” – Decision at 111.</p> <p>“NDC argues the Commission should consider: (1) the average per port costs for BTM EVSE deployment; (2) the value of the benefits customers will receive; (3) customer willingness and ability to pay; (4) the existence and amount of other subsidies; (5) the need for financial support and air quality improvement at the customer’s location; and (6) fair additional incentives to counter historical inequity.” – Decision at 113.</p> <p>“We do not find it appropriate to set rebate levels at this time for either the LD or MDHD components of the FC1 program. Determination of the appropriate rebate level would benefit from additional stakeholder input and analysis. However, we do adopt guidelines for setting rebate levels to cover a percentage of project costs via the Program Handbook development process discussed below.” – Decision at 114.</p> <p>“For LD infrastructure rebates, the following guidelines shall apply in setting rebate levels:</p> <ol style="list-style-type: none"> 1. Include higher rebates for certain underserved community customers (<i>i.e.</i>, MUDs with a majority low-income residents), as described in this decision; 2. Maintain flexibility, including exploring new ideas in promoting participation of small businesses, as defined in the Program Handbook, and underserved community customers; 	
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	<ol style="list-style-type: none"> 3. Identify an average or median EVSE and make-ready equipment/installation cost as a “base cost” on which to base rebate levels; 4. Consider the ability to leverage customers’ and companies’ contributions; ... 6. Establish maximum percentage of costs to be covered by the rebate, with higher maximums for certain targeted underserved community customers (<i>i.e.</i>, MUDs with a majority low-income residents); 7. Establish a maximum project cost, if applicable; 8. Consider the overall program average per port cost; ... 11. Differentiate between customer segments (<i>e.g.</i>, MUDs and public MUD-serving locations) where appropriate; and 12. Avoid any BTM TE rebates for Fortune 1000 companies.” <p>– Decision at 114-115.</p> <p>“For MDHD infrastructure rebates, the following guidelines shall apply in setting rebate levels:</p> <ol style="list-style-type: none"> 1. Higher rebates for customers in DACs and primarily operating in DACs; 2. Creativity in addressing the needs of small fleet customers, potentially providing higher rebates; 3. Consideration of customer’s eligibility for other incentive funding; 4. Differentiation between customer segments where appropriate; 5. Ability to leverage customer and private company contributions; ... 	
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	<ol style="list-style-type: none"> 8. Consideration of average per port cost; 9. Alignment with other public funded rebates to avoid over-subsidization by ratepayers; 10. Establishment of a maximum percentage of costs to be covered by the rebate, including additional incentives for DAC customers; 11. Identify an average or median EVSE and make-ready equipment/installation cost as a “base cost” on which to base rebate levels, if appropriate; 12. Exclusion of Fortune 1000 companies from receiving rebates; and 13. Establishment of a maximum project cost, if applicable. <p>Stakeholders should also discuss MDHD rebate levels during a workshop during the Program Handbook development process. Any necessary rebate level adjustments shall occur through the annual roundtable and Tier 2 Advice Letter process. – Decision at 116-117.</p> <p>“We find that allowing rebate levels to change annually would provide program flexibility and account for changing market conditions. A yearly assessment of the appropriate rebate level shall occur via the annual roundtables adopted in this decision. Any modification to the rebate level or structure shall occur through the associated Tier 2 Advice Letter process.” – Decision at 118.</p>	
<p>6. ME&O and Technical Assistance (ME&O)</p> <p>NDC advocated for robust marketing, education, and</p>	<p>“The ME&O component of the program must commit to working with CBOs that are already integrated into low income, minority communities to help design</p>	

<p>outreach (“ME&O”) both on the TEPI program specifically, but also on the general benefits of EVs, as lower understanding continues to lead to lower adoption in underserved communities. NDC recommended partnerships with local community-based organizations (“CBO”) to provide effective and efficient outreach to underserved communities, as CBOs already have programs and lines of communication in place to serve these areas. CBOs are also trusted community members, able to provide information in culturally and linguistically relevant ways. The competitive market already targets wealthier customers who can afford EVs, and therefore it is necessary that the Commission focus on outreach to lower-income drivers so that they can participate in the TE transition equitably.</p> <p>Additionally, CBO that provide job training and development in underserved communities will be able to connect workers from those communities with opportunities to participate in the TEPI infrastructure projects, creating additional economic benefits and supporting additional EV awareness and adoption.</p> <p>NDC discussed the importance of both IOU and EVSP involvement in providing meaningful technical assistance</p>	<p>and target their outreach, as well as to partner with and lead educational and informational events. CBOs are especially effective in reaching ethnic minority groups with culturally relevant in-language messaging. ME&O should not only market the FC1 and 2 rebate programs, but should also provide general information on the benefits and long-term value of EVs specifically to underserved communities. There is already incentive for EV manufacturers and EVSPs to target marketing resources toward customer groups that are more likely to understand the benefits and afford to use EVs, as that will grow their own revenue. However, there is less incentive for third parties to target low-income, non-English speaking customers that will require more efforts to reach. Targeting ME&O to these groups falls upon the Commission in carrying out their equity mandates to help all Californians transition to cleaner transportation and energy.” – OC on SP at 13-14.</p> <p>“The Commission should partner with established CBOs that focus on job training and employee development in underserved communities. The administrator should establish systems to easily connect IOUs, EVSPs, and partner CBOs with job training organizations to hire workers from within underserved communities. The Commission should also require reporting on how many residents of underserved communities were trained and employed to work in quality jobs on the projects that were funded by rebates.” – OC on SP at 18.</p> <p>“The proposed scope of the Technical Assistance (“TA”) program includes at</p>	
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<p>(“TA”) to customers. NDC also noted that the minimum scope of TA in the Staff Proposal would not cover all the necessary steps and challenges to EVSE installation.</p> <p>Given the contrasting business models of EVSPs which cover statewide, national, or international markets and prioritize customer satisfactions versus IOUs which are monopolies in limited territories, NDC recommended involving EVSPs in providing technical assistance for TEPI.</p>	<p>minimum, ‘basic technical assistance, planning load management and other VGI considerations, help with [12] choosing rates, and support with walking through the IOU energization and/or interconnection process.’ While this is certainly helpful, it does not address all of the significant challenges that will likely be associated with planning construction projects that involve many electrical components, including panels, wiring, conduits, and the EV chargers. Customers may need TA with this construction design aspect and will need to work with both IOUs for TTM components and EVSPs for BTM components.” – OC on SP 12-13. “...in terms of customer support, EVSPs (which are not licensed monopolies) have a much higher incentive to provide a good customer experience, to build their brand and attract and retain customers. Additionally, larger EVSPs that operate statewide, nationwide, and even internationally may be able to provide a more seamless experience for commercial customers with fleets and locations throughout California in different IOU territories.” – OC on SP at 13.</p> <p>“The ME&O component of the program must commit to working with CBOs that are already integrated into low income, minority communities to help design and target their outreach, as well as to partner with and lead educational and informational events. CBOs are especially effective in reaching ethnic minority groups with culturally relevant in-language messaging. ME&O should not only market the FC1 and 2 rebate programs, but should also provide general information on the benefits and long-term value of EVs specifically to underserved</p>	
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<p>--</p> <p>The Final Decision adopts guidelines in the Program Handbook for ME&O administration that incorporate equity concerns, focus efforts toward underserved communities, and working with CBOs, in line with NDC recommendations. The Commission details the scope of ME&O work to include</p>	<p>communities. There is already incentive for EV manufacturers and EVSPs to target marketing resources toward customer groups that are more likely to understand the benefits and afford to use EVs, as that will grow their own revenue. However, there is less incentive for third parties to target low-income, non-English speaking customers that will require more efforts to reach. Targeting ME&O to these groups falls upon the Commission in carrying out their equity mandates to help all Californians transition to cleaner transportation and energy.” – OC on SP at 13-14.</p> <p>“The Commission should partner with established CBOs that focus on job training and employee development in underserved communities. The administrator should establish systems to easily connect IOUs, EVSPs, and partner CBOs with job training organizations to hire workers from within underserved communities. The Commission should also require reporting on how many residents of underserved communities were trained and employed to work in quality jobs on the projects that were funded by rebates.” – OC on SP at 18.</p> <p>--</p> <p>“The Program Handbook development process should establish ME&O administration details to allow for additional stakeholder feedback. Therefore, the Program Administrator shall:</p> <p>...</p> <p>3. Develop a detailed budget that describes the ME&O efforts and directs at least 65 percent of ME&O</p>	
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<p>targeted workforce development efforts.</p> <p>The Final Decision also authorizes IOUs to maintain administration of TA, while providing guidelines for collaboration with EVSP in the Program Handbook, as well as providers of automated load management and demand response. The Decision expands the scope of TA to cover additional necessary EVSE installation steps, as NDC discussed.</p>	<p>funds towards ME&O for underserved communities;</p> <p>4. Work with CBOs, tribal communities, and other stakeholders to reach eligible customers, and to develop material and outreach strategies for underserved communities and other equity targets;”</p> <p>– Decision at 123-124.</p> <p>“We find that the scope of ME&O work should include targeted outreach to: (1) underserved communities; (2) rural communities; (3) small businesses; and (4) tribal communities; and (5) workforce development, job training and placement, and certification organizations... The scope of the ME&O component should largely focus on acquiring FC1 customers and education on charging from the grid and load management options... The annual roundtables should include check-ins on the scope and progress of ME&O to reach targeted customers, garner program participation, effectively educate on load management, and address equity concerns.” – Decision at 125.</p> <p>“NDC stressed the importance of the participation of CBOs in ME&O efforts because they are already integrated into low-income, minority communities and can help design outreach and partner on educational and information events.” – Decision at 127.</p> <p>“We find that CBOs should be a part of the design and implementation of the FC1 program’s ME&O component. We agree that their involvement will improve the effectiveness of ME&O efforts due to CBOs’ extensive experience working closely with various</p>	
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	<p>communities and knowledge of successful outreach practices.” – Decision at 127.</p> <p>“Engagement should, at minimum, involve the following groups: (1) Disadvantaged Community Advisory Group; (2) CBOs that are already integrated into DACs and other underserved communities; (3) non-English speaking community groups; (4) youth groups; and (5) workforce development, job training and placement, and certification organizations.” – Decision at 127-128.</p> <p>“As discussed above, parties generally support increased outreach to underserved communities. More specifically, NDC urges the Commission to increase the budget for ME&O to include general EV education activities targeting underserved communities.” – Decision at 142.</p> <p>“Recognizing stakeholder support for comprehensive equity strategies, we adopt the Staff Proposal’s recommendations along with a requirement that at least 65 percent of ME&O funds be spent towards underserved communities, mirroring the FC1 funding allocation.” – Decision at 143.</p> <p>“Several parties comment that it would be appropriate for EVSPs to have a role in TE along with IOUs, indicating that EVSPs could complement the IOU and Program Administrator functions.” – Decision at 119.</p> <p>“We find it appropriate for the IOUs to maintain administration of TA.” – Decision at 119.</p>	
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	<p>“Additionally, we agree that TA efforts would benefit from the involvement of EVSPs and automated load management (ALM) and DR providers. The Program Handbook development process should determine a clear method for IOU TA engagement with EVSPs and providers of ALM and DR.” – Decision at 121.</p> <p>“We find that the scope of TA services that the Staff Proposal recommends is appropriate, but make several additions based on party comments. TA services shall include, at minimum: (1) basic technical assistance; (2) planning load management and other VGI considerations; (3) help with choosing rates;(4) support with walking through the IOU energization and interconnection process; (5) support and advisory services during planning, installation, and post-deployment; (6) operations post-deployment, like route optimization, load management, and future fleet electrification; and (7) available ALM and DER options to lower deployment costs.” – Decision at 122.</p>	
<p>7. Equity (EQTY)</p> <p>NDC reviewed legislative reports and the allocations in prior TE programs concerning underserved communities. Given the expanded “underserved communities” definition from AB841 and recent TE program decisions, NDC recommended dedicating a majority of TEPI program funds toward underserved communities, and providing focused support for low-income MUDs. These areas are</p>	<p>“With conclusions from the SB 1000 Report that charging ports are severely lacking in densely populated MUD residential areas and the AB 2127 Assessment outlining the need to target public charging investments toward low-income communities and high-population-density neighborhoods, it is clear that FC1 must prioritize low-income MUDs by offering them greater rebates. To the degree that the availability of EV charging influences EV adoption at all, residential charging is far more significant than public or workplace charging. However, it is</p>	

<p>disproportionately occupied by lower-income and minority households, who face the highest financial and informational barriers to EV adoption. While all ratepayers bear the burden of increased rates due to TE programs, the majority of the benefits from EVSE infrastructure will benefit wealthier drivers who can afford EVs, unless TEPI is designed with a special focus on supporting underserved communities.</p> <p>NDC raised concerns regarding rewarding large businesses that cause the majority of pollution in their communities with higher rebates, especially when they profit from their activities and have budgets for fleet upgrades. NDC noted that Fortune 1000 companies should be excluded from participation, and that additional support should only be provided to small businesses which face greater resource constraints in converting fleets to EVs.</p> <p>NDC also noted the erroneous reference to the statutory definition of small businesses, and provided a recommendation for an appropriate legal definition.</p> <p>NDC argued that workforce development is a critical aspect of equity in the TE transition. Underserved community members should be empowered to participate in</p>	<p>much more effective to limit higher rebates to MUDs with a majority of low-income residents, than to simply allow all MUDs located in underserved communities to receive higher rebates. Supporting MUDs that specifically demonstrate having a majority of low-income residents ensures that ratepayer funds are going toward increasing EVSE accessibility and awareness for low-income customers. MUDs that happen to be located in underserved communities could still be newer, modern buildings targeting high-income tenants in areas undergoing gentrification. To provide such MUDs with higher incentives would exacerbate and extend the current inequities of the EV transition.” – OC on SP at 15.</p> <p>“TE programs must prioritize areas that have the most needs, economically, environmentally, and equitably. AB841 identifies those areas as ‘underserved communities’. All prior and current IOU TE programs have confirmed that the need and demand in underserved communities for TE is far greater than initially expected, even when only considering SB350 disadvantaged communities. With the expanded AB841 definition, the Commission has found that a 50 percent investment commitment is both reasonable and achievable. Unless new data from the FC0 programs provides some basis to reconsider the investment level, the Commission should continue to direct at least half, if not more, of EV adoption resources be committed to underserved communities.” – OC on SP at 17.</p> <p>“However, while the Commission must not <i>redefine</i> terms set by statute, the Commission has the responsibility to <i>refine</i> such terms so that they are clear</p>	
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<p>bringing EVSE to their neighborhoods, gain greater understanding of the use and benefits of EV, and increase their financial ability to adopt EVs through high quality job development associated with EV infrastructure deployment. It is equally important that unnecessary burdens are not imposed on worker to participate in EVSE deployment, such as extraneous certifications beyond state licensing for electricians.</p> <p>NDC called for annual reviews of equity progress with clear mechanisms to quickly modify the program, in order to ensure that policies are being effectively implemented to meet goals.</p>	<p>and appropriately implemented in utility programs, in accordance with legislative intent.</p> <p>... For example, the Commission has allowed the exclusion of multi-billion dollar Fortune 1,000 companies that do not need ratepayer subsidies and will not provide direct benefits to underserved customers, even though the business may be located in statutory-defined DACs. Restricting such companies from receiving ratepayer-funded incentives is entirely appropriate and necessary as the Commission fulfills its responsibility to regulate utilities, ensure ratepayer benefits, and implement legislative mandates.</p> <p>Another example would be the Commission refining underserved community provisions to further support low-income households residing in MUDs. Although the entire class of low-income households are not meaningfully adopting EVs and face considerable barriers to increased access, MUD residents also face significant barriers, particularly in accessing at-home charging. Therefore, as a subset, low-income MUD residents face the greatest challenges to EV adoption, and are an appropriate market segment for the Commission to specifically target in modifying and approving provisions in TE programs.” – OC on Equity at 9-10.</p> <p>“...if the Commission were to provide higher MDHD subsidies to some customer groups, they should be reserved for small businesses in underserved communities, as those would be the ones most likely to need additional support.” - OC on SP at 17.</p> <p>“There does not appear to be a section 2800 in the Public Utilities Code. The</p>	
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	<p>California Public Utilities Code goes from sections 2791 to 2799 relating to transferring facilities in mobile home parks to energy utility ownership, then jumps to section 2801-2829 relating to private energy producers.</p> <p>The PD should be corrected to reference a statutory definition for small businesses. NDC recommends PUC 323.5(a)(2), which refers to the “small business” definition used in Government Code section 14837.” – OC on TEPI PD 12.</p> <p>“It is particularly important that TE investments made in underserved communities empower the members of those communities to be a part of bringing the anticipated benefits of enhanced air quality and energy independence. Providing job training on general and TE construction techniques to workers from these communities will allow for greater understanding and acceptance of TE within those areas, along with improved financial ability of residents to adopt EVs.</p> <p>The Commission should avoid unnecessary barriers in TE construction training, to accelerate the development of a skilled workforce that can fulfill the substantial construction schedule necessary to meet California’s ambitious goals. The Electric Vehicle Infrastructure Training Program (‘EVITP’) does not appear to provide additional safety benefits, and creates administrative hurdles that would prevent otherwise qualified electricians from participating in TE programs. State licensing qualifications for electricians are rigorous enough to ensure safety in many EVSE installations which consist of installing a standard 240v plug, such as are routinely used for laundry dryers.</p>	
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	<p>NDC supports ED’s recommendation to maintain recent Commission determinations that EVITP is an unnecessary requirement for electricians. The IOUs can continue to evaluate whether specialized training is necessary as new program designs and technology are deployed. However, any new requirements should be adopted only as appropriate for specific types of activities, not applied broadly even to performing standard electrical work.” – OC on Safety and Tech at 2.</p> <p>“Utility comments demonstrate that state licensed electricians are fully trained to do EVSE installation, and that the nature of TE work ‘does not differ significantly from general electric work.’ Trained and qualified electrical workers are able to shift into TE work ‘with no specific training’, other than readily available training from EVSE manufacturers on installation... most of the over 30,000 state-certified general electricians in California have the necessary skills to construct and maintain electric vehicle infrastructure, and even a small fraction of these certified contractors are sufficient to meet the state’s EVSE deployment goal. With no shortage of qualified electrical workers at the moment, the Commission must ensure that ‘any necessary safety training beyond the State licensing requirements is readily available’ to avoid <i>creating</i> a shortage.</p> <p>The Draft TEF notes that EVITP was not available throughout the service territories of the smaller IOUs, and ChargePoint affirms that ‘EVITP training is not easily accessible throughout the state.’ The Draft TEF also references a 2016 California state oversight agency report which found that ‘occupational licensing hurts those</p>	
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<p>The Final Decision incorporates comments on the Draft TEF as well as on the Staff Proposal, and adopts provisions to prioritize equity in every aspect of the TEPI program. The Commission directs the majority of support to underserved communities by reserving 65 percent of the FC1 budget for underserved communities, along with 65 percent of the ME&O budget.</p> <p>Workforce equity provisions adopted in the Final Decision include provisions for fair pay, training, and diversity, while avoiding unnecessary certification requirements, in line with NDC’s comments.</p> <p>The Final Decision limits light-duty vehicle rebates only to MUDs and MUD-serving locations, and allows higher rebates for low-income MUDs, in line with NDC arguments to direct funding where it is needed most. Low-income MUDs are identified as those with majority of residents at or below 80 percent of average median income.</p> <p>In line with NDC recommendations Fortune 1000 corporations are prohibited from participation regardless of where they are located, MDHD rebates will provide additional support for small businesses, and small businesses must be defined in accordance with Pub Util Code section 323.5(a)(2).</p>	<p>“Since the release of the Draft TEF, the Legislature provided additional direction for TE funding in underserved communities through AB 841. More recently, the Commission adopted requirements for IOU TE programs to increase funding for customers in underserved communities, requiring that up to 50 percent of all investments be in underserved communities. The Staff Proposal’s revised recommendations concerning equity and underserved communities consider parties’ comments on the Draft TEF, as well as goals one, two, five, and nine of the Commission’s Environmental and Social Justice Action Plan.</p> <p>This decision prioritizes equity in every aspect of the TE programs it approves. As discussed below, we reserve at least 65 percent of the FC1 budget for underserved communities, along with 65 percent of the ME&O budget. ME&O must include targeted outreach to underserved and rural communities, small businesses, and tribal communities.” – Decision at 130.</p> <p>“We also limit the LD rebates available in FC1 to only MUDs and MUD-serving locations to ensure that these funds are used where they are most needed. Low-income MUDs can qualify for higher LD rebates.” – Decision at 131.</p> <p>“we direct that that contractors in the FC1 program meet certain provisions including paying workers the prevailing wage, developing training standards, and ensuring workforce diversity.” – Decision at 132.</p> <p>“This decision directs that an annual equity roundtable be held where stakeholders evaluate how well the</p>	
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<p>The TEPI program also includes requirements for an annual equity roundtable and evaluation of progress on equity goals at the Mid-Cycle assessment.</p>	<p>program is meeting its equity goals. At the mid-point of the FC1 program, the Commission shall conduct a Mid-Cycle Assessment that will review and analyze equity considerations...” – Decision at 132.</p> <p>“NDC argues for limiting higher rebates to MUDs with a majority of low-income residents, rather than also allowing MUDs located in underserved communities to qualify for higher rebates.” – Decision at 134.</p> <p>“We adopt higher LD rebates for only one customer type in the proposal: MUDs with a majority low-income residents, defined as those customers with incomes at or below 80 percent of the AMI. In response to persuasive arguments from TURN, GRID, Greenlining, Cal Advocates, and NDC, this decision does not authorize higher rebates for all MUDs in DACs and MUD-serving public locations. Certain sites in DACs may not serve underserved communities or low-income residents, primarily or at all. Providing higher LD rebates only to MUDs with 50 percent or more low-income residents increases accessibility to TE for low-income utility customers. Further, higher rebates should primarily benefit low-income residents and not contribute to potential displacement of low-income residents. We also agree with the proposed 80 percent of the AMI income threshold because this would better target low-income customers and accounts for income variances across the state.” – Decision at 134-135.</p> <p>“NDC also supports more targeted support for smaller fleets/small businesses.” – Decision at 136.</p>	
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	<p>“We authorize higher MDHD rebates for customers in DACs because DACs suffer from poor air quality and the MDHD sectors have a disproportionate effect on air quality... we prohibit Fortune 1000 corporations-operating in DACs or elsewhere-from receiving any FC1 rebates because these large corporations do not require additional TE incentives funded by ratepayers.” – Decision at 137.</p> <p>“Following stakeholder feedback, the Program Handbook shall develop approaches to better target these customers and provide definitions for small fleets and small businesses. At minimum, the definitions shall incorporate the definition of small business contained in Public Utilities Code Section 323.5(a)(2).” – Decision at 137.</p> <p>“In contrast, Cal Advocates, AEE, CSE, NDC, Greenlining, and TURN recommend at least a 50 percent allocation to support communities affected by both poverty and pollution. Instead of the Staff Proposal’s 50 percent recommendation, we adopt a minimum FC1 funding allocation of 65 percent for underserved communities. Parties present convincing arguments that the proposed 50 percent requirement is the bare minimum the Commission should consider. We are persuaded that this increased allocation better serves the state’s EV adoption goals, supports communities confronting greater barriers to EV adoption, and promotes equity, particularly given the extremely low level of EV adoption in underserved communities to date. Further, the 65 percent minimum requirement more effectively advances</p>	
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	<p>the goals of the Commission’s Environmental and Social Justice Action Plan.” – Decision at 138-139.</p> <p>“The Staff Proposal recommends that the IOUs and Program Administrator host an annual equity roundtable to review the progress of the FC1 program in addressing equity considerations. Several parties support hosting an annual equity roundtable... NDC argues annual reviews, along with a mechanism to quickly implement program modifications, would be beneficial to measure and realize public benefits anticipated from the investments.” – Decision at 139-140.</p> <p>“With parties’ support, we adopt a requirement that the Program Administrator host an annual roundtable addressing equity. We discuss the requirements for the annual roundtable in Section 4.2.5. The annual review process, coupled with a mechanism to modify certain program elements, promotes equity considerations by allowing the Commission and stakeholders to measure the program’s success and make any necessary changes. Instead of the Staff Proposal’s recommendation to host a TE data summit and a separate equity roundtable, we consolidate these events into one annual roundtable to account for interrelated topics, such as data on the program’s equity components and rebate levels.” – Decision at 140.</p> <p>“NDC provides the following recommendations: (1) the Commission should partner with established CBOs focused on job training and employee development in underserved communities; (2) the Program Administrator should establish systems</p>	
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	<p>to connect the IOUs, EVSPs, and partner CBOs with job training organizations to hire workers from underserved communities; and (3) require data collection and reporting on the number of residents in underserved communities trained and employed in quality jobs related to the program.” – Decision at 144.</p> <p>“We adopt program goals, requirements, and implementation strategies to help ensure TE investments create high-quality jobs, facilitate access to these jobs for targeted populations, and address the need for a skilled, trained, and diverse workforce.” – Decision at 145.</p> <p>TEPI requirements for contractor eligibility to install EVSE and for inclusion as an approved contractor on the program website include reasonable criteria, and do not include EVITP certification. <i>See</i> – Decision at 145-146.</p>	
<p>8. Priority Segments (PRTY)</p> <p>In order to maximize benefits and minimize costs, NDC argued that areas with the most demonstrated and proven need for TE support should be prioritized. Areas with untested benefits such as “MUD-service locations” should receive lower funding until data demonstrates the benefits.</p> <p>NDC opposed dedicating the majority of TEPI funding for commercial customers with MDHD vehicles, as such</p>	<p>“Therefore, incentives for public MUD supporting chargers should be used cautiously, and not prioritized as highly as charging at low-income MUDs. The Commission can review data from IOU FC0 programs to refine the metrics to identify effective MUD-serving locations and to set reasonable rebate levels for these areas in FC1.NDC supports offering the highest rebates in FC1 for charging infrastructure located at MUDs with mostly low-income residents. Next, public charging at locations that serve low-income MUDs should be offered extra incentives, informed by FC0 results. Other MUDs that cannot demonstrate housing mostly low-income tenant should not receive</p>	

<p>participants produce a disproportionate amount of pollution and profit from it, should not be rewarded with extra ratepayer money for such behavior, and would gain significant benefits from TE that justify investing their own funds anyway. For any MDHD included in TEPI, NDC advised a requirement for businesses to adopt at least one EV per EVSE port received, to ensure that ratepayers actually receive some benefit from the substantial financial incentive they provide.</p> <p>NDC recommended that the LD sector should receive at least 50 percent of TEPI funding, if not the majority.</p> <p>Because workplaces already show robust interest and market uptake with TE, much more so than the residential or commercial sectors, and work from home trends are changing, NDC recommended removing workplace from participation in TEPI entirely, or limiting participation to small businesses which face greater resource constraints when converting fleets to EVs.</p>	<p>higher rebates. No rebates should be offered for workplace charging, but if any is set aside, it should be exclusively for small businesses, and set lower than the incentives for MUDs.” – OC on SP at 16.</p> <p>“In principle, NDC disagrees with dedicating the majority of rebate funding to MDHD charging. As discussed previously, commercial and industrial businesses that operate MDHD vehicles are profiting from their air polluting activities, have budgets to replace and upgrade their vehicles, and will gain valuable benefits from electrification including reduced fuel costs and ‘green’ brand image.” – OC on SP at 19.</p> <p>“If MDHD electrification is able to result in greater benefits per dollar, that would be a compelling reason to divert substantial funds to that sector. This information is not provided in the New SP and likely varies based on the class of vehicles and application. Therefore, in light of the arguments for fairness and need for supporting low-income residential EV adoption, the responsibility, resources, and benefits to businesses of electrification, and taking into account the higher per port and per vehicle costs of MDHD electrification, NDC recommends allocating at least 50 percent of funds for LD residential TE rebates.” – OC on SP at 19.</p> <p>“The FC1 program should require that for every MDHD charger port installed, one MDHD EVs must be purchased. No ratepayer benefits will accrue if actual EVs are not purchased and used by customers. With effective charging schedules, considerably more than one MDHD EV could potentially utilize</p>	
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<p>arguments for greater LD rebate allocation were reasonable.</p> <p>The Commission adopts NDC arguments to target MUDs and MUD-serving locations, as well as to prioritize support for small businesses. The Commission also adopts NDC's recommended requirement that businesses adopt one EV per EVSE rebate received.</p>	<p>least 50 percent of total rebates—arguing that commercial and industrial customers operating MDHD vehicles profit from air polluting activities, have budgets to replace and upgrade vehicles, and receive brand and fuel cost benefits from fleet electrification.” – Decision at 154.</p> <p>“We adopt the Staff Proposal’s recommended allocation of 70 percent of FC1 funding for the MDHD sectors and 30 percent of FC1 funding for the LD sector. Parties present reasonable arguments for increasing the LD allocation; however, we are more convinced by arguments for increased near-term funding for the MDHD sectors, which have historically received less Commission funding than the LD sector, and which provide greater air quality benefits.” – Decision 154-155.</p> <p>“NDC asserts the Staff Proposal offers reasonable guidance to identify MUD-serving public locations.” – Decision at 156-157</p> <p>“...we find that MUDs and MUD-serving public locations are most critical to target due to the widespread lack of access to chargers for MUD residents. The CEC’s initial AB 2127 Charging Assessment supports this finding. We also agree that the Program Handbook should adopt a definition of MUD-serving public locations, following stakeholder feedback.” – Decision at 157.</p> <p>“NDC proposes prioritizing small businesses.” – Decision at 159.</p> <p>“Cal Advocates and NDC additionally recommend conducting a cost-benefit analysis to identify pollution reduction</p>	
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	<p>opportunities with the lowest ratepayer costs.” – Decision at 160.</p> <p>“We direct the Program Administrator to prioritize small fleets because, as parties argued, they often lack the resources needed to electrify. The Program Handbook shall define ‘small fleets’ and propose a process to prioritize them.” – Decision at 160.</p> <p>“In order to ensure ratepayer benefits, NDC proposes requiring the purchase of one MDHD EV for every MDHD charger port installed, with possible exceptions for government agencies and entities that purchase a large number of charger ports and EVs. EDF rebuts NDC’s proposal by arguing that many businesses have multiple EVs utilize a single charger and that a purchase requirement may effectively prevent small businesses from participating in the program.</p> <p>We find merit in parties’ positions on both sides of the issue. However, to ensure FC1 rebates provide ratepayer benefits by encouraging the purchase and use of EVs, we adopt an MDHD EV purchase requirement. We require a minimum of one EV purchase, lease, or retrofit per charging port rebate.” – Decision at 162.</p>	
<p>9. Technology and Market Developments (TECH)</p> <p>NDC discussed the need to ensure that EVSE eligibility requirements are flexible enough to support developments in technology and evolving business models.</p>	<p>“PAC meetings are a good opportunity to address developments in the market and technology. However, in order to effectively implement necessary changes, the Commission should specify what steps the PAC can and should take if the administrator or the IOUs do not appropriately respond to PAC guidance.” – OC on SP at 22.</p>	

<p>Incorporation new technologies and business models to participate in TEPI will allow more customer choice and market innovation. The TEPI needs to provide consistency and simplicity in the process of qualifying new EVSE providers.</p> <p>NDC recommended using the Program Advisory Council (“PAC”) to address tech developments and modify eligibility standards. NDC requested clarification on pathways for the PAC to address administrator or IOU responses to PAC guidance. NDC also recommended alignment with the CEC’s process to promote consistency and coordination between TE programs.</p> <p>--</p> <p>The Final Decision aligns the TEPI qualification process with the CEC process, and authorizes the IOUs to add new</p>	<p>“Consistency and simplicity in qualifying EVSE will encourage more EVSPs to participate, allow customers more choice, and support market innovation. NDC supports using a qualification process that aligns with the CEC’s process, and additional streamlined review for any EVSE that have been qualified for use in prior CPUC or CEC TE programs. The PAC should review and revise qualifications as the market and technology develops, and the Administrator should ensure that previously qualified EVSE continue to meet evolving standards.” – OC on SP at 22.</p> <p>“Any new technology or business models that provide EV charging should be generally eligible for rebates. The Commission should keep eligibility requirement minimal, with preferred technologies and models that provide greater grid and public benefits encouraged through higher incentives, as discussed previously. Customers should be allowed to evaluate new technologies and models for what best fits their needs and will be motivated to find the best value since they still need to invest some of their own funds. TA programs should be continually updated in order to help customers evaluate different technologies to decide what will be the best long-term value.” – OC on SP at 23.</p> <p>--</p> <p>“NDC requests clarification from the Commission as to what actions the PAC can and should take if the administrator or the IOUs do not appropriately</p>	
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<p>EVSE that meets the technical requirements to the eligibility list on a rolling basis. The annual and mid-cycle evaluations will also address issues with technology developments and implementation.</p>	<p>respond to PAC guidance.” – Decision at 166.</p> <p>“NDC supports alignment with the CEC process, but indicates that review and revision of qualifications is necessary as the market and technology develops to ensure that previously qualified EVSE continue to meet evolving standards.” – Decision at 182.</p> <p>“We find that alignment of the Commission’s EVSE qualification process for LD and MDHD EVSE with the CEC’s process is warranted for administrative efficiency and to harmonize program requirements. The product list should additionally aim to align with other state and federal charging requirements, where appropriate. The Program Administrator shall manage the approved product list and ensure that the list is accessible through the program website. The IOUs should qualify EVSE on a rolling basis and automatically add equipment to the product list if it meets all of the technical requirements.” – Decision at 182.</p> <p>“NDC comments that TA programs should be continually updated in order to help customers evaluate different technologies.” – Decision at 186.</p> <p>“We acknowledge the need for program flexibility and adopt annual roundtables and the Mid-Cycle Assessment to allow stakeholders the opportunity to flag any concerns with the implementation of the FC1 program.” – Decision at 186.</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, TURN, UCAN		
d. Intervenor's claim of non-duplication: <p>Cal Advocates, TURN, and UCAN are respected and strong advocates for the interests of ratepayers generally. As such, their positions often align with those of NDC on certain issues.</p> <p>Although NDC works and coordinates with other ratepayer advocate parties, they do not represent the same minority, low-income communities as NDC does, and do not have the same direct grassroots involvement in those communities that NDC has. The arguments of other parties, even for the same outcomes, are not based on the same understanding and expertise gained from direct service to and input from low-income and minority ratepayers that NDC brings to CPUC proceedings. NDC contributes a distinct perspective on the needs of underserved communities, gained through grassroots engagement and experience, which helps inform and lend credibility to Commission decisions.</p> <p>NDC made reasonable efforts to coordinate with parties who had similar positions and concerns, in order to reduce duplication, and allow other parties to speak from their experience and expertise, while presenting our own unique perspective as community leaders. Therefore, while other parties may have had positions that were compatible or similar to NDC, our perspectives and goals were necessarily differentiated, and were supplemented, not duplicated, by efforts toward common goals.</p> <p>Additionally, NDC represents a coalition of dozens of different community-based organizations with many more affiliate organizations. In order to effectively communicate case developments and receive member feedback on positions, a significant number of discussions must take place. Only a small fraction of those numerous meetings is included in our records, and only the portion of time during those meeting that are directly relevant to the instant</p>		

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.

<p>case are recorded in our timesheets. Time we record as “Coordination” is more than simply avoiding duplication among parties, and should all be eligible for compensation.</p> <p>The Commission should find that to the extent that NDC is claiming compensation for any overlapping efforts that may have occurred, it served to supplement, complement, or contribute to the presentation of issues by another party, consistent with Cal Public Utilities Code Section 1802.5.</p>	
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C. Additional Comments on Part II: (use line reference # or letter as appropriate)

#	Intervenor’s Comment	CPUC Discussion

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

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

	CPUC Discussion
<p>a. Intervenor’s claim of cost reasonableness:</p> <p>NDC is seeking \$215,075.09 as the reasonable cost of our participation in this proceeding. Our analysis and recommendations in over 17 filings on the numerous issues to consider on multiple proposals in a proceeding that has spanned 5 years helped the Commission to refine the final Transportation Electrification Policy and Investment statewide program adopted in this proceeding.</p> <p>For the most part, NDC cannot calculate precisely the exact monetary benefits to ratepayers from these advocacy efforts, given the nature of the issues addressed and the fact that policies and projects have yet to be fully implemented. However, NDC has participated actively in this proceeding, provided research, analysis, and recommendations in filings, engaged in hearings and workshops, and coordinated with other parties. As such, our requested compensation is appropriate for the contributions we have made to the record and to the decision, and should be found reasonable.</p>	
<p>b. Reasonableness of hours claimed:</p> <p>This claim for compensation includes 457.05 total hours for NDC attorneys and experts. NDC submits that this is a reasonable amount of time, given</p>	

<p>the wide breadth and scope of the issues that needed to be examined to develop the final decision. The hours claimed were devoted to research and analysis, review of proposals and filings, drafting comments, and participation in workshops, conferences, and meetings, as well as other procedural matters.</p> <p>As this was a complicated and long-term proceeding, NDC Director of Legal Advocacy/CommLegal General Counsel Tadashi Gondai took charge of the case. With his expertise in TE matters and experience with the proceeding from the start, it was efficient to have Mr. Gondai retain primary responsibility over the case.</p> <p>NDC has made considerable voluntary reductions for time spent investigating issues and developing recommendations that were ultimately not pursued or were not addressed in our filings. We reduced for time spent on internal discussions of advocacy issues and concerns that were only generally related to this proceeding but not tied to specific issues. We have also omitted hours spent on matters that did not substantially contribute to the final decision.</p> <p>NDC submits that the requested hours are reasonable, both for each attorney and expert, and in the aggregate. Therefore, NDC seeks compensation for all hours submitted in this claim.</p> <p><u>Compensation Request Preparation Time:</u></p> <p>NDC is requesting compensation for 22.75 hours devoted to the preparation of the compensation request, and .75 additional hours for the preparation of the initial Notice of Intent to Claim Compensation. This number of hours is reasonable in light of the significant amount of material from over 4 years which needed to be reviewed in preparing this claim.</p> <p>Mr. Gondai reviewed timesheets, filings, rulings, comments, emails and decisions in order to properly allocate time by issue. He also reviewed I-Comp claim procedures and prior I-Comp decisions, as well as newly revised hourly rate qualifications and guidelines.</p> <p>The Commission should find that the hours claimed are reasonable.</p>	
<p>c. Allocation of hours by issue:</p> <p>Effective Participation (EP) 19.8%: time and effort not tied to single specific issues but which was nonetheless essential for effective participation, such as analyzing testimony and proposals for relevant issues, reviewing other party filings, and discussing positions and strategy.</p> <p>Procedural Matters (PROC) 8.5%: time and effort spent preparing for</p>	

<p>and engaging in conferences and hearings, researching and advocating for legal standards, and addressing other procedural requirements.</p> <p>Coordination (COOR) 4.3%: time and effort spent coordinating with other parties and organizations, discussing proposals and arguments, planning strategy, engaging in settlement negotiations, or reducing duplication while supplementing common positions.</p> <p>Research (RSCH) 11.7%: time and effort spent obtaining and analyzing relevant information, for example similar or related programs and policies, demographic information, scientific and academic studies, or technological developments.</p> <p>Draft TEF (DRFT) 15.4%: analysis and discussion on the Draft TEF which influenced the discussion and design of the TEPI directly and indirectly, by outlining main issues, developing the record, and focusing priorities.</p> <p>Funding Cycle (FC) 3.4%: analysis and discussion regarding the overall design of TEPI based on funding cycles, the transition period between cycles, additional application pathways, and evaluation periods.</p> <p>TEPI Funding and Budget (FUND) 9.2%: analysis and discussion regarding total budget for the TEPI program, caps for specific expenditures, funding contributions and distributions, and rate recovery.</p> <p>Rebate Structure (RBTE) 1.5%: analysis and discussion regarding setting the appropriate amount, targeting higher incentives to priority segments, declining and modifying rebates during the program, and interaction with other rebate programs.</p> <p>ME&O and Technical Assistance (ME&O) 1.3%: analysis and discussion regarding TEPI specific outreach and general education on EV benefits, workforce development, partnerships with CBOs, and adequate administration and scope of TA, especially to promote equity and engagement with underserved communities.</p> <p>Equity (EQTY) 20.6%: analysis and discussion regarding communities facing the greatest barriers to EV adoption, eligibility of businesses that are wealth and significant sources of pollution, support for small businesses, workforce development in underserved communities, and evaluation of equity goals.</p> <p>Priority Segments (PRTY) 3.1%: analysis and discussion regarding focus on low-income MUDs first, then MUD-serving locations, followed by small businesses and other MDHD fleets with EV adoption requirements, and excluding workplaces</p> <p>Tech Developments (TECH) 1.0%: analysis and discussion regarding provisions to allow incorporation of new EVSE technology and business model developments.</p> <p>EP – 19.8%</p> <p>PROC – 8.5%</p> <p>COOR – 4.3%</p> <p>RSCH – 11.7%</p>	
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DRFT –	15.4%	
FC –	3.4%	
FUND –	9.2%	
RBTE –	1.5%	
ME&O –	1.3%	
EQTY –	20.6%	
PRTY –	3.1%	
TECH –	1.0%	
Total: 100% (+/- due to rounding)		

B. Specific Claim:*

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hour s	Rate \$	Total \$
Tadashi Gondai	2019	51.25	\$350	D.20-11-009	\$17,937.50			
Tadashi Gondai	2020	217.20	\$360	D.21-12-013	\$78,192.00			
Tadashi Gondai	2021	57.35	\$545	D.22-01-010	\$31,255.75			
Tadashi Gondai	2022	127.75	\$619.50	See Comment #1	\$79,141.13			
Faith Bautista	2019	0.5	\$180	D.22-06-019	\$90.00			
Faith Bautista	2020	1.00	\$185	D.22-06-049	\$185.00			
Faith Bautista	2021	.75	\$442.37	See Comment #3	\$331.78			
Faith Bautista	2022	1.25	\$451.75	See Comment #4	\$564.69			
Subtotal: \$207,697.85						Subtotal: \$		
OTHER FEES								
Describe here what OTHER HOURLY FEES you are Claiming (paralegal, travel **, etc.):								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hour s	Rate	Total \$

Subtotal: \$0						Subtotal: \$		
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate	Total \$
Tadashi Gondai	2019	0.75	\$175	\$350/2 See Comment #1	\$131.25			
Tadashi Gondai	2023	22.75	\$318.51	\$637.01/2 See Comment #2	\$7,245.99			
Subtotal: \$7,377.24						Subtotal: \$		
COSTS								
#	Item	Detail			Amount	Amount		
Subtotal: \$0						Subtotal: \$		
TOTAL REQUEST: \$215,075.09						TOTAL AWARD: \$		
<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 BAR ³	Member Number	Actions Affecting Eligibility (Yes/No?) If “Yes”, attach explanation
Tadashi Gondai	Dec 3, 2010	CA Bar No. 273186	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	Timesheets of Attorneys
Comment 1	<p>Mr. Gondai has a currently pending request for a 2022 rate of \$619.50/hr in Intervenor Compensation claims for NDC in proceedings R.21-03-010, R.20-09-001, and R.20-08-021. We provide the justification for that rate request again here for the convenience of the Commission, along with justification that takes into account the subsequently available 2022 Hourly Rate Chart.</p> <p>--</p> <p><i>D.22-01-010 found that Mr. Gondai qualified as a Legal Director, and as of 2021 had 5 years’ experience as NDC’s Director of Legal Advocacy and an additional 5 years’ experience as a practicing attorney. Mr. Gondai served as Director of Legal Advocacy at NDC since 2016, during which time he oversaw and actively participated in dozens of CPUC proceedings, including every General Rate Case filed by the large IOUs, which gave him a full 5 years of Legal Director experience by 2021, placing him at the highest end of the Level II rate tier.</i></p> <p><i>Additionally, in October 2020, Mr. Gondai founded the 501(c)(3) non-profit advocacy organization Community Legal Services (“CommLegal”), which provides advocacy and representation on behalf of underserved communities before regulatory institutions, including the CPUC. From 10/2020 to 10/2021, he served concurrently as NDC’s Director of Legal Advocacy, maintaining active participation in all their CPUC proceedings, as well as CommLegal’s CEO and General Counsel, during which time CommLegal navigated all the necessary administrative, regulatory, and financial processes to become fully established and operational. Mr. Gondai recruited 2 additional attorneys into CommLegal’s team in June 2021. Since 10/2021, Mr. Gondai separated from NDC and has worked exclusively as CommLegal’s CEO and General Counsel,</i></p>

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

	<p><i>overseeing all executive and legal activities of CommLegal, including providing strategic direction, coordinating and supervising the legal team, participating in the most complex CPUC proceedings on behalf of clients such as NDC, and overseeing case assignments, hiring, supervision, professional development of staff, and budgeting.</i></p> <p><i>According to the Hourly Rate Chart implemented by Resolution ALJ-393, the rate range for Legal Director II (2-5 years) is \$333.01 to \$572.51. For a Legal Director III (5 – 10 years), the rate range is \$396 to \$673. This odd division of rates between Tiers II and III creates a peculiar contradiction when applied to Legal Directors with 5 years of experience. As described above, when Mr. Gondai was at the 5 years level of Legal Director experience in 2021, he was exceedingly experienced, having had 5 years as NDC's Legal Director, 10 years as a practicing attorney, and also concurrently establishing and leading a new legal non-profit as CEO and General Counsel. He was clearly qualified to receive the high-end Legal Director II rate of \$572.51.</i></p> <p><i>However, D.22-01-010 considered Mr. Gondai's experience and 5 years as Legal Director in light of the Tier III range and authorized a rate of \$520. Applying the first 5% step increase brought this rate to \$545.</i></p> <p><i>Now, in determining Mr. Gondai's 2022 rate, we request that the Commission consider the \$572.51 rate for a Legal Director II with 5 full years of experience which Mr. Gondai had satisfied in 2021, and approve a modest increase for 2022 to \$590 to reflect his ample additional experience from not only an additional year of active practice before the CPUC, but also from establishing a new community advocacy organization and recruiting, training, and leading a new legal team. We also request application of the second 5% step increase for Mr. Gondai in the Legal Director III level, authorized in ALJ-393, Finding 6 and D.07-01-009. This would bring Mr. Gondai's 2022 rate to $\\$590 \times 1.05 =$ \$619.50</i></p> <p><i>If for any reason the Commission is not inclined to grant our request, Mr. Gondai's 2022 rate should be determined in accordance with the new annual escalation methodology described in ALJ-393. The updated 2022 ICOMP Hourly Rate Chart is not yet available on the Commission's website. When the 2022 rate for Mr. Gondai is determined, NDC requests applying the second 5% step increase within the Legal Director Tier III level as authorized in ALJ-393, Finding 6 and D.07-01-009.</i></p> <p><i>--</i></p> <p><i>Since previously submitting our request for Mr. Gondai's 2022 rate, the Commission has issued a new Hourly Rate Chart with revised rates for 2022. The new rates indicate that in 2022, a Legal Director Level II with 2-5 years of experience would earn a high rate of \$587.29/hr. The adopted increase in the new rate chart is in line with our requested increase for Mr. Gondai's 2022 rate</i></p>
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	<p><i>(\$590/hr), further showing the reasonableness of our assessments of Mr. Gondai's appropriate rate. Mr. Gondai should have received the Level II Legal Director high rate in 2021, and that rate should be used when determining annual adjustments for 2022 and beyond. Therefore, in light of the revised Hourly Rate Chart for 2022, NDC renews our request for a 2022 rate for Mr. Gondai of \$590/hr, and the application of the second 5% step increase, bringing his 2022 rate to \$619.50.</i></p> <p><i>If the Commission is still not inclined to grant NDC's reasonable request for Mr. Gondai's 2022 rate based on an appropriate 2021 rate of \$572.51, NDC requests in the alternative an increase to his \$545/hr rate approved in D.22-01-010, in line with the new hourly rate chart. Between 2021 and 2022, the low, median, and high rates for Legal Director Level III all increased by \$17.51. Increasing Mr. Gondai's rate by the same would bring him to \$562.51. Applying the second 5% step increase would bring his 2022 rate to \$590.64.</i></p>
Comment 2	<p>As discussed in Comment 1 above, Mr. Gondai's 2022 rate has yet to be determined by the Commission. Once Mr. Gondai's 2022 rate is set, NDC requests that the Commission approve a 2023 rate for Mr. Gondai based on his approved 2022 rate and escalated according to the methodology in ALJ-393.</p> <p>For 2023, Mr. Gondai's should receive between the Median and High rate for a Legal Director III, \$546.70 - \$690.76. Based on our prior justification for a 2022 rate of \$619.50 and the prior Rate Chart annual increase between 2021 and 2022 for Legal Directors of \$17.51, we request a 2023 rate of \$637.01. A consistent annual increase of approximately \$17.51 within the Legal Director III level is also reasonable, as it will align Mr. Gondai's rate with the current High rate by the time he has 10-years experience as a legal director in 2026.</p>
Comment 3	<p>Ms. Bautista has a currently pending request for a 2021 rate of \$442.37/hr in Intervenor Compensation claims for NDC in proceedings R.18-07-006 and R.20-08-022. We provide the justification for that rate request again here for the convenience of the Commission.</p> <p><i>For Ms. Bautista's 2021 hourly rate, NDC requests the application of rates for an Executive Director, Level V.</i></p> <p><i>Ms. Bautista has been President and CEO of the National Asian American Coalition ("NAAC") since 2004 and CEO of NDC since 2015. She provides overall guidance and direction to these 501(c)(3) non-profit public benefit corporations through active leadership and management. She is a spokesperson for NAAC and NDC, and she has been involved in community advocacy and outreach for more than 25 years.</i></p>

	<p><i>Ms. Bautista is responsible for the success of special events, community outreach initiatives, and fundraising activities, including an annual advocacy trip to Washington D.C. Last year, the NDC delegation consisted of more than fifty community, faith-based, and non-profit leaders from the nation's leading Asian, Hispanic, and African American groups, as well as major women-oriented businesses and non-profits. NDC leaders held meetings with key elected officials, government regulators, and Federal agency heads and senior officials, including: the Chairman of the FDIC Jelena McWilliams, DOJ Assistant Attorney General Makan Delrahim, Speaker of the House of Representatives Nancy Pelosi, and Comptroller of the Currency Joseph Otting, among many other regulators and legislators on the important issues affecting LMI communities in California and nationwide.</i></p> <p><i>Ms. Bautista also leads NDC's annual Town Hall Meetings in Washington D.C. Last year, over one hundred participants joined the town hall to hear wide-ranging discussions on sustainable homeownership, access to capital, corporate social responsibility, the new Community Reinvestment Act and economic empowerment. Panelists included key government officials and corporate executives, such as: Comptroller of the Currency Joseph Otting, Director of Federal Housing Finance Agency Dr. Mark A. Calabria, Director of Consumer Financial Protection Bureau Kathy Kraninger, Deputy to the Chairman of the FDIC Leonard Chanin, Senior Deputy Comptroller for Bank Supervision at the Office of the Comptroller of the Currency Grovetta Gardineer, Charter Communications VP of Metrics and Reporting Jeffrey Buller, and Associate Administrator for the Office of Capital Access at the U.S. Small Business Administration William Manger.</i></p> <p><i>Ms. Bautista has a BS in Business Administration from the Philippine School of Business Administration and has participated in several business and management leadership programs including at Wharton and Harvard.</i></p> <p><i>The experience level for an Executive Director, Level V is 15+ years. As Ms. Bautista has 17 years' experience as an Executive Director and over 25 years of related experience, NDC requests the High Level V Executive Director rate of \$442.37 for 2021.</i></p>
<p>Comment 4</p>	<p>Ms. Bautista has a currently pending request for a 2022 rate of \$451.75/hr in Intervenor Compensation claim for NDC in proceeding R.18-07-006 and R.20-09-001. We provide the justification for that rate request again here for the convenience of the Commission.</p> <p><i>For 2022, Ms. Bautista's 2022 rate should be determined in accordance with the new annual escalation methodology described in ALJ-393. The updated 2022 ICOMP Hourly Rate Chart is not yet available on the Commission's website. When the 2022 rate for Ms. Bautista is determined, if the Commission approves</i></p>

	<p><i>a rate that is below the maximum for her Executive Director level, NDC requests the application of the first 5 percent step increase within that level, as authorized in ALJ-393, Finding 6 and D.07-01-009.</i></p> <p><i>In the interim, NDC applies the same 2022 rate for Ms. Bautista as we are requesting for her 2021 rate.</i></p> <p><i>Resolution ALJ-393 requires intervenors to submit, in their first claim seeking compensation for work completed in 2021 and beyond, updated labor roles and resumes pursuant to Section 1804(c). Ms. Bautista has a currently pending request for a 2021 rate of \$442.37/hr in Intervenor Compensation claims for NDC in proceedings R.20-08-022 and R.21-03-010.</i></p> <p><i>--</i></p> <p><i>Since previously submitting our requests for Ms. Bautista's 2022 rate, the Commission has issued a new Hourly Rate Chart with revised rates for 2022. Therefore, we request High Level Executive Director V rate of \$451.75/hr for 2022 for Ms. Bautista.</i></p>

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 (see Rule 14.6(c)(6))?	
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If not:

Party	Comment	CPUC Discussion

(Green items to be completed by Intervenor)

FINDINGS OF FACT

1. [NATIONAL DIVERSITY COALITION] [has/has not] made a substantial contribution to D.22-11-040.
2. The requested hourly rates for [NATIONAL DIVERSITY COALITION]'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. [NATIONAL DIVERSITY COALITION] shall be awarded \$_____.
2. Within 30 days of the effective date of this decision, _____ shall pay [NATIONAL DIVERSITY COALITION] the total award. [for multiple utilities: "Within 30 days of the effective date of this decision, ^, ^, and ^ shall pay [NATIONAL DIVERSITY COALITION] 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 [NATIONAL DIVERSITY COALITION]'s request, and continuing until full payment is made.

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

Dated _____, at San Francisco, California.

APPENDIX

Compensation Decision Summary Information

Compensation Decision:		Modifies Decision?	
Contribution Decision(s):	D.22-11-040		
Proceeding(s):	R.18-12-006		
Author:			
Payer(s):			

Intervenor Information

Intervenor	Date Claim Filed	Amount Requested	Amount Awarded	Multiplier?	Reason Change/Disallowance
[NATIONAL DIVERSITY COALITION]	1/20/2023	\$215,075.09		N/A	

Hourly Fee Information

First Name	Last Name	Attorney, Expert, or Advocate	Hourly Fee Requested	Year Hourly Fee Requested	Hourly Fee Adopted
Tadashi	Gondai	Attorney	\$619.50	2022	
Tadashi	Gondai	Attorney	\$637.01	2023	
Faith	Bautista	Expert	\$442.37	2021	
Faith	Bautista	Expert	\$451.75	2022	

(END OF APPENDIX)