

**PUBLIC UTILITIES COMMISSION**505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102-3298**FILED**

05/26/23

01:19 PM

A2007008

May 26, 2023

**Agenda ID #21640**  
**Ratesetting**

TO PARTIES OF RECORD IN APPLICATION 20-07-008:

This is the proposed decision of Administrative Law Judge Jungreis. Until and unless the Commission hears the item and votes to approve it, the proposed decision has no legal effect. This item may be heard, at the earliest, at the Commission's June 29, 2023 Business Meeting. To confirm when the item will be heard, please see the Business Meeting agenda, which is posted on the Commission's website 10 days before each Business Meeting.

Parties to the proceeding may file comments on the proposed decision as provided in Rule 14.3 of the Commission's Rules of Practice and Procedure. Electronic copies of comments should also be sent to the Intervenor Compensation Program at **[Icompcoordinator@cpuc.ca.gov](mailto:Icompcoordinator@cpuc.ca.gov)**.

/s/ MICHELLE COOKE

Michelle Cooke

Acting Chief Administrative Law Judge

MLC:mph

Attachment

Decision **PROPOSED DECISION OF ALJ JUNGREIS** (Mailed 5/26/2023)

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

Application of Southern California Edison Company (U338E) for Authority to Securitize Certain Costs and Expenses Pursuant to Public Utilities Code Section 850 et seq.

Application 20-07-008

**DECISION GRANTING COMPENSATION TO WILD TREE FOUNDATION FOR SUBSTANTIAL CONTRIBUTION TO DECISION 20-11-007**

|  |   |
|--|---|
| <b>Intervenor:</b> Wild Tree Foundation      | <b>For contribution to Decision</b> 20-11-007 |
| <b>Claimed:</b> \$198,210.50                 | <b>Awarded:</b> \$59,019.90                   |
| <b>Assigned Commissioner:</b> Alice Reynolds | <b>Assigned ALJ:</b> Jason Jungreis           |

**PART I: PROCEDURAL ISSUES**

|  |   |
|--|---|
| <b>A. Brief description of Decision:</b> | In Decision (D.) 20-11-007, the Commission issued a Financing Order to Southern California Edison Company (SCE) for authority under Assembly Bill (AB) 1054 and Public Utilities Code § 850.1 to issue a Recovery Bond for approximately \$337,141,000. |
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**B. Intervenor must satisfy intervenor compensation requirements set forth in Pub. Util. Code §§ 1801-1812<sup>1</sup>:**

|   | Intervenor               | CPUC Verification |
|---|--------------------------|-------------------|
| <b>Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):</b>                                       |                          |                   |
| 1. Date of Prehearing Conference:   | 9/4/2020                 | Verified          |
| 2. Other specified date for NOI:  | n/a                      |                   |
| 3. Date NOI filed:  | 9/30/2020                | Verified          |
| 4. Was the NOI timely filed?  |                          | Yes               |
| <b>Showing of eligible customer status (§ 1802(b) or eligible local government entity status (§§ 1802(d), 1802.4)):</b> |                          |                   |
| 5. Based on ALJ ruling issued in proceeding number:   | R.19-07-017, D.20-11-010 | Verified          |
| 6. Date of ALJ ruling:  | 11/6/2020                | Verified          |
| 7. Based on another CPUC determination (specify):   | n/a                      |                   |
| 8. Has the Intervenor demonstrated customer status or eligible government entity status?                                |                          | Yes               |
| <b>Showing of “significant financial hardship” (§1802(h) or §1803.1(b)):</b>  |                          |                   |
| 9. Based on ALJ ruling issued in proceeding number:   | R.19-07-017, D.20-11-010 | Verified          |
| 10. Date of ALJ ruling:   | 11/6/2020                | Verified          |
| 11. Based on another CPUC determination (specify):  | n/a                      |                   |
| 12. Has the Intervenor demonstrated significant financial hardship?   |                          | Yes               |
| <b>Timely request for compensation (§ 1804(c)):</b>   |                          |                   |

<sup>1</sup> All statutory references are to California Public Utilities Code unless indicated otherwise.

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| 13. Identify Final Decision:                     | D.20-11-007 | Verified |
| 14. Date of issuance of Final Order or Decision: | 11/10/2020  | Verified |
| 15. File date of compensation request:           | 1/11/2021   | Verified |
| 16. Was the request for compensation timely?     |             | Yes      |

**PART II: SUBSTANTIAL CONTRIBUTION**

**A. Did the Intervenor substantially contribute to the final decision (see § 1802(j), § 1803(a), 1803.1(a) and D.98-04-059):**

| Intervenor’s Claimed Contribution(s)   | Specific References to Intervenor’s Claimed Contribution(s)   | CPUC Discussion |
|--|---|-----------------|
| <p>Wild Tree provided substantial testimony and legal argument that the financing order proposed in the application was contrary to law, precedent, and best practices and that a financing order could be issued in compliance with the law, precedent, and best practices only if the Commission utilized a pre-issuance finance team review process to determine the structure, marketing and pricing of the bond.</p> <p>See Direct Testimony of Aaron Rothschild on Behalf of Wild Tree Foundation at pp. 1-31.</p> <p>See Supplemental Testimony of Steven Heller on Behalf of Wild Tree Foundation at pp. 2-13.</p> <p>See Wild Tree Foundation Motion for Party Status at pp. 2-7.</p> | <p>“The task of ensuring the sale of a Recovery Bond issued pursuant to this Financing Order so as to reduce rates on a present value basis to the maximum extent possible compared to the use of traditional utility financing mechanisms therefore entails a process that is optimized for transparency and in line with best practices. Wild Tree provides a process solution, which most parties support.</p> <p>We acknowledge party criticisms that SCE’s underwriter does not have a vested interest in maximally reducing the Recovery Bond’s interest rate, that the Commission would only be provided notice of the details of the process but not engaged in the process, and that SCE is proposing a process that would not be in keeping with Commission past practice (here, we expressly note D.04-11-015, our past Financing Order decision for a similar utility bond securitization). Also, we are mindful of the requirement for a solution that does not offend the underlying purpose of the legislature’s intentions of AB 1054 and is in line with the statutory mandate to reduce Consumer rates on a present</p> | <p>Verified</p> |

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| <p>See Wild Tree Foundation Opening Brief at pp. 6-37.</p> <p>See Wild Tree Foundation Reply Brief at pp. 2-15.</p> | <p>value basis to the maximum extent possible.</p> <p>For these reasons, we will adopt Wild Tree’s proposal for the creation of a Finance Team. Wild Tree writes as follows:</p> <p>This can be accomplished by including language in the financing order that sets-up a financing team composed of the utility, Commission and its staff, and any necessary outside financial and legal experts that will provide approvals of the material terms of the bond in a pre-issuance review process to create a bond with material terms that can meet the statutory requirements, in particular, minimization of ratepayer cost. (Wild Tree Opening Brief at 27 and drafted in its proposed Financing Order.)</p> <p>The Finance Team can review and address details regarding the Recovery Bond’s structuring, credit rating agency review, and underwriter marketing.</p> <p>It would review all fees and costs associated with all aspects of the Recovery Bond. It would help reduce rates on a present value basis to the maximum extent possible pursuant to AB 1054’s directives. The cost of the team would not be expected to meaningfully differ from the costs that SCE has assigned for the work it would do to marshal the oversight of the Recovery Bond. Given that this Financing Order addresses SCE’s initial AB 1054 CapEx Recovery Bond, we are persuaded to adopt the approach now, with the option of finding it to be unnecessary and changing course later, rather than waiting and adding a Finance Team review later if concerns develop.</p> <p>Commission precedent for such a Finance Team exists in D.04-11-015. Not coincidentally, that Decision was</p> |  |
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|  | <p>the last time the Commission authorized a Financing Order for the issuance of securitized bonds. Additionally, we note that, as per the testimony of Wild Tree’s expert, of the 16 similar utility securitized bonds issued nationally over the past 10 years, 14 have employed a financing team supported by independent financial advisors, with a pre-issuance review process to help ensure minimization of both the upfront bond costs and the ongoing bond costs (primarily, the interest rates on the bonds). (Wild Tree expert Rothschild at Exhibit WTF-1 14:18 – 15:5.)” (Decision at pp. 45-46.)</p> |  |
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**B. Duplication of Effort (§ 1801.3(f) and § 1802.5):**

|  | <b>Intervenor’s Assertion</b> | <b>CPUC Discussion</b> |
|--|-------------------------------|------------------------|
| <b>a. Was the Public Advocate’s Office of the Public Utilities Commission (Cal Advocates) a party to the proceeding?<sup>2</sup></b>   | Yes                           | Verified               |
| <b>b. Were there other parties to the proceeding with positions similar to yours?</b>  | Yes                           | Verified               |
| <b>c. If so, provide name of other parties:</b><br>TURN, CLECA, EPUC   |                               | Verified               |
| <b>d. Intervenor’s claim of non-duplication:</b><br>Wild Tree communicated with other parties who were likely to take similar positions to avoid duplication of efforts throughout the proceeding. There was a natural division of issues among parties who generally opposed aspects of the application and there was insufficient time in the highly compressed schedule for parties to coordinate further than they did. For example, Wild Tree was the only party to provide testimony and substantial argument regarding the need for the use of a pre-issuance |                               | Noted                  |

<sup>2</sup> 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.

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| <p>Finance Team review process, although TURN and CLECA ultimately endorsed Wild Tree’s recommendations on this issue.</p> |  |
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**PART III: REASONABLENESS OF REQUESTED COMPENSATION**

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

|  | <b>CPUC Discussion</b>   |
|--|--|
| <p><b>a. Intervenor’s claim of cost reasonableness:</b><br/>                     The resources Wild Tree expended in its advocacy are minimal relative to the resulting impacts and amount of the rates involved in this proceeding of approximately \$337,141,000. Wild Tree’s costs are reasonable in light of the amount of time, resources, and effort Wild Tree put into the proceeding as a party.</p>   | <p>Noted</p>   |
| <p><b>b. Reasonableness of hours claimed:</b><br/>                     Wild Tree spent a reasonable and prudent amount of time on this matter, working diligently addressing highly complex and complicated issue in an efficient and expedient manner. A single in-house attorney, experienced in practice before the Commission, drafted all filings for Wild Tree assisted by experienced experts, thereby leveraged many years of experience and expertise while limiting its costs. Due to the multi-faceted nature of this proceeding, a typical law firm would have expended significantly more resources than that spent by Wild Tree.</p> | <p>Noted</p>   |
| <p><b>c. Allocation of hours by issue:</b></p> <p>A. The financing order proposed in the application is contrary to law, precedent, and best practices and a financing order could be issued in compliance with the law, precedent, and best practices only if the Commission utilized a pre-issuance finance team review process to determine the structure, marketing and pricing of the bond. (100%)</p>  | <p>Noted</p> <p>On the issue of approving to employ a finance team, Wild Tree Foundation provided a process solution which most parties supported. The Commission adopted the proposal for the creation of a finance team.</p> <p><i>See D.20-11-007 p.46-47</i></p> |

**B. Specific Claim:\***

| CLAIMED                             |      |        |         |  |             | CPUC AWARD   |                 |             |
|-------------------------------------|------|--------|---------|--|-------------|--------------|-----------------|-------------|
| ATTORNEY, EXPERT, AND ADVOCATE FEES |      |        |         |  |             |              |                 |             |
| Item                                | Year | Hours  | Rate \$ | Basis for Rate*  | Total \$    | Hours        | Rate \$         | Total \$    |
| April Maurath Sommer                | 2020 | 173.84 | \$400   | D.20-11-010 rate of \$370 for 2019. \$370 + (5% step increase as authorized in D.07-01-009) + (2.55% COLA increase for 2020 per Res.ALJ-387) = \$398.40 rounded to the nearest \$5 increment of \$400 per D.08-04-010. | \$69,536.00 | 58.00<br>[1] | \$400.00<br>[2] | \$23,200.00 |
| Aaron Rothschild                    | 2020 | 196.50 | \$465   | Res.ALJ-387, <i>Table 2 Hourly Rates.</i>  | \$91,372.50 | 50.13<br>[3] | \$330.00<br>[4] | \$16,542.90 |
| James Rothschild                    | 2020 | 34.00  | \$465   | Res.ALJ-387, <i>Table 2 Hourly Rates.</i>  | \$15,810.00 | 34.00        | \$330.00<br>[5] | \$11,220.00 |
| Steven Heller                       | 2020 | 10.00  | \$465   | Res.ALJ-387, <i>Table</i>  | \$4650.00   | 3.50<br>[6]  | \$330.00<br>[7] | \$1,155.00  |



|  |             |              |                | <i>2 Hourly Rates.</i>   |                 |  |               |                 |
|--|-------------|--------------|----------------|--|-----------------|--|---------------|-----------------|
| Harvey Reiter  | 2020        | 22.90        | \$630          | Res.ALJ-387, Table 2 Hourly Rates.   | \$14,427.00     | 8.15 [8]                               | \$630.00 [9]  | \$5,134.50      |
| <b><i>Subtotal: \$195,795.50</i></b>   |             |              |                |  |                 | <b><i>Subtotal: \$57,252.40</i></b>    |               |                 |
| <b>INTERVENOR COMPENSATION CLAIM PREPARATION **</b>  |             |              |                |  |                 |  |               |                 |
| <b>Item</b>  | <b>Year</b> | <b>Hours</b> | <b>Rate \$</b> | <b>Basis for Rate*</b>   | <b>Total \$</b> | <b>Hours</b>                           | <b>Rate</b>   | <b>Total \$</b> |
| April Maurath Sommer   | 2021        | 7            | \$345          | ½ (\$695 per Res. ALJ-393 Hourly Rate Chart for Legal Director, Level IV - 0-15 years of experience) | \$2415.00       | 7.00                                   | \$252.50 [10] | \$1,767.50      |
| <b><i>Subtotal: \$2,415.00</i></b>   |             |              |                |  |                 | <b><i>Subtotal: \$1,767.50</i></b>     |               |                 |
| <b><i>TOTAL REQUEST: \$198,210.50</i></b>  |             |              |                |  |                 | <b><i>TOTAL AWARD: \$59,019.90</i></b> |               |                 |
| <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 <sup>3</sup> | Member Number | Actions Affecting Eligibility (Yes/No?)<br>If “Yes,” attach explanation |
| April Maurath Sommer | 2008                                 | 257967        | No  |
| Harvey Reiter        | MI 1975<br>DC 1976                   | n/a           | No  |

**C. Attachments Documenting Specific Claim and Comments on Part III:**

| Attachment or Comment # | Description/Comment    |
|-------------------------|------------------------|
| 1                       | Certificate of Service |
| 2                       | Timesheets             |
| 3                       | Bios                   |

**D. CPUC Comments, Disallowances, and Adjustments**

| Item | Reason  |
|------|---|
| [1]  | <p>Sommer worked a total of 173.84 hours in this proceeding. These hours were reduced due to the following issues enumerated below:</p> <p>a.) There were 49 time entries adding up to 24.82 hours (<i>see</i> below for some example entries from Sommer’s timesheets) described as calls with experts and emails with experts and intervenors on Sommer’s 2020 timesheet. Time records should have the issue in the proceeding that the task addressed (as identified in the Scoping Memo or by ALJ ruling) and the description of the specific task. (<i>See</i> Intervenor Compensation Guide, page 25.) Since the entries failed to describe substantive issues that were discussed in these communications, all of the 24.82 hours were deducted.</p> <ul style="list-style-type: none"> <li>• 9/6/2020 Call with expert 0.13</li> <li>• 9/6/2020 Call with expert 1.6</li> <li>• 9/8/2020 Call with expert 0.08</li> <li>• 9/8/2020 Call with expert 0.21</li> <li>• 9/8/2020 Call with expert 0.97</li> <li>• 9/8/2020 Email with expert 0.45</li> <li>• 9/11/2020 Emails with expert and other parties 0.25</li> </ul> |

<sup>3</sup> This information may be obtained through the State Bar of California’s website at: [members.calbar.ca.gov](http://members.calbar.ca.gov).

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|  | <ul style="list-style-type: none"> <li>• 9/11/2020 Emails with expert 1.26</li> <li>• 9/11/2020 Emails with expert 0.14</li> <li>• 9/11/2020 Emails with parties and experts 0.5</li> </ul> <p>b.) Hours worked on preparing, drafting, and reviewing opening briefs, testimonies, and comments were determined to be excessive and duplicative as Sommer, Aaron Rothschild, Heller, and Reiter were all working on these tasks but did not provide a description or specify what was distinctly worked on by each person (<i>See</i> below for some example entries from Sommer’s timesheet). Intervenors must explain why the claimed hours for the work performed are reasonable (the efficiency aspect). For example, they may explain how they delegated work internally to ensure the intervenor’s representatives’ level of experience was right for the assigned tasks and why no unnecessary internal duplication of each other’s work occurred. (<i>See</i> Intervenor Compensation Guide, page 21.) Based on the timesheet provided, Sommer worked a total of 107.81 hours preparing, drafting, and reviewing opening briefs, testimonies, and comments. We find it reasonable to divide the total hours by four since four people were working on the same tasks without proper distinction hence, only 26.95 hours will be allowed on time worked on preparing, drafting, and reviewing opening briefs, testimonies, and comments.</p> <ul style="list-style-type: none"> <li>• 9/6/20 Drafting testimony 4.00</li> <li>• 9/7/20 Drafting testimony 8.00</li> <li>• 9/8/20 Drafting testimony 9.25</li> <li>• 9/9/20 Drafting testimony 8.25</li> <li>• 9/10/20 Drafting testimony 9.50</li> <li>• 9/11/20 Drafting testimony 8.00</li> <li>• 9/12/20 Drafting testimony 8.00</li> <li>• 9/13/20 Drafting testimony 7.00</li> <li>• 9/14/20 Drafting testimony 9.25</li> <li>• 9/15/20 Drafting testimony 11.50</li> </ul> <p>c.) The following timesheet entries adding up to 10.17 hours were disallowed for lack of substantial contribution:</p> <ul style="list-style-type: none"> <li>• 9/2/2020 Review application and other filings 2.2</li> <li>• 9/5/2020 Review and research relevant law and precedent 1.47</li> <li>• 9/7/2020 Review and research relevant law and precedent 6.5</li> </ul> <p>This is due to the fact that, as noted by the Intervenor Compensation Program Guide, intervenors must show how the requested hours were apportioned among the issues on which they claim a substantial contribution.</p> |
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|            | <p>Based on the explanation above, Sommer’s total allowed hours were determined as follows:</p> <ul style="list-style-type: none"> <li>• 173.84 total hours worked – 107.81 hours preparing, drafting, and reviewing opening briefs, testimonies, and comments = 66.03 other hours worked</li> <li>• 66.03 other hours worked – 10.17 hours spent on undefined tasks – 24.82 hours spent on calls with experts and emails with experts and intervenors = 31.04 hours</li> <li>• 31.04 hours + 26.95 hours that will be allowed based on the calculation on explanation b.) above = 57.99</li> </ul> <p>57.99 rounded up to 58 will be the total hours allowed for Sommer’s work in this proceeding.</p>   |
| <p>[2]</p> | <p>According to D.22-08-014, the adopted 2020 hourly rate for Sommer is \$400.</p>  |
| <p>[3]</p> | <p>Aaron Rothschild worked a total of 196.50 hours in this proceeding. These hours were reduced due to the following issues enumerated below:</p> <p>a.) There were three timesheet entries described as calls with Sommer adding up to 2.75 hours on Aaron Rothschild’s 2020 timesheet (<i>see</i> below for the actual dates and entries from Aaron Rothschild’s timesheets). Time records should have the issue in the proceeding that the task addressed (as found in the Scoping Memo or by ALJ ruling) and a description of the specific task. (<i>See</i> Intervenor Compensation Guide.) Since the entries failed to describe substantive issues that were discussed in these communications, all of the 2.75 hours were deducted.</p> <ul style="list-style-type: none"> <li>• 9/4/20 Call with April Sommer 0.50</li> <li>• 9/6/20 Prepare for call with April Sommer 0.75</li> <li>• 9/6/20 Call with April Sommer 1.50</li> </ul> <p>b.) Hours worked on preparing, drafting, and reviewing opening briefs, testimonies, and comments were determined to be excessive and duplicative as Sommer, Aaron Rothschild, Heller, and Reiter were all working on drafting opening briefs but did not describe or specify what was distinctly worked on by each person (<i>see</i> below for some example entries from Aaron Rothschild’s timesheet). Intervenors must explain why the claimed hours for the work performed are reasonable (the efficiency aspect). For example, they may explain how they delegated work internally to ensure the intervenor’s representatives’ level of experience was right for the assigned tasks and why no unnecessary internal duplication of each other’s work occurred. (<i>See</i> Intervenor</p> |

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|            | <p>Compensation Guide, page 21.) Based on the timesheet provided, Aaron Rothschild worked a total of 191.50 hours preparing, drafting, and reviewing opening briefs, testimonies, and comments. We find it reasonable to divide the total hours by four since four people were working on the same tasks without proper distinction and as a result, only 47.88 hours will be allowed on time worked on preparing, drafting, and reviewing opening briefs, testimonies, and comments.</p> <ul style="list-style-type: none"> <li>• 9/6/20 Drafting testimony 4.00</li> <li>• 9/7/20 Drafting testimony 8.00</li> <li>• 9/8/20 Drafting testimony 9.25</li> <li>• 9/9/20 Drafting testimony 8.25</li> <li>• 9/10/20 Drafting testimony 9.50</li> <li>• 9/11/20 Drafting testimony 8.00</li> <li>• 9/12/20 Drafting testimony 8.00</li> <li>• 9/13/20 Drafting testimony 7.00</li> <li>• 9/14/20 Drafting testimony 9.25</li> <li>• 9/15/20 Drafting testimony 11.50</li> </ul> <p>Based on the explanation above, Aaron Rothschild’s total allowed hours were determined as follows:</p> <ul style="list-style-type: none"> <li>• 196.50 total hours worked – 191.50 hours worked on preparing, drafting, and reviewing opening briefs, testimonies, and comments = 5 other hours worked</li> <li>• 5 other hours worked - 2.75 hours for calls with Sommer = 2.25 hours</li> <li>• 2.25 hours + 47.88 hours that will be allowed based on the calculation in explanation b.) above = 50.13 hours</li> </ul> <p>50.13 hours will be the total hours allowed for work by Aaron Rothschild.</p> |
| <p>[4]</p> | <p>Wild Tree Foundation requests a 2020 hourly rate of \$465 for Aaron Rothschild. No prior rate has been established. Based on the resume provided and comments filed, we ultimately adopt a rate of \$330. Aaron Rothschild has 13 years’ experience as a Public Policy Analyst/ Economist testifying before the Commission, and an additional eight years of utility related experience testifying on utility issues in other states. Since the rate requested is for 2020, we use Resolution ALJ-387 (2.55% COLA for 2020) and according to the chart implemented by this Resolution , the rate range for an expert with 13 plus years of experience is \$190- \$465. We determined the middle of this range is appropriate for Aaron Rothschild.</p>  |
| <p>[5]</p> | <p>Wild Tree Foundation requests a 2020 hourly rate of \$465 for James Rothschild. No prior rate has been established. Based on the resume provided and comments filed, we ultimately adopt a rate of \$330. James Rothschild is an expert in the</p>  |

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|            | <p>energy industry. He has provided expert witness testimony on rate of return, accounting, and utility securitization bonds and other financial issues relating to electric, telephone, gas, water, health care and insurance rate setting. Since the rate requested is for 2020, we use Resolution ALJ-387 (2.55% COLA for 2020) and according to the chart implemented by this Resolution, the rate range for an expert with 13 plus years of experience is \$190- \$465. We determined the middle of this range is appropriate for James Rothschild.</p>  |
| <p>[6]</p> | <p>Heller worked a total of 10 hours in this proceeding. These hours were reduced due to the following issues enumerated below:</p> <p>a.) There were three entries on Heller’s 2020 timesheets that combined specific tasks in one entry (<i>see</i> below for the actual dates and entries from Heller’s timesheets). Time records must not combine hours for several specific tasks in one timesheet entry. (<i>See</i> Rule 17.4(b)(2).) Instead, the time must be allocated by issues within each task. As the time spent on each issue is not clearly allocated, we divide the total number of hours by the number of issues listed to get the time spent on each issue. Heller merged preparing testimony and calls with Sommer in one line on three entries in his 2020 timesheet totaling four hours. As a result, we deducted two hours from his claimed time for these tasks.</p> <ul style="list-style-type: none"> <li>• 9/18/2020 Preparing testimony, Call with April Sommer 2.00</li> <li>• 9 /21/2020 Preparing testimony, Call with April Sommer 1.00</li> <li>• 9/22/2020 Preparing testimony, Call with April Sommer 1.00</li> </ul> <p>b.) Hours worked on preparing, drafting, and reviewing opening briefs, testimonies, and comments were determined to be excessive and duplicative as Sommer, Aaron Rothschild, Heller, and Reiter were all working on drafting opening briefs but did not describe or specify what was distinctly worked on by each person. (<i>See</i> below for some example entries from Heller’s timesheet.) Intervenors must explain why the claimed hours for the work performed are reasonable (the efficiency aspect). For example, they may explain how they delegated work internally to ensure the intervenor’s representatives’ level of experience was right for the assigned tasks and why no unnecessary internal duplication of each other’s work occurred. (<i>See</i> Intervenor Compensation Guide, page 21.) Based on the timesheet provided, Heller worked a total of six hours preparing, drafting, and reviewing opening briefs, testimonies, and comments. We find it reasonable to divide the total hours by four since four people were working on the same tasks without proper distinction and as a result, only 1.50 hours will be allowed on time worked on preparing, drafting, and reviewing opening briefs, testimonies, and comments.</p> <ul style="list-style-type: none"> <li>• 9/11/2020 Reviewing other party testimony 1.00</li> <li>• 9/13/2020 Reviewing other party testimony 1.00</li> <li>• 9/14/2020 Preparing testimony 2.00</li> </ul> |

|            |   |
|------------|---|
|            | <ul style="list-style-type: none"> <li>• 9/16/2020 Preparing testimony 1.00</li> <li>• 9/17/2020 Preparing testimony 1.00</li> </ul> <p>Based on the explanation above, Heller’s total allowed hours were determined as follows:</p> <ul style="list-style-type: none"> <li>• 10 hours total hours worked – 6 total hours worked on preparing, drafting, and reviewing opening briefs, testimonies, and comments = 4 other hours worked</li> <li>• 4 other hours worked – 2 total hours that combined various tasks in one entry = 2 hours</li> <li>• 2 hours + 1.50 total hours that will be allowed based on the calculation on explanation b.) above = 3.50 hours</li> </ul> <p>3.50 will be the total hours allowed for Heller’s work.</p>  |
| <p>[7]</p> | <p>Wild Tree Foundation requests a 2020 hourly rate of \$465 for Heller. No prior rate has been established. Based on the resume provided and comments filed, we ultimately adopt a rate of \$330. Heller has experience with Stranded Cost / Rate Reduction Bond or Ratepayer-Backed Bond financings with utility securitizations, and with respect to ratepayer-backed bonds similar to the utility securitization bonds proposed by SCE, his experience has included being structuring agent on several AAA (S&amp;P and Fitch) and Aaa (Moody’s) rated investor-owned utility transactions since 2006. Since the rate requested is for 2020, the new rate is based on Resolution ALJ-387 (2.55% COLA for 2020) for an expert with 13 plus years of experience. We determined the middle of this range is appropriate for Heller.</p>  |
| <p>[8]</p> | <p>Reiter worked a total of 22.90 hours in this proceeding. These hours were reduced due to the following issues enumerated below:</p> <p>a.) There were five entries on Reiter’s 2020 timesheets that combined specific tasks in one entry (<i>see</i> below for the actual dates and entries from Reiter’s timesheets). Time records must not combine hours for several specific tasks in one timesheet entry. (<i>See</i> Rule 17.4(b)(2).) Instead, the time must be allocated by issues within each task. As the time spent on each issue is not clearly allocated, we divide the total number of hours by the number of issues listed to get the time spent on each issue. Reiter merged various tasks in one line in five entries on his timesheet in 2020 totaling 12.80 hours, and as a result we only allow 4.27 hours from his claimed time for these tasks.</p> <ul style="list-style-type: none"> <li>• 9/8/20 draft discovery requests, review and draft testimony outline 2.20</li> <li>• 9/9/20 prep data requests, conference call with Wild Tree Foundation, review and revised draft data requests 3.10</li> </ul> |

|  |   |
|--|---|
|  | <ul style="list-style-type: none"> <li>• 9/14/20 review and edit testimony and draft financing order re securitization 3.90</li> <li>• 9/17/20 prep edits to testimony, discuss with A Rothschild, review data responses 2.70</li> <li>• 9/29/20 review SCE brief, offer comments, discuss with A Rothschild 0.90</li> </ul> <p>b.) Hours worked on preparing, drafting, and reviewing opening briefs, testimonies, and comments were determined to be excessive and duplicative as Sommer, Aaron Rothschild, Heller, and Reiter were all working on drafting opening briefs but did not describe or specify what was distinctly worked on by each person (<i>see</i> below for some example entries from Reiter’s timesheet). Intervenor must explain why the claimed hours for the work performed are reasonable (the efficiency aspect). For example, they may explain how they delegated work internally to ensure the intervenor’s representatives’ level of experience was right for the assigned tasks and why no unnecessary internal duplication of each other’s work occurred. (<i>See</i> Intervenor Compensation Guide, page 21.) Based on the timesheet provided, Reiter worked a total of 8.3 hours preparing, drafting, and reviewing opening briefs, testimonies, and comments. We find it reasonable to divide the total hours by four since four people were working on the same tasks without proper distinction and as a result, only 2.08 hours will be allowed on time worked on preparing, drafting, and reviewing opening briefs, testimonies, and comments.</p> <ul style="list-style-type: none"> <li>• 9/11/20 prep and revise testimony 2.30</li> <li>• 9/16/20 draft comments on testimony re securitization 1.20</li> <li>• 9/15/20 discuss testimony w A Rothschild 1.20</li> <li>• 9/22/20 review briefs advise on edits 2.00</li> <li>• 9/24/20 review draft brief on securitization 0.80</li> <li>• 9/26/20 comment on finalizing brief 0.80</li> </ul> <p>Based on the explanation above, Reiter’s total allowed hours were determined as follows:</p> <ul style="list-style-type: none"> <li>• 22.90 total hours worked – 12.80 hours that combined various tasks in one entry = 10.10 other hours worked</li> <li>• 10.10 hours – 8.30 total hours worked on preparing, drafting, and reviewing opening briefs, testimonies, and comments = 1.80 hours</li> <li>• 1.80 hours + 4.27 total hours that will be allowed based on the calculation on explanation a.) above = 6.07 hours</li> <li>• 6.07 hours + 2.08 total hours that will be allowed based on the calculation on explanation b.) above = 8.15 hours</li> </ul> <p>8.15 will be the total hours allowed for Reiter’s work.</p> |
|--|---|



|      |   |
|------|---|
| [9]  | Wild Tree Foundation requests a 2020 hourly rate of \$630 for Reiter. No prior rate has been established. Based on the resume provided and comments filed, we ultimately adopt the \$630 rate Wild Tree Foundation requested. Reiter’s experience comprises of work before the Federal Energy Regulatory Commission, Federal Communications Commission, publications on competition in the electric and natural gas industries. Since rate requested is for 2020, new rate is based on Resolution ALJ-387 (2.55% COLA for 2020) for an attorney with 13 plus years of experience. |
| [10] | According to D.22-11-036 the adopted hourly rate for Sommer for 2021 is \$525.  |

**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))**

|   |    |
|---|----|
| <b>A. Opposition: Did any party oppose the Claim?</b> | No |
|---|----|

|  |    |
|--|----|
| <b>B. Comment Period: Was the 30-day comment period waived (<i>see</i> Rule 14.6(c)(6))?</b> | No |
|--|----|

**FINDINGS OF FACT**

1. Wild Tree Foundation has made a substantial contribution to D.20-11-007.
2. The requested hourly rates for Wild Tree Foundations’ 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 reasonable compensation is \$59,019.90.

**CONCLUSION OF LAW**

1. The Claim, with any adjustment set forth above satisfies all requirements of Pub. Util. Code §§ 1801-1812.

**ORDER**

1. Wild Tree Foundation is awarded \$59,019.90.

2. Within 30 days of the effective date of this decision, Southern California Edison Company shall pay Wild Tree Foundation the total award. 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 November 10, 2020, the 75<sup>th</sup> day after the filing of Wild Tree Foundation's request, and continuing until full payment is made.
3. The comment period for today's decision is not waived.
4. This decision is effective today.

Dated \_\_\_\_\_, at San Francisco, California.

**APPENDIX**

## Compensation Decision Summary Information

|                           |                                    |                    |    |
|---------------------------|------------------------------------|--------------------|----|
| Compensation Decision:    |                                    | Modifies Decision? | No |
| Contribution Decision(s): | D2011007                           |                    |    |
| Proceeding(s):            | A2007008                           |                    |    |
| Author:                   | ALJ Jason Jungreis                 |                    |    |
| Payer(s):                 | Southern California Edison Company |                    |    |

## Intervenor Information

| Intervenor           | Date Claim Filed | Amount Requested | Amount Awarded | Multiplier? | Reason Change/Disallowance                              |
|----------------------|------------------|------------------|----------------|-------------|---|
| Wild Tree Foundation | 1/11/2021        | \$198,210.50     | \$59,019.90    | N/A         | See CPUC Comments, Disallowances, and Adjustments above |

## Hourly Fee Information

| First Name | Last Name      | Attorney, Expert, or Advocate | Hourly Fee Requested | Year Hourly Fee Requested | Hourly Fee Adopted |
|------------|----------------|-------------------------------|----------------------|---------------------------|--------------------|
| April      | Maurath Sommer | Attorney/Legal Director       | \$400                | 2020                      | \$400.00           |
| April      | Maurath Sommer | Attorney/Legal Director       | \$695                | 2021                      | \$525.00           |
| Aaron      | Rothschild     | Expert                        | \$465                | 2020                      | \$330.00           |
| James      | Rothschild     | Expert                        | \$465                | 2020                      | \$330.00           |
| Steven     | Heller         | Expert                        | \$465                | 2020                      | \$330.00           |
| Harvey     | Reiter         | Attorney                      | \$630                | 2020                      | \$630.00           |

**(END OF APPENDIX)**