



BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Pacific Bell Telephone Company D/B/A AT&T California (U1001C) to Relinquish its Eligible Telecommunications Carrier Designation	Application 23-05-002 (Filed March 30, 2023) 02:03 PM A2303002
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**NOTICE OF INTENT TO CLAIM INTERVENOR COMPENSATION
AND, IF REQUESTED (and ☒ ¹ checked), ADMINISTRATIVE LAW JUDGE'S
RULING ON CENTER FOR ACCESIBLE TECHNOLOGY'S SHOWING OF
SIGNIFICANT FINANCIAL HARDSHIP**

NOTE: AFTER ELECTRONICALLY FILING A PDF COPY OF THIS NOTICE OF INTENT, PLEASE EMAIL THE DOCUMENT IN AN MS WORD FORMAT TO THE INTERVENOR COMPENSATION PROGRAM COORDINATOR AT Icompcoordinator@cpuc.ca.gov.

Customer or Eligible Local Government Entity (party intending to claim intervenor compensation): CENTER FOR ACCESIBLE TECHNOLOGY	
Assigned Commissioner: John Reynolds	Administrative Law Judge: Thomas Glegola
I hereby certify that the information I have set forth in Parts I, II, III and IV of this Notice of Intent is true to my best knowledge, information and belief.	
Signature:	/s/ Paul Goodman
Date: June 8, 2023	Printed Name: <i>Paul Goodman</i>

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

A. Status as “customer” (see Pub. Util. Code § 1802(b))² The party claims “customer” status because the party is (check one):	Applies (check)
1. A Category 1 customer is an actual customer whose self-interest in the proceeding arises primarily from his/her role as a customer of the utility and, at the same time, the customer must represent the broader interests of at least some other customers. See, for example, D.08-07-019 at 5-10).	<input type="checkbox"/>

¹ DO NOT CHECK THIS BOX if a finding of significant financial hardship is not needed (in cases where there is a valid rebuttable presumption of eligibility (Part III(A)(3)) or significant financial hardship showing has been deferred to the intervenor compensation claim).

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

<p>2. A Category 2 customer is a representative who has been authorized by actual customers to represent them. Category 2 involves a more formal arrangement where a customer or a group of customers selects a more skilled person to represent the customer's views in a proceeding. A customer or group of customers may also form or authorize a group to represent them, and the group, in turn, may authorize a representative such as an attorney to represent the group.</p>	<input type="checkbox"/>
<p>3. A Category 3 customer is a formally organized group authorized, by its articles of incorporation or bylaws to represent the interests of residential customers or small commercial customers receiving bundled electric service from an electrical corporation (§1802(b)(1)(C)). Certain environmental groups that represent residential customers with concerns for the environment may also qualify as Category 3 customers, even if the above requirement is not specifically met in the articles or bylaws. <i>See</i> D.98-04-059, footnote at 30.</p>	<input checked="" type="checkbox"/>
<p>4. The party's detailed explanation of the selected customer category.</p> <p><u>The party's explanation of its status as a Category 1 customer.</u> A party seeking status as a Category 1 customer must describe the party's own interest in the proceeding and show how the customer's participation goes beyond just his/her own self-interest and will benefit other customers. Supporting documents must include a copy of the utility's bill.</p> <p><u>The party's explanation of its status as a Category 2 customer.</u> A party seeking status as a Category 2 customer must identify the residential customer(s) being represented and provide authorization from at least one customer.</p> <p><u>The party's explanation of its status as a Category 3 customer.</u> If the party represents residential and small commercial customers receiving bundled electric service from an electrical corporation, it must include in the Notice of Intent either the percentage of group members that are residential ratepayers or the percentage of the members who are receiving bundled electric service from an electrical corporation. Supporting documentation for this customer category must include current copies of the articles of incorporation or bylaws. If current copies of the articles and bylaws have already been filed with the Commission, only a specific reference (the proceeding's docket number and the date of filing) to such filings needs to be made.</p> <p>The Center for Accessible Technology (CforAT) is an organization that is authorized by its bylaws to represent the interests of residential customers with disabilities before the Commission; specifically, our bylaws state at Article 2.1(d) that CforAT is "involved in advocacy initiatives to enhance the lives of the disability community, including ways to improve access to technology and increase the ability of people with disabilities to live independently. In particular, CforAT is authorized and urged to actively participate and intervene</p>	

<p>before government entities, including but not limited to the California Public Utilities Commission, on all matters that it deems appropriate that will affect directly or indirectly the interests of residential customers with disabilities, ratepayers with disabilities, small businesses owned by people with disabilities, including customers who receive bundled electric service from an electrical corporation.” CforAT is not a membership organization.</p> <p>A copy of CforAT’s bylaws were submitted with our NOI in A.10-03-014, which was filed on August 29, 2011. No relevant changes have been made since that time. An additional copy can be provided upon request.</p>	
<p>Do you have any direct economic interest in outcomes of the proceeding?³</p> <p>If “Yes”, explain:</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
B. Conflict of Interest (§ 1802.3)	Check
1. Is the customer a representative of a group representing the interests of small commercial customers who receive bundled electric service from an electrical corporation?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. If the answer to the above question is “Yes”, does the customer have a conflict arising from prior representation before the Commission?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
C. Status as an Eligible Local Government Entity (§§1802(d), 1802.4, 1803.1)	
<p>The party claims “eligible local government entity” status because the party is a city, county, or city and county that is not a publicly owned public utility that intervenes or participates in a Commission proceeding for the purpose of protecting the health and safety of the residents within the entity’s jurisdiction following a catastrophic material loss suffered by its residents either in significant damage to infrastructure or loss of life and property, or both, as a direct result of public utility infrastructure.</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>The party’s explanation of its status as an eligible local government entity must include a description of</p> <p>(1) The relevant triggering catastrophic event;</p> <p>(2) The impacts of the triggering catastrophic event on the residents within the entity’s jurisdiction as a result of public utility infrastructure; and</p> <p>(3) The entity’s reason(s) to participate in this proceeding.</p>	
D. Timely Filing of Notice of Intent to Claim Intervenor Compensation (NOI) (§ 1804(a)(1)):	
<p>1. Is the party’s NOI filed within 30 days after a Prehearing Conference?</p> <p>Date of Prehearing Conference: June 1, 2023</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

³ See Rule 17.1(f).

2. Is the party's NOI filed at another time (for example, because no Prehearing Conference was held, the proceeding will take less than 30 days, the schedule did not reasonably allow parties to identify issues within the timeframe normally permitted, or new issues have emerged)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2a. The party's description of the reasons for filing its NOI at this other time:	
2b. The party's information on the proceeding number, date, and decision number for any Commission decision, Commissioner ruling, Administrative Law Judge's ruling, or other document authorizing the filing of NOI at that other time:	

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

A. Planned Participation (§ 1804(a)(2)(A)):
<p>The party's statement of the issues on which it plans to participate:</p> <p>No Scoping Memo has yet been issued in this proceeding, so this statement of the issues on which CforAT plans to participate is necessarily subject to change.</p> <p>At this time, CforAT anticipates participating in all tracks and phases of the proceeding on those issues that are relevant to the interests of our constituency of utility customers with disabilities and health conditions that are impacted by the reliability and affordability of communication services. These issues include:</p> <ul style="list-style-type: none"> • Which party bears the burden of proof in a proceeding involving an application to relinquish eligible telecommunications carrier status, and what evidence is necessary to meet that burden of proof. • Which, if any, alternative ETCs are available and prepared to provide service to each of AT&T California's customers in areas where it seeks to relinquish its ETC designation. • Whether AT&T California has satisfied the Commission's requirements for allowing a provider to relinquish its ETC designation. • Whether the Commission should maintain AT&T California's designation as an ETC for those customers that cannot obtain service from another ETC. <p>At this time, we anticipate ongoing participation on these issues, as well as participation on any additional issues relevant to our constituency that may develop with the issuance of a Scoping Memo and other activity in this docket.</p>

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

CforAT regularly coordinates with other consumer advocates who share common concerns, and is currently coordinating with TURN, the only other consumer advocate in this proceeding, to increase efficiency and avoid duplication of efforts. CforAT expects to continue to do so in throughout this proceeding. CforAT also will avoid expending resources in areas where other active parties have greater expertise.

The party's description of the nature and extent of the party's planned participation in this proceeding (to the extent that it is possible to describe on the date this NOI is filed).

As noted above, no Scoping Memo has yet been issued in this proceeding, so it is difficult to identify the specific extent of CforAT's anticipated participation. Generally, CforAT expects that we will actively participate in all aspects of the rulemaking, addressing those issues that we have identified as relevant to our constituency. For these issues, CforAT intends to submit written comments, proposals and/or briefs as authorized, as well as to conduct discovery and research, present expert testimony, participate at any scheduled workshops or hearings, and prepare any other filings or appearances necessary to advocate for the interests of our constituency.

B. The party's itemized estimate of the compensation that the party expects to request, based on the anticipated duration of the proceeding (§ 1804(a)(2)(A)):

Item	Hours	Rate \$	Total \$	#
ATTORNEY, EXPERT, AND ADVOCATE FEES				
Paul Goodman	125	\$ 575	\$68,750	
Melissa W. Kasnitz	30	\$720	\$21,600	
Legal Fellow	30	\$225	\$6,750	
[Expert 2]				
[Advocate 1]				
[Advocate 2]				
Subtotal: \$97,100				
OTHER FEES				
[Person 1]				
[Person 2]				
Subtotal: \$				
COSTS				
[Item 1]				
[Item 2]				
Subtotal: \$				
TOTAL ESTIMATE: \$97,100				
Estimated Budget by Issues:				

1. Which party bears the burden of proof in a proceeding involving an application to relinquish eligible telecommunications carrier status, and what evidence is necessary to meet that burden of proof: 10%.
2. Which, if any, alternative ETCs are available and prepared to provide service to each of AT&T California's customers: 45%
3. Whether AT&T California has satisfied the Commission's requirements for allowing a provider to relinquish its ETC designation: 45%
4. Whether the Commission should maintain AT&T California's designation as an ETC for those customers that do not have access to other ETC service: 15%

When entering items, type over bracketed text; add additional rows to table as necessary. Estimate may (but does not need to) include estimated Claim preparation time. Claim preparation time is typically compensated at 1/2 professional hourly rate.

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

A. The party claims that participation or intervention in this proceeding without an award of fees or costs imposes a significant financial hardship, on the following basis:	Applies (check)
1. The customer cannot afford, without undue hardship, to pay the costs of effective participation, including advocate's fees, expert witness fees, and other reasonable costs of participation. (§ 1802(h))	<input type="checkbox"/>
2. In the case of a group or organization, the economic interest of the Individual members of the group or organization is small in comparison to the costs of effective participation in the proceeding. (§ 1802(h))	<input checked="" type="checkbox"/>
3. The eligible local government entities' participation or intervention without an award of fees or costs imposes a significant financial hardship. (§ 1803.1(b).)	<input type="checkbox"/>
4. A § 1802(h) or § 1803.1(b) finding of significant financial hardship in another proceeding, made within one year prior to the commencement of this proceeding, created a rebuttable presumption in this proceeding (§ 1804(b)(1)).	<input type="checkbox"/>
Commission's finding of significant financial hardship made in proceeding number:	
Date of Administrative Law Judge's Ruling (or CPUC Decision) in which the finding of significant financial hardship was made:	

B. The party's explanation of the factual basis for its claim of "significant financial hardship" (§ 1802(h) or § 1803.1(b)) (necessary documentation, if warranted, is attached to the NOI:	

CforAT has repeatedly been found by the Commission to be eligible for compensation based on findings of significant financial hardship regarding our efforts to represent the interests of utility customers with disabilities and/or medical needs. CforAT has no source of funding other than the intervenor compensation program to support this work, and the individual members of the population that we represent, while benefiting from our advocacy at the Commission, cannot afford to pay for representation. Moreover, the individual benefit for each customer within our constituency is small in comparison with the costs of effective participation.

The Commission's most recent finding of significant financial hardship in another proceeding was made more than one year prior to the commencement of this proceeding; this most recent determination was issued in R.20-01-007 on May 29, 2020.

Our basis for eligibility remains unchanged from the organizational posture that has repeatedly been accepted by the Commission as sufficient. CforAT has most recently sought to renew our rebuttable presumption for our ongoing claim of financial hardship in conjunction with an NOI submitted in R.22-11-023 (the High DER proceeding), which was filed on February 21, 2023. CforAT requested a ruling on our NOI in that proceeding, but at this time, no ruling has been issued.

For convenience, we repeat our explanation of our basis for eligibility here:

At all times, CforAT represents our constituency of utility customers with disabilities (including many low-income customers) for no charge to the community. Our constituency is highly dependent on reliable and affordable access to utility services in order to support their ability to live independently in the community. CforAT relies on the intervenor compensation program to sustain our ability to represent this unique constituency before the Commission.

CforAT has no other source of support for the work we do to represent these vulnerable consumers before the Commission, and few people with disabilities have the resources or awareness of utility issues to consider representation through private counsel. While CforAT's work provides value to our constituency, the value for each individual customer is small compared to the cost of representation. Sometimes this value comes in the form of improved affordability (and therefore can result in quantifiable, or reliably estimated, savings). Often this value comes in the form of improved accessibility of utility services and communications (and thus improved customers understanding of programs and services available) or improved reliability of service rather than in the form of monetary benefit. This interest cannot easily be expressed as an economic interest, but it remains crucial to a vulnerable customer group.

If the intervenor compensation program were not available, CforAT would be unable to continue this work.

**PART IV: ATTACHMENTS DOCUMENTING SPECIFIC
ASSERTIONS MADE IN THIS NOTICE**

**(The party intending to claim intervenor compensation identifies and attaches documents;
add rows as necessary)**

Attachment No.	Description
1	Certificate of Service

ADMINISTRATIVE LAW JUDGE RULING⁴
(Administrative Law Judge completes)

	Check all that apply
1. The Notice of Intent (NOI) is rejected for the following reasons:	<input type="checkbox"/>
a. The NOI has not demonstrated the party's status as a "customer" or an "eligible local government entity" for the following reason(s):	<input type="checkbox"/>
b. The NOI has not demonstrated that the NOI was timely filed (Part I(B)) for the following reason(s):	<input type="checkbox"/>
c. The NOI has not adequately described the scope of anticipated participation (Part II, above) for the following reason(s):	<input type="checkbox"/>
2. The NOI has demonstrated significant financial hardship for the reasons set forth in Part III of the NOI (above).	<input type="checkbox"/>
3. The NOI has not demonstrated significant financial hardship for the following reason(s):	<input type="checkbox"/>
4. The Administrative Law Judge provides the following additional guidance (see § 1804(b)(2)):	<input type="checkbox"/>

IT IS RULED that:

⁴ A Ruling needs not be issued unless: (a) the NOI is deficient; (b) the Administrative Law Judge desires to address specific issues raised by the NOI (to point out similar positions, areas of potential duplication in showings, unrealistic expectations for compensation, or other matters that may affect the customer or eligible local government entity's Intervenor Compensation Claim); or (c) the NOI has included a claim of "significant financial hardship" that requires a finding under § 1802(h).

1. The Notice of Intent is rejected.	<input type="checkbox"/>
2. The customer or eligible local government entity has satisfied the eligibility requirements of Pub. Util. Code § 1804(a).	<input type="checkbox"/>
3. The customer or eligible local government entity has shown significant financial hardship.	<input type="checkbox"/>
4. The customer or eligible local government entity is preliminarily determined to be eligible for intervenor compensation in this proceeding. However, a finding of significant financial hardship in no way ensures compensation.	<input type="checkbox"/>
5. Additional guidance is provided to the customer or eligible local government entity as set forth above.	<input type="checkbox"/>

Dated _____, at San Francisco, California.

Administrative Law Judge