



STATE OF CALIFORNIA

GAVIN NEWSOM **FILED**

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298

04/19/24

04:22 PM

A2304004

April 19, 2024

Agenda ID #22530
Ratesetting

TO PARTIES OF RECORD IN APPLICATION 23-04-004:

This is the proposed decision of Administrative Law Judge Jacob L. Rambo. 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 May 30, 2024 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.

/s/ MICHELLE COOKE

Michelle Cooke

Chief Administrative Law Judge

MLC:jnf

Attachment

Decision **PROPOSED DECISION OF ALJ RAMBO** (mailed 4/19/2024)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Green Power Institute
for award of intervenor compensation
for substantial contributions to
Resolutions SPD-7, SPD-8, SPD-9,
SPD-11, and SPD-12.

Application 23-04-004

**DECISION GRANTING INTERVENOR COMPENSATION
FOR SUBSTANTIAL CONTRIBUTION TO RESOLUTIONS
(RES.) SPD-11 AND SPD-12 AND DENYING INTERVENOR
COMPENSATION FOR RES. SPD-7, SPD-8, AND SPD-9**

TABLE OF CONTENTS

Title	Page
DECISION GRANTING INTERVENOR COMPENSATION FOR SUBSTANTIAL CONTRIBUTION TO RESOLUTIONS (RES.) SPD-11 AND SPD-12 AND DENYING INTERVENOR COMPENSATION FOR RES. SPD-7, SPD-8, AND SPD-9	1
Summary	2
1. Background	2
2. Submission Date	3
3. Issues Before the Commission.....	3
4. Green Power Institute's (GPI's) Claim For Resolutions (Res.) SPD-7, SPD-8, and SPD-9 Was Untimely	4
5. Evaluation of Claims for Res. SPD-11 and SPD-12.....	5
6. Summary of Public Comment	5
7. Comments on Proposed Decision.....	6
8. Assignment of Proceeding.....	6
Findings of Fact.....	6
Conclusion of Law	7
ORDER.....	7

Attachment A

**DECISION GRANTING INTERVENOR COMPENSATION
FOR SUBSTANTIAL CONTRIBUTION TO RESOLUTIONS
(RES.) SPD-11 AND SPD-12 AND DENYING INTERVENOR
COMPENSATION FOR RES. SPD-7, SPD-8, AND SPD-9**

Summary

This decision denies intervenor compensation to the Green Power Institute (GPI) for its contributions to Commission Resolutions (Res.) SPD-7, SPD-8, and SPD-9 because the request for compensation was submitted untimely. The decision also grants compensation to GPI for substantial contributions to Res. SPD-11 and SPD-12.

The proceeding is closed.

1. Background

Public Utilities (Pub. Util.) Code section 8386(b)(1) requires each regulated electrical utility to annually prepare and submit a Wildfire Management Plan (WMP) to the California Natural Resources Agency, Office of Energy Infrastructure Safety (OEIS). Pub. Util. Code section 8386.3(a) requires OEIS to review and approve or deny each WMP within three months of submittal and for the Commission to ratify OEIS' actions. In rendering its approval, denial, or modification of the WMPs, OEIS is required to consider public comments submitted pursuant to subdivision (d) of Pub. Util. Code section 8386.

On December 16, 2022, the Commission issued Resolution (Res.) SPD-7, adopting the Wildfire Mitigation Plan Compliance Process for Electrical Corporations and Res. SPD-9, ratifying the California Natural Resources Agency, Office of Energy Infrastructure Safety (OEIS) approval of Pacific Gas and Electric's (PG&E) 2022 WMP Update. On January 11, 2023, the Commission issued Res. SPD-10, which modified Res. SPD-9. On January 13, 2023, the

Commission issued Res. SPD-8, adopting OEIS' approval of Liberty Utilities' 2022 WMP Update.

On May 6, 2022, Bear Valley Electrical Service, Inc. (BVES) and PacifiCorp filed their 2022 WMP Updates. The Green Power Institute (GPI) was among several parties that provided comments and reply comments on the BVES and PacifiCorp WMP Updates. On February 24, 2023, the Commission issued Res. SPD-11 and SPD-12, ratifying OEIS's approval of the BVES and PacifiCorp 2022 WMP Updates.

On April 4, 2023, GPI filed Application (A.) 23-04-004, seeking intervenor compensation for its contribution to Res. SPD-7, SPD-8, SPD-9, SPD-11, and SPD-12.

On June 22, 2023, a telephonic pre-hearing conference was held to determine the parties, discuss party positions, the preliminary scope and other procedural matters.

On July 14, 2023, an Assigned Commissioner's Scoping Memo and Ruling was issued setting forth the issues, need for hearing, schedule, category, and other matters necessary to scope this proceeding.

2. Submission Date

This matter was submitted on July 14, 2023, upon issuance of the Assigned Commissioner's Scoping Memo and Ruling.

3. Issues Before the Commission

This application presents four issues for consideration. The first is whether the application was timely filed. If all, or part, of the application was timely filed, then we must determine whether the application satisfies all of the requirements for an intervenor compensation claim established by Pub. Util. Code sections 1801 through 1812. If all, or part, of the application satisfies those provisions, we

must determine whether GPI made a substantial contribution to the resolution or resolutions. Finally, if each of those issues is resolved in favor of GPI, we must determine the reasonable amount of compensation to which GPI is entitled.

4. Green Power Institute's (GPI's) Claim For Resolutions (Res.) SPD-7, SPD-8, and SPD-9 Was Untimely

Pub. Util. Code section 1804 establishes timeliness standards for the applications for intervenor compensation. Subdivision (a)(1) requires that a party that intends to seek compensation shall file a notice of intent to claim compensation within 30 days of the prehearing conference in the subject proceeding. In proceedings for which there is no prehearing conference, the statute authorizes the Commission to establish a procedure for filing these requests.

Subdivision (c) requires that a claim for compensation must be filed within 60 days of the final order or decision of the Commission. Rule 17.3¹ confirms that requirement for all Commission proceedings.

The Commission has established a procedure for filing compensation claims in circumstances where no formal proceeding is docketed prior to final action by the Commission. The Intervenor Compensation Program Guide (Guide), issued in April 2017 and available on the Commission's Website, Section IV, directs parties to seek compensation by filing a formal application for compensation, initiating a new formal proceeding. The Guide confirms that the application is subject to the 60-day filing deadline established by Pub. Util. Code section 1804, subdivision (c). The Guide also requires that parties file the information required in the notice of intent to seek compensation as part of the

¹ References to Rule or Rules are to the Commission's Rules of Practice and Procedure.

application. The Guide identifies Commission resolutions as an example of situations in which Section IV applies. The Commission has consistently applied Intervenor Compensation Guide, Section IV, to claims related to the resolution of WMP Updates.²

Res. SPD-7 was issued on December 16, 2022. Res. SPD-8 was issued on January 13, 2023. Res. SPD-9 was issued on December 16, 2022 and became final with the issuance of Res. SPD-10, on January 11, 2023. In order to be timely, applications for intervenor compensation for Res. SPD-7 were due February 13, 2023, applications for Res. SPD-8 were due March 14, 2023, and applications for Res. SPD-9 as modified by Res. SPD-10 were due on March 12, 2023. GPI filed its application on April 4, 2023. Accordingly, GPI's claims for contributions to Res. SPD-7, SPD-8, and SPD-9 are untimely and not compensable.

The Commission issued Res. SPD-11 and SPD-12 on February 24, 2023. Accordingly, GPI's claim for contribution to Res. SPD-11 and SPD-12 are timely.

5. Evaluation of Claims for Res. SPD-11 and SPD-12

The Guide directs applicants to utilize the Intervenor Compensation Claim Form (Intervenor Compensation Program Guide (2017) §III(A)(2).) The form submitted by GPI is attached as Attachment A and includes the Commission's evaluation of the claim for Res. SPD-11 and SPD-12.

6. Summary of Public Comment

Rule 1.18 allows any member of the public to submit written comment in any Commission proceeding using the "Public Comment" tab of the online Docket Card for that proceeding on the Commission's website. Rule 1.18(b)

² For example: Decision (D.) 22-09-023 at p. 5; D. 22-07-021 at p. 4; D. 23-05-032 at p. 3.

requires that relevant written comment submitted in a proceeding be summarized in the final decision issued in that proceeding.

No relevant public comment has been received.

7. Comments on Proposed Decision

The proposed decision of Administrative Law Judge (ALJ) Rambo in this matter was mailed to the parties in accordance with section 311 of the Pub. Util. Code and comments were allowed under Rule 14.3. Comments were filed on _____, and reply comments were filed on _____ by _____.

8. Assignment of Proceeding

Alice Reynolds is the assigned Commissioner and Jacob L. Rambo is the assigned ALJ in this proceeding.

Findings of Fact

1. Res. SPD-7 was issued by the Commission on December 16, 2022.
2. Res. SPD-8 was issued by the Commission on January 13, 2023.
3. Res. SPD-9 was issued by the Commission on December 16, 2022 but was later modified in Res. SPD-10, issued on January 11, 2023.
4. GPI filed A.23-04-004 seeking intervenor compensation for its contributions to Res. SPD-7, SPD-8, SPD-9, SPD-11, and SPD-12 on April 4, 2023, 2022.
5. GPI's claim for contributions to Res. SPD-7, SPD-8, and SPD-9 were filed untimely and not compensable.
6. GPI's claim for contribution to Res. SPD-11 and SPD-12 were filed timely.
7. GPI has made a substantial contribution to Res. SPD-11 and SPD-12.

8. The requested hourly rates for GPI's representatives, as adjusted in Attachment A, are comparable to market rates paid to experts and advocates having comparable training and experience and offering similar services.

9. The claimed costs and expenses, as adjusted in Attachment A, are reasonable and commensurate with the work performed.

10. The total of reasonable compensation is \$18,709.50.

Conclusion of Law

1. GPIs' claim for contributions to Res. SPD-11 and SPD-12 satisfies all requirements of Pub. Util. Code sections 1801-1812.

O R D E R

IT IS ORDERED that:

1. Green Power institute is awarded a total of 18,709.50, (\$9,354.75 for contributions to Resolution SPD-11 and \$9,354.75 for contributions to Resolution SPD-12).

2. Within 30 days of the effective date of this decision, PacifiCorp shall pay the Green Power Institute \$9,354.75. PacifiCorp shall also pay compound interest on the award at the rate earned on prime, three-month non-financial commercial paper as reported in Federal Reserve Statistical Release H.15, beginning June 18, 2023, the 75th day after the filing of Green Power Institute's request, and continuing until full payment is made.

3. Within 30 days of the effective date of this decision, Bear Valley Electrical Service Inc. shall pay the Green Power Institute \$9,354.75. Bear Valley Electrical Service Inc. shall also pay compound interest on the award at the rate earned on prime, three-month non-financial commercial paper as reported in Federal Reserve Statistical Release H.15, beginning June 18, 2023, the 75th day after the

filing of Green Power Institute's request, and continuing until full payment is made.

4. Application 23-04-004 is closed.

This order is effective today.

Dated _____, at Sacramento, California.

ATTACHMENT A

ATTACHMENT A

Intervenor: Green Power Institute	For contribution to Decision (D.)
Claimed: \$ 115,758	Awarded: \$18,709.50
Assigned Commissioner: President Alice Reynolds³	Assigned ALJ: ALJ Rambo⁴

PART I: PROCEDURAL ISSUES

A. Brief description of Decision:	SPD-7, Ratifying Action of OEIS on 2023 WMP Compliance Guidelines SPD-8, Ratifying Action of OEIS on Liberty Utility's 2022 WMP Update SPD-9, Ratifying Action of OEIS on PG&E's 2022 WMP Update SPD-11, Ratifying Action of OEIS on BVES's 2022 WMP Update SPD-12, Ratifying Action of OEIS on PacifiCorp's 2022 WMP Update
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B. Intervenor must satisfy intervenor compensation requirements set forth in Pub. Util. Code §§ 1801-1812⁵:

	Intervenor	CPUC Verification
Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):		
1. Date of Prehearing Conference:	None	Verified
2. Other specified date for NOI:	None	Verified
3. Date NOI filed:	Concurrent with this Request for Compensation (see Attachment 15).	Verified
4. Was the NOI timely filed?		Yes

³ This proceeding was assigned to President Alice Reynolds on April 28, 2023.

⁴ This proceeding was assigned to ALJ Rambo on April 28, 2023.

⁵ All statutory references are to California Public Utilities Code unless indicated otherwise.

	Intervenor	CPUC Verification
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:	R.20-05-002	R.22-10-010
6. Date of ALJ ruling:	November 20, 2020	05/15/2023
7. Based on another CPUC determination (specify):	D.23-02-015	Verified
8. Has the Intervenor demonstrated customer status or eligible government entity status?		Yes
Showing of “significant financial hardship” (§1802(h) or §1803.1(b)):		
9. Based on ALJ ruling issued in proceeding number:	R.20-05-002	R.22-10-010
10. Date of ALJ ruling:	November 20, 2020	05/15/2023
11. Based on another CPUC determination (specify):	D.23-02-015	Verified
12. Has the Intervenor demonstrated significant financial hardship?		Yes
Timely request for compensation (§ 1804(c)):		
13. Identify Final Decision:	SPD-12	The final decisions in this proceeding are: Res. SPD-7, Res. SPD-8, Res. SPD-10 modifying Res. SPD-9, Res. SPD-11, and Res. SPD-12
14. Date of issuance of Final Order or Decision:	February 24, 2023	Res. SPD-7 was issued December 15, 2022 Res. SPD-8 was issued January 13, 2023 Res. SPD-10 was issued January 11, 2023 Res. SPD-11 and SPD-12 were issued February 24, 2023
15. File date of compensation request:	April 4, 2023	Verified

	Intervenor	CPUC Verification
16. Was the request for compensation timely?		Timely as to Res. SPD-11 and SPD-12, untimely as to Res. SPD-7, SPD-8, and SPD-9/10

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
	(Please note that Attachment 2 includes a list of issue areas and GPI Pleadings relevant to this Claim.)	
<p>1. 2023 WMP Compliance Guidelines.</p> <p>The GPI made substantial contributions to Resolution SPD-7 and the OEIS WMP Compliance Process document it approves by providing detailed analysis and insights into the issues of restructuring the WMP compliance process in our 10/26/22 Comments. OEIS adopted many of our suggestions, and in instances where our positions were not adopted, we made substantial contributions by enriching the record underlying the decisions.</p>	<p>Resolution SPD-7</p> <p>In the proposed Compliance Process, Energy Safety reiterates its existing objectives for assessing compliance. The proposal is reorganized from the prior focus on annual and ongoing compliance processes, and instead discusses five components that Energy Safety considers in assessing WMP compliance (inspections, the electrical corporation's annual report on compliance, the independent evaluator's annual report on compliance, audits, and Energy Safety's annual report on compliance). [SPD-7, pg. 2.]</p> <p>Pleadings</p> <p>Our comments include structural and foundational/conceptual topics on the WMP Guidelines overall, by WMP plan section, and for the updated Maturity Model. Comments address the following topics:</p>	<p>See Part I (B) above and Section 4 in the Final Decision on A.23-04-004</p>

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
	<ul style="list-style-type: none"> • Filing deadlines should follow CPUC counting rules • GPI recommends migrating to digitized maps on publicly accessible platforms • GPI recommends establishing a standardized Tracking ID format • Section 1.2.3: Add a data table with estimated rate increase for a defined residential customer profile. • Section 4.3: Vague language continues to leave substantial room for individual utility interpretation of cost-effective risk reduction. • Clarify reporting requirements in Section 4.3 • Section 5. Overview of the Service Territory - recommendations • Section 6 Risk Methodology and Assessment – recommendations and packaging model and sub-model descriptions based on WMP application. • Section 7 Wildfire Mitigation Strategy Development – recommendations • Section 8 Wildfire Mitigation – recommendations • Expand Section 8.2.3.1 Fuels Management to include quantitative reporting, target planning, and disposal pathway. • Appendix A: Include additional terminology definitions • Appendix B should be restructured to facilitate WMP Review • Reduce the number of header levels to the maximum extent possible and separate the guidance from the WMP template structure. [Structural] • Maturity Model recommendations. <p>[GPI Comments, 10/26/22, pgs. 1-2.]</p>	

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
<p>2. Review of 2022 Liberty Utilities' WMP Update.</p> <p>The GPI made substantial contributions to Resolution SPD-8 by performing a detailed analysis of Liberty Utilities' 2022 WMP update, and providing the Commission with the results of our analysis and our recommendations for fixing deficiencies in the plan before the end of the first WMP three-year cycle, and in preparation for the coming cycle. OEIS adopted many of our suggestions in responding to Liberty Utilities, and in drafting their decision to accept the update, which SPD-8 ratifies. In instances where our positions were not adopted, we made substantial contributions by enriching the record underlying the decision.</p>	<p>Resolution SPD-8</p> <p>Comments on the WMPs were due on August 15, 2022 and reply comments were due on August 22, 2022. Comments were provided by the Green Power Institute (GPI) and the Public Advocates Office at the CPUC (Cal Advocates). Energy Safety evaluated these comments, concurred with some comments, and in some instances incorporated stakeholder input into the decision. [Res. SPD-8, pg. 4.]</p> <p>Pleadings</p> <p>The GPI performed a review of the SMJUs' 2022 WMP Updates with a general focus on risk modeling and the reduction of green waste from vegetation management mitigations. Our comments focus on PacifiCorp and Liberty's 2022 WMPs, and secondarily address issues in the Bear Valley Electric Service (BVES) WMP. This is not, however, a reflection on the importance of holding BVES and their Wildfire Mitigation Plan to equally high standards. Based on our review we have substantial concerns regarding PacifiCorp's 2020–2021 performance and 2022 work plan and associated costs. We recommend issuing PacifiCorp a revision notice that addresses the disconnect between past versus proposed performance and costs. We provide further comments on the following topics [only bullet points pertinent to Liberty included]:</p> <ul style="list-style-type: none"> • Equivocating language is a persistent issue in the SMJU WMPs. 	<p>See Part I (B) above and Section 4 in the Final Decision on A.23-04-004</p>

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
	<ul style="list-style-type: none"> • Liberty and BVES spending stabilized along with program targets. • SMJU's WMP-associated electric bill increases are much higher than IOU WMP customer increases. • SMJU lessons learned assessments are a plan weakness that suggests high-level directional planning for the WMP is somewhat uncertain. • SMJUs should clearly describe how they are working with other utilities to leverage existing data and ongoing studies relevant to their WMP research efforts. • The SMJUs are relying heavily on the HFTD maps to guide risk mitigation planning efforts. They are also failing to analyze more granular risk and/or to use more granular risk findings to inform updates to the HFTD. • SMJUs may be oversimplifying their assessment of climate change effects on granular wildfire risk. • SMJUs fail to include tree species data in their risk modeling or vegetation management considerations. • SMJUs have not yet developed comprehensive or transparent quantification methods for wildfire consequence and should be required to do so in the next 3-year WMP cycle. • Comments on Liberty's wildfire risk modeling. • Risk modeling and assessments do not include tree species. • A standard fire spread model duration should be set for wildfire consequence modeling and quantification. GPI supports a 24 h 	

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
	<p>duration to encompass a full diurnal cycle.</p> <ul style="list-style-type: none"> • Liberty's QA/QC inspection rate of 0.5 percent, is one tenth of the QA/QC performed by PacifiCorp and BVES (5 percent). • Liberty should accelerate their expulsion fuse replacement program and improve the prioritization method. • Liberty should explain whether and how it considers alternate pole materials or protections in high fire risk locations. • Liberty and PacifiCorp do not adequately take into account ingress or egress routes in their risk modeling or Grid Design and System Hardening plan. • All SMJUs should have a specific CC maintenance program that takes into consideration CC specific failure modes. • Liberty should provide transparency in their WMP regarding whether Rule 20 undergrounding projects are funded by local citizens or ratepayers at large. • Liberty's fuels management tables should be adopted by all utilities as the first-step and current best practice for reporting on vegetation residues produced during vegetation management work. • SMJUs should explain how they schedule and perform additional inspections and vegetation management in wildfire impacted areas. <p>[GPI Comments, 6/20/22, pgs. 1-3.]</p>	

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
<p>3. Review of 2022 PG&E WMP Update.</p> <p>The GPI made substantial contributions to Resolution SPD-9 by performing a detailed analysis of PG&E's 2022 WMP update, response to the OEIS Revision Notice, and the resulting PD regarding accepting the document, and providing the Commission with the results of our analysis and our recommendations for fixing deficiencies in the plan before the end of the first WMP three-year cycle, and in preparation for the coming cycle. OEIS adopted many of our suggestions in responding to PG&E, and in drafting their decision to accept the update, which SPD-9 ratifies. In instances where our positions were not adopted, we made substantial contributions by enriching the record underlying the decision.</p>	<p>Resolution SPD-9</p> <p>On October 6, 2022, Energy Safety released a draft decision approving PG&E's 2022 WMP update for public comment.⁹ The comment period ended on October 26, 2022, with comments received from GPI, PG&E, and Cal Advocates. The comments generally call for additional accountability and monitoring of specific issues, such as improvements to inspection quality and timely reduction of PG&E's repair backlog. However, none of the comments called for a rejection of the plan. Reply comments were submitted by PG&E on November 7. PG&E addressed recommendations suggested by GPI and Cal Advocates regarding repair backlog, asset inspections, and the risk modeling and costs of undergrounding, noting that Energy Safety's required improvements for the 2023 WMP would resolve these issues. After evaluating the comments, Energy Safety issued its final decision approving PG&E's WMP on November 10, 2022. [Res. SPD-9, pgs. 4-5.]</p> <p>Pleadings</p> <p>GPI generally supports the Draft decision on PG&E's 2022 Wildfire Mitigation Plan Update. We provide the following recommendations for inclusion in the final Decision. [GPI Comments, 10/26/22, pg. 1.]</p>	<p>See Part I (B) above and Section 4 in the Final Decision on A.23-04-004</p>

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
<p>4. Review of 2022 BVES WMP Update.</p> <p>The GPI made substantial contributions to Resolution SPD-11 by performing a detailed analysis of BVES' 2022 WMP update, and providing the Commission with the results of our analysis and our recommendations for fixing deficiencies in the plan before the end of the first WMP three-year cycle, and in preparation for the coming cycle. OEIS adopted many of our suggestions in responding to BVES, and in drafting their decision to accept the update, which SPD-11 ratifies. In instances where our positions were not adopted, we made substantial contributions by enriching the record underlying the decision.</p>	<p>Resolution SPD-11</p> <p>BVES submitted its WMP Update for 2022 on May 06, 2022 and provided an overview of the WMP in a workshop overseen by Energy Safety on May 16, 2022. Comments on the WMPs were due on June 20, 2022 and reply comments were due on June 27, 2022. Comments were provided by the California Department of Fish and Wildlife (CDFW), Green Power Institute (GPI) and the Public Advocates Office at the CPUC (Cal Advocates). Energy Safety evaluated these comments, concurred with some comments, and in some instances incorporated stakeholder input into the decision. [Res. SPD-11, pg. 4.]</p> <p>Pleadings</p> <p>The GPI performed a review of the SMJUs' 2022 WMP Updates with a general focus on risk modeling and the reduction of green waste from vegetation management mitigations. Our comments focus on PacifiCorp and Liberty's 2022 WMPs, and secondarily address issues in the Bear Valley Electric Service (BVES) WMP. This is not, however, a reflection on the importance of holding BVES and their Wildfire Mitigation Plan to equally high standards. Based on our review we have substantial concerns regarding PacifiCorp's 2020–2021 performance and 2022 work plan and associated costs. We recommend issuing PacifiCorp a revision notice that addresses the disconnect between past versus proposed performance and costs. We provide further comments</p>	<p>We find that GPI made substantial contributions to Res. SPD-11. Our reduction of the compensable hours is limited to the reasons explained in the comments below.</p>

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
	<p>on the following topics [only bullet points pertinent to BVES included]:</p> <ul style="list-style-type: none"> • Equivocating language is a persistent issue in the SMJU WMPs. • Liberty and BVES spending stabilized along with program targets. • SMJU's WMP-associated electric bill increases are much higher than IOU WMP customer increases. • BVES does not distinguish between top-risk circuits and percent of work completed therein in their Program Targets tables. • SMJU lessons learned assessments are a plan weakness that suggests high-level directional planning for the WMP is somewhat uncertain. • SMJUs should clearly describe how they are working with other utilities to leverage existing data and ongoing studies relevant to their WMP research efforts. • The SMJUs are relying heavily on the HFTD maps to guide risk mitigation planning efforts. They are also failing to analyze more granular risk and/or to use more granular risk findings to inform updates to the HFTD. • SMJUs may be oversimplifying their assessment of climate change effects on granular wildfire risk. • SMJUs fail to include tree species data in their risk modeling or vegetation management considerations. • SMJUs have not yet developed comprehensive or transparent quantification methods for wildfire consequence and should be required to do so in the next 3-year WMP cycle. 	

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
	<ul style="list-style-type: none"> • Comments on BVES's wildfire risk modeling. • Risk modeling and assessments do not include tree species. • A standard fire spread model duration should be set for wildfire consequence modeling and quantification. GPI supports a 24 h duration to encompass a full diurnal cycle. • BVES should explore opportunities to contract with SCE for wildfire planning and/or mitigation services. • All SMJUs should have a specific CC maintenance program that takes into consideration CC specific failure modes. • SMJUs should explain how they schedule and perform additional inspections and vegetation management in wildfire impacted areas. <p>[GPI Comments, 6/20/22, pgs. 1-3.]</p>	
<p>5. Review of 2022 PacifiCorp WMP Update.</p> <p>The GPI made substantial contributions to Resolution SPD-12 by performing a detailed analysis of PacifiCorp's 2022 WMP update, and providing the Commission with the results of our analysis and our recommendations for fixing deficiencies in the plan before the end of the first WMP three-year cycle, and in preparation for the coming cycle. OEIS adopted many of</p>	<p>Resolution SPD-12</p> <p>PacifiCorp initially submitted its WMP Update for 2022 on May 06, 2022, and provided an overview of the WMP in a workshop overseen by Energy Safety on May 18, 2022. PacifiCorp's 2022 WMP Update did not satisfy the completeness requirements delineated in the Final 2022 Wildfire Mitigation Plan Update Guidelines. As a result, Energy Safety rejected the initial submission and a revised submission by PacifiCorp was resubmitted on July 18, 2022. Comments on the WMPs were due on August 15, 2022, and reply comments</p>	<p>We find that GPI made substantial contributions to Res. SPD-12. Our reduction of the compensable hours is limited to the reasons explained in the comments below.</p>

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
<p>our suggestions in responding to PacifiCorp, and in drafting their decision to accept the update, which SPD-12 ratifies. In instances where our positions were not adopted, we made substantial contributions by enriching the record underlying the decision.</p>	<p>were due on August 22, 2022. Comments were provided by California Department of Fish and Wildlife (CDFW), the Public Advocate's Office (Cal Advocates), Green Power Institute (GPI), and Rural County representatives of California (RCRC). Comments generally called for additional detail, information, and monitoring of specific issues, such as risk assessment and mapping tools, pole replacement, undergrounding projects. However, none of the comments called for a rejection of the plan. Energy Safety evaluated these comments, concurred with some comments, and in some instances incorporated stakeholder input into the decision. [Res. SPD-12, pg. 4.]</p> <p>Pleadings</p> <p>The GPI performed a review of the SMJUs' 2022 WMP Updates with a general focus on risk modeling and the reduction of green waste from vegetation management mitigations. Our comments focus on PacifiCorp and Liberty's 2022 WMPs, and secondarily address issues in the Bear Valley Electric Service (BVES) WMP. This is not, however, a reflection on the importance of holding BVES and their Wildfire Mitigation Plan to equally high standards. Based on our review we have substantial concerns regarding PacifiCorp's 2020–2021 performance and 2022 work plan and associated costs. We recommend issuing PacifiCorp a revision notice</p>	

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
	<p>that addresses the disconnect between past versus proposed performance and costs. We provide further comments on the following topics [only bullet points pertinent to PacifiCorp included]:</p> <ul style="list-style-type: none"> • Equivocating language is a persistent issue in the SMJU WMPs. • PacifiCorp expenditures in 2021 and 2022 do not correlate well with work completed or planned. • SMJU's WMP-associated electric bill increases are much higher than IOU WMP customer increases. • SMJU lessons learned assessments are a plan weakness that suggests high-level directional planning for the WMP is somewhat uncertain. • SMJUs should clearly describe how they are working with other utilities to leverage existing data and ongoing studies relevant to their WMP research efforts. • PacifiCorp's completed pilot project descriptions are inadequate. • The SMJUs are relying heavily on the HFTD maps to guide risk mitigation planning efforts. They are also failing to analyze more granular risk and/or to use more granular risk findings to inform updates to the HFTD. • SMJUs may be oversimplifying their assessment of climate change effects on granular wildfire risk. • SMJUs fail to include tree species data in their risk modeling or vegetation management considerations. • SMJUs have not yet developed comprehensive or transparent quantification methods for wildfire 	

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
	<p>consequence and should be required to do so in the next 3-year WMP cycle.</p> <ul style="list-style-type: none"> • Comments on PacifiCorp's wildfire risk modeling. • Risk modeling and assessments do not include tree species. • A standard fire spread model duration should be set for wildfire consequence modeling and quantification. GPI supports a 24 h duration to encompass a full diurnal cycle. • PacifiCorp should be required to provide RSE for all wildfire mitigation activities in their 2023 WMP filing. • PacifiCorp does not describe what near-miss data they are collecting. • PacifiCorp's additional PSPS impact reduction initiatives are reactive versus proactive risk reduction measures. • Liberty and PacifiCorp do not adequately take into account ingress or egress routes in their risk modeling or Grid Design and System Hardening plan. • PacifiCorp should assemble and store wildfire suppression equipment in their California territory. • PacifiCorp rolls many mitigations into its line rebuild program. It should describe how it addresses specific equipment risk outside of the Line Rebuild program. • All SMJUs should have a specific CC maintenance program that takes into consideration CC specific failure modes. • PacifiCorp's 2022 WMP does not address the fuels/slash end uses discussed and VM replacement programs mentioned in the workshop. 	

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
	<ul style="list-style-type: none"> • SMJUs should explain how they schedule and perform additional inspections and vegetation management in wildfire impacted areas. <p>[GPI Comments, 6/20/22, pgs. 1-3.]</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? ⁶	Yes	Verified
b. Were there other parties to the proceeding with positions similar to yours?	Yes	Verified
c. If so, provide name of other parties: TURN, Mussey Grade, PAO, Will Abrams		Verified
d. Intervenor's claim of non-duplication: This proceeding covers a wide variety of topics related to the state's program for wildfire mitigation. The Green Power Institute has been an active participant in the Commission's RPS and LTPP/IRP proceedings, and a number of related proceedings, including the wildfire mitigation proceeding, R.18-10-007. The Green Power Institute coordinated its efforts in this proceeding with other parties in order to avoid duplication of effort, and added significantly to the outcome of the Commission's deliberations through our own unique perspective. Some amount of duplication has occurred in this proceeding on all sides of contentious issues, but Green Power avoided duplication to the extent possible, and tried to minimize it where it was unavoidable.		Noted

⁶ 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.

PART III: REASONABLENESS OF REQUESTED COMPENSATION**A. General Claim of Reasonableness (§ 1801 and § 1806):**

	CPUC Discussion
<p>a. Intervenor’s claim of cost reasonableness:</p> <p>The GPI is providing, in Attachment 2, a listing of all of the pleadings we provided in this Proceeding in the Wildfire Safety Division that are relevant to matters covered by this Claim, and in Attachment 3, a detailed breakdown of GPI staff time spent for work performed that was directly related to our substantial contributions to Resolutions SPD-7, SPD-8, SPD-9, SPD-11, and SPD-12.</p> <p>The hours claimed herein in support of Resolutions SPD-7, SPD-8, SPD-9, SPD-11, and SPD-12 are reasonable given the scope of the Proceeding, and the strong participation by the GPI. GPI staff maintained detailed contemporaneous time records indicating the number of hours devoted to the matters settled by this Decision in this case. In preparing Attachment 3, Dr. Morris reviewed all of the recorded hours devoted to this proceeding, and included only those that were reasonable and contributory to the underlying tasks. As a result, the GPI submits that all of the hours included in the attachment are reasonable, and should be compensated in full.</p> <p>Dr. Morris is a renewable energy analyst and consultant with more than 40 years of diversified experience and accomplishments in the energy and environmental fields. He is a nationally recognized expert on biomass and renewable energy, climate change and greenhouse-gas emissions analysis, integrated resources planning, and analysis of the environmental impacts of electric power generation. Dr. Morris holds a BA in Natural Science from the University of Pennsylvania, an MSc in Biochemistry from the University of Toronto, and a PhD in Energy and Resources from the University of California, Berkeley.</p> <p>Dr. Morris has been actively involved in electric utility restructuring in California throughout the past three decades. He served as editor and facilitator for the Renewables Working Group to the California Public Utilities Commission in 1996 during the original restructuring effort, consultant to the CEC Renewables Program Committee, consultant to the Governor’s Office of Planning and Research on renewable energy policy during the energy crisis years, and has provided expert testimony in a variety of regulatory and legislative proceedings, as well as in civil litigation.</p>	Noted

	CPUC Discussion
<p>Dr. Harrold has worked for the Green Power Institute (GPI) for a total of more than 10 years, as a Research Assistant from 2006 to 2008, and again as a Scientist from 2015 to present. Through her work with the GPI she has been engaged with the development of the Renewable Portfolio Standard program (RPS), the Integrated Resources Planning (IRP) proceeding, and the Wildfire Mitigation Plan (WMP) proceeding. Dr. Harrold earned a Ph.D. in geomicrobiology from the University of Washington, Department of Earth and Space Science in 2014.</p> <p>Decision D.98-04-059 states, on pgs. 33-34, “Participation must be productive in the sense that the costs of participation should bear a reasonable relationship to the benefits realized through such participation. ... At a minimum, when the benefits are intangible, the customer should present information sufficient to justify a Commission finding that the overall benefits of a customer’s participation will exceed a customer’s costs.” This proceeding is concerned with the development and approval of the wildfire mitigation plans of the wires utilities. The cost reductions and environmental benefits of the WMPs overwhelm the cost of our participation.</p>	
<p>b. Reasonableness of hours claimed:</p> <p>The GPI made Significant Contributions to Resolutions SPD-7, SPD-8, SPD-9, SPD-11, and SPD-12 by actively participating in workshops and working groups, and providing a series of Commission filings on the various topics that were under consideration in the Proceeding and are covered by this Claim. Attachment 3 provides a detailed breakdown of the hours that were expended in making our Contributions. The hourly rates and costs claimed are reasonable and consistent with awards to other intervenors with comparable experience and expertise. The Commission should grant the GPI’s claim in its entirety.</p>	<p>See Part I (B) above and Section 4 in the Final Decision on A.23-04-004</p> <p>Noted as to Res. SPD-11 and SPD-12</p>
<p>c. Allocation of hours by issue:</p> <ol style="list-style-type: none"> 1. 2023 WMP Compliance Process 20% 2. Review of 2022 Liberty Utilities WMP Update 15% 3. Review of 2022 PG&E WMP Update 25% 4. Review of 2022 BVES WMP Update 20% 5. Review of 2022 PacifiCorp WMP Update 20% 	Noted

B. Specific Claim:*

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
G. Morris	2022	82.00	\$465	See comment 1	\$38,130	4.5[1]	\$465.00 [4]	\$2,092.50
G. Morris	2023	7.50	\$485	See comment 1	\$3,638	0[1]	\$485.00 [4]	\$0.00
Z. Harrold	2022	246.00	\$285	See comment 1	\$70,110	65.5[1]	\$230.00 [5]	\$15,065.00
Z. Harrold	2023	10.25	\$300	See comment 1	\$3,075	0[1]	\$0.00[2]	\$0.00
Subtotal: \$111,878						Subtotal: \$17,157.50		
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
G. Morris	2023	16.00	\$242.50	½ 2023 rate	\$3,880	6.4 [3]	\$242.50 [4]	\$1,552.00
Subtotal: \$3,880						Subtotal: \$1,552.00		
TOTAL REQUEST: \$115,758						TOTAL AWARD: \$18,709.50		
<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. Intervenor’s 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>								

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	Allocation of effort by issue, list of pleadings
Attachment 3	Breakdown of hourly efforts by issue category
Attachments 4-8	Res. SPD-7, Res. SPD-8, Res. SPD-9, Res. SPD-11, and Res. SPD-12
Attachments 9-14	The six pleadings listed in Attachment 2

Attachment or Comment #	Description/Comment
Attachment 15	NOI
Comment 1	The Commission has adopted a 3.31 percent adjustment for rates in the Market Rate Study for converting the 2021 to 2022 values, and 4.46 for converting the 2022 to 2023 values. These values can be found on the Escalation tab of the Hourly Rate Chart spreadsheet on the Commission's web site. We apply the 3.31 and 4.46 percent escalators to the approved 2021 hourly rate for Dr. Morris, which is \$450/hr (D.22-06-042), and round to the nearest 5 percent for both 2022 and 2023 per established Commission practice.
Comment 2	Dr. Harrold does not yet have an approved rate for 2021. GPI has requested a rate for Dr. Harrold for 2021 of \$280/hr. This rate request is pending in Claims filed in R.14-08-013 et. al. (filed 10/22/21), R.18-10-007 (filed 2/11/22), R.20-05-003 (filed 3/4/22), A.22-12-013 (filed 12/16/22), and R.18-07-003 (filed 2/10/23). Several of the requests include a request for Dr. Harrold for 2022 of \$285, based on applying the 3.31 percent adjustment as discussed above for comment 1, and the request in R.18-07-003 includes a request for Dr. Harrold for 2023 of \$300, based on applying the 4.46 percent adjustment as discussed above for comment 1. These are the rates we are requesting here as well. (Note that the request for 2022 should have been \$290, not \$285, based on the 3.31 percent adjustment factor, but we apparently miscalculated, and we standby the \$285 request that is already in multiple pending Claims.)

D. CPUC Comments, Disallowances, and Adjustments

Item	Reason
[1]	<p>G. Morris's hours are initially reduced by 47.75 hours in 2022 and 2.75 in 2023 for the time allocated to Res. SPD-7, Res. SPD-8, and Res. SPD-9 per the applicant's timesheet.</p> <p>Z. Harrold's hours are initially reduced by 134.25 hours in 2022 and 7 hours in 2023 for the time allocated to Res. SPD-7, SPD-8, and SPD-9 per the applicant's timesheet.</p> <p>GPI submitted comments on the PacifiCorp and BVES WMP Updates to OEIS on June 20, 2022 (Comments on the SMJU WMP Updates). Additional comments regarding BVES were submitted to OIES on September 9, 2022 (Comments on Responses to 2022 BVES WMP Revision Notice) and November 21, 2022 (Comments on Decision on BVES 2022 Update). GPI did not submit comments on the draft OEIS approval of the PacifiCorp WMP Update, issued November 4, 2022. GPI did not submit comments to the</p>

Item	Reason
	<p>Commission on Res. SPD-11 or SPD-12. No time is compensable for work performed in 2023, 2022 hours claimed after June 20, 2022 for Res. SPD-11 or November 21, 2022 for Res. SPD-12. This results in a reduction of 20 hours for G. Morris and 38.25 hours for Z. Harrold in 2022.</p> <p>Applicant's timesheet includes numerous entries for working group meetings, WSAB meetings, and vague tasks such as "document review." We have previously found that work before the WSAB is not compensable in WMP Update compensation claims absent a showing by the applicant that such work contributed to the Commission's decision. Meeting attendance is not compensable where the applicant has not established how its attendance or participation in a meeting contributed to the Commission decision. Ultimately applicants bear the burden of showing that their claimed work substantially contributed to our decision. Vague descriptions of work performed do not satisfy that burden. We have allowed time where the description of the meeting or activity links the work to a specific, compensable element of the claim. This results in a reduction of 9.75 hours for G. Morris and 8.0 hours for Z. Harrold in 2022.</p> <p>Total Reductions: 2022 G. Morris-77.5 2023 G. Morris-7.5 hours 2022 Z. Harrold-180.5 2023 Z. Harrold-10.25</p>
[2]	No compensable work was performed in 2023, accordingly a rate is not set.
[3]	Claim preparation hours were not allocated by Resolution in the applicant's timesheet. In Part III(A)(c) of the Claim Form, the applicant reports that 60% of the claim was allocated to Res. SPD-7, SPD-8, and SPD-9. Accordingly, the claim preparation time was reduced by 60%.
[4]	<p>GPI requested 2022 and 2023 rates of \$465.00 and \$485.00 for Gregg Morris.</p> <p>D.22-06-041 verified a 2021 rate of \$450.00. Based on our calculation methodology, using the approved 2021 rate of \$450.00 as a basis, application of the 3.31% 2022 escalation, 4.45% 2023 escalation and rounding to the nearest \$5:</p> <p>2021: \$450.00 2022: \$450.00 x 1.0331 = \$14.90 + \$450.00 = \$465.00 2023: \$465.00 x 1.0446 = \$20.74 + \$465.00 = \$485.00</p> <p>We find the requested 2022 rate of \$465.00 and 2023 rate of \$485.00 reasonable and adopt them here. Intervenor claim preparation is rated at ½</p>

Item	Reason
	preparer's normal rate, bringing the approved intervenor claim preparation rate to \$242.50.
[5]	<p>GPI requested a 2022 rate of \$285.00 for Zoë Harrold.</p> <p>D.22-06-042 verified a 2021 rate of \$225.00. Based on our calculation methodology, using the approved 2021 rate of \$225.00, application of the 3.31% 2022 escalation and rounding to the nearest \$5:</p> <p>2021: \$225.00 2022: $\\$225.00 \times 1.0331 = \\$7.45 + \\$225.00 = \\230.00 We find the 2022 rate of \$230.00 to be reasonable and adopt it here.</p>

APPENDIX

Compensation Decision Summary Information

Compensation Decision:		Modifies Decision?	No
Contribution Decision(s):	Resolution SPD-7, SPD-8, SPD-9, SPD-11, SPD-12		
Proceeding(s):	A2304004		
Author:	ALJ Rambo		
Payer(s):	PacifiCorp, Bear Valley Electrical Service, Inc.		

Intervenor Information

Intervenor	Date Claim Filed	Amount Requested	Amount Awarded	Multiplier?	Reason Change/Disallowance
Green Power Institute	Apr. 4, 2023	\$115,758	\$18,709.50	N/A	See Part III.D CPUC Comments, Disallowances and Adjustments

Hourly Fee Information

First Name	Last Name	Attorney, Expert, or Advocate	Hourly Fee Requested	Year Hourly Fee Requested	Hourly Fee Adopted
Gregg	Morris	Expert	465	2022	\$465.00
Gregg	Morris	Expert	485	2023	\$485.00
Zoë	Harrold	Scientist	285	2022	\$230.00
Zoë	Harrold	Scientist	300	2023	N/A

(END OF ATTACHMENT A)