

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

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November 4, 2024

Agenda ID #23033
Ratesetting

TO PARTIES OF RECORD IN APPLICATION 21-05-011, et al.:

This is the proposed decision of Administrative Law Judge (ALJ) Manisha Lakhanpal and ALJ Rafael L. Lirag. 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 December 5, 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:nd3

Attachment

Decision **PROPOSED DECISION OF ALJ LAKHANPAL AND ALJ LIRAG**
(Mailed 11/4/2024)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of San Diego Gas & Electric Company (U 902 M) to Submit Its 2021 Risk Assessment and Mitigation Phase Report.	Application 21-05-011
And Related Matter.	Application 21-05-014

**DECISION GRANTING COMPENSATION TO
THE PROTECT OUR COMMUNITIES FOUNDATION
FOR SUBSTANTIAL CONTRIBUTION TO DECISION 23-10-004**

Intervenor: The Protect Our Communities Foundation	For contribution to Decision (D.) 23-10-004 and D.20-09-004
Claimed: \$154,329.10	Awarded: \$49,627.50
Assigned Commissioner: Darcie L. Houck	Assigned ALJs: Manisha Lakhanpal and Rafael L. Lirag

PART I: PROCEDURAL ISSUES

A. Brief description of Decision:	<p>D.23-10-004 ordered Sothern California Gas Company (SoCalGas) and San Diego Gas and Electric Company (SDG&E) to address and consider in their next Risk Assessment Mitigation Phase (RAMP) filing, the comments and suggestions by the intervenors and the Safety Policy Division (SPD), for further improvements to the RAMP process. D.23-10-004 closed proceeding number A.21-05-011/014.</p> <p>D.20-09-004 ordered SDG&E and SoCalGas to address and consider in their next RAMP applications the comments and suggestions by intervenors regarding the</p>
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	2019 RAMP Report and further improvement of the RAMP process. D.20-09-004 closed proceeding number I.19-11-010/011, SDG&E’s and SoCalGas’ 2019 RAMP proceeding.
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B. Intervenor must satisfy intervenor compensation requirements set forth in Pub. Util. Code §§ 1801-1812¹:

	Intervenor	CPUC Verification
Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):		
1. Date of Prehearing Conference:	7/13/2021; 2/26/2020	7/13/2021
2. Other specified date for NOI:	The above dates include the PHC for proceeding number I.19-10-010/011 ² as well as A.22-05-011/014 because in D.20-09-004, which closed proceeding number I.19-10-010/011 ³ , the Commission authorized intervenors “to carry-forward to the next Risk Assessment Mitigation Phase filings of Southern California Gas Company and San Diego Gas and Electric Company any hours and costs incurred in this proceeding.” D.20-09-004, p. 18 (OP 2).	Verified. However, we note a subsequent ruling clarified that the “Risk Assessment and Mitigation Phase risks and related information were incorporated in the general rate case Application (A.) 22-05-015 and A.22-05-016.” See ALJ Ruling Seeking Information to Map Sempra Utilities Risk Assessment and Mitigation Phase Data to Exhibits in the General Rate Case Applications issued on October 20, 2022 at 3. Therefore, the hours incurred by PCF in I.19-11-010/011

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

² Correct proceeding is I.19-11-010/011.

³ Correct proceeding is I.19-11-010/011.

	Intervenor	CPUC Verification
		shall carry-forward to A.22-05-015 and A.22-05-016.
3. Date NOI filed:	8/12/2021; 3/27/2020	8/12/2021
4. Was the NOI timely filed?		Yes
Showing of eligible customer status (§ 1802(b)) or eligible local government entity status (§§ 1802(d), 1802.4):		
5. Based on ALJ ruling issued in proceeding number:	A.21-05-011/014	Verified
6. Date of ALJ ruling:	10/28/2021	Verified
7. Based on another CPUC determination (specify):		
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:	A.21-05-011/014	Verified
10. Date of ALJ ruling:	10/28/2021	Verified
11. Based on another CPUC determination (specify):		
12. Has the Intervenor demonstrated significant financial hardship?		Yes
Timely request for compensation (§ 1804(c)):		
13. Identify Final Decision:	D.23-10-004	Verified
14. Date of issuance of Final Order or Decision:	10/18/2023	Verified
15. File date of compensation request:	12/18/2023	Verified
16. Was the request for compensation timely?		Yes

C. Additional Comments on Part I:

#	Intervenor’s Comment(s)	CPUC Discussion
5-7	The Protect Our Communities Foundation (“PCF”) meets the definition of a Category 3 customer under the Public Utilities Code as a “representative of a group or organization	Noted

#	Intervenor’s Comment(s)	CPUC Discussion
	<p>authorized pursuant to its articles of incorporation or bylaws to represent the interests of residential customers...” (Pub. Util. Code § 1802, subd. (b)(1)(C).) Article 3, Section 3.3 of PCF’s Bylaws specifically authorizes the organization to represent the interests of Southern California residential utility ratepayers in proceedings before the Commission and to seek intervenor compensation for doing so. PCF advocates for just and reasonable rates and against unreasonably costly or unnecessary utility projects. PCF advocates for fair and reasonable energy practices, policies, rules, and laws, for the protection of natural resources from the impacts of largescale energy and industrial infrastructure projects, and in support of sustainable, clean, locally-based energy systems. PCF is a San Diego, California based nonprofit public benefit corporation organized for charitable and public purposes within the meaning of Section 501(c)(3) of the Internal Revenue Service Code.</p> <p>PCF also qualifies as an environmental group within the scope of Section 1802(b)(1)(C) because it represents the interests of customers with a concern for the environment.</p> <p>PCF advocates for just and reasonable rates and against unreasonably costly or unnecessary utility projects. PCF advocates for fair and reasonable energy practices, policies, rules, and laws, for the protection of natural resources from the impacts of large-scale energy and industrial infrastructure projects, and in support of sustainable, clean, locally based, renewable energy systems.</p> <p>A copy of PCF’s current Bylaws are on file with the Commission in R.13-12-010. In R.13- 12-010, PCF was found to have satisfied eligibility requirements in the September 26, 2014, Administrative Law Judge’s Ruling on Protect Our Communities Foundation’s Amended Showing of Significant Financial Hardship. A copy of PCF’s current Bylaws, as well as a copy</p>	

#	Intervenor’s Comment(s)	CPUC Discussion
	<p>of PCF’s current Articles of Incorporation, is also on file in A.15-09-013. In A.15-09-013, PCF was found to have satisfied eligibility requirements in D.19-04-031, Decision Granting Compensation to Protect Our Communities for Substantial Contribution to Decision 18-06-028 (April 25, 2019).</p>	
9-11	<p>PCF continues to meet the Commission’s longstanding definition of significant financial hardship. PCF is a nonprofit public benefit corporation organized exclusively for charitable, educational and public purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code. PCF represents the interests of a specific constituency: San Diego and other Southern California area residential utility ratepayers, the majority of whom do not have the financial ability to represent themselves in the application, and whose interests are often not adequately represented in Commission proceedings. Pursuant to Public Utilities Code section 1802(h), PCF certifies that the economic interest in the proceeding of any individual PCF constituent is small compared to the cost of effective participation in this proceeding.</p> <p>Moreover, the Commission has repeatedly determined that PCF’s participation without an award of intervenor compensation imposes a significant financial hardship, including in the instant proceeding on October 28, 2021.</p> <p>PCF’s circumstances have not changed in any relevant respect since the above determination was made. Pub. Util. Code, § 1803, subd. (b).</p>	Noted
13-16	<p>In D.20-09-004, the decision closing proceeding number I.19-10-010/011⁴, the Commission authorized intervenors “to carry-forward to the next Risk Assessment Mitigation Phase filings of</p>	<p>Verified. However, we note a subsequent ruling clarified that the “Risk Assessment and Mitigation Phase risks and</p>

⁴ Correct proceeding is I.19-11-010/011.

#	Intervenor’s Comment(s)	CPUC Discussion
	<p>Southern California Gas Company and San Diego Gas and Electric Company any hours and costs incurred in this proceeding.” D.20-09-004, p. 18 (OP 2).</p> <p>In D.20-09-004, the decision closing proceeding number I.19-10-010/011⁵, the Commission authorized intervenors “to carry-forward to the next Risk Assessment Mitigation Phase filings of Southern California Gas Company and San Diego Gas and Electric Company any hours and costs incurred in this proceeding.” D.20-09-004, p. 18 (OP 2).</p> <p>Although D.23-10-004 authorized intervenors to carry forward the hours and costs incurred in A.21-05-011/014 and “then file a single request for intervenor compensation in A.22-05-015 et al” (D.23-10-004, p. 20 (OP 2)), it was less clear whether D.23-10-004 also intended to apply to costs incurred in I.19-10-010/011⁶. PCF thus files this claim in an abundance of caution at this time to ensure compliance with the statutory deadline and because of the long time period since PCF began incurring costs in D.19-10-010/010. <i>See e.g.</i> D.98-11-004, 82 CPUC 2d 613 (“We have previously stated our willingness to consider compensation requests on an interim basis in cases where a proceeding may continue for a long period, that is, a party may seek compensation after the issuance of only a single order in a case where many orders may be issued.”)</p>	<p>related information were incorporated in the general rate case Application (A.) 22-05-015 and A.22-05-016.” <i>See</i> ALJ Ruling Seeking Information to Map Sempra Utilities Risk Assessment and Mitigation Phase Data to Exhibits in the General Rate Case Applications issued on October 20, 2022 at 3. Therefore, PCF’s compensation request for work in I.19-11-010 and I.19-11-011 is denied here. <i>See</i> Part III.D[3].</p>

⁵ Correct proceeding is I.19-11-010/011.

⁶ Correct proceeding is I.19-11-010/011.

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><u>PCF identified specific deficiencies in the Utilities’ 2019 and 2021 RAMP Reports, which the Commission required the Utilities to address and consider in their next RAMP reports.</u> PCF detailed examples of the specific deficiencies in the Utilities’ RAMP reports, with citations to the corresponding requirements in the Commission’s RDF construct, including D.14-12-025, D.16-08-018, and D.18-12-014. Although the Commission in D.20-09-004 did not adopt PCF’s procedural recommendations in full, both D.20-09-004 and D.23-10-004 ordered SoCalGas and SDG&E to “address and consider in their next” RAMP applications the comments and suggestions by PCF and others with respect to specific deficiencies and ways to improve the RAMP to GRC process, and D.23-10-004 expressly acknowledged that the specific deficiencies identified by PCF and others will be addressed in the TY24 GRC proceeding.</p>	<p>PCF 12/6/2021 Comments on 2021 RAMP, p. 7-25 (identifying deficiencies in the 2021 RAMP report and citing to RDF requirements); PCF 12/15/2021 Reply Comments on 2021 RAMP, p. 2-5; PCF 9/21/2023 Comments on PD, p. 2-5 (commenting about the issues pending in the TY24 GRC proceeding).</p> <p>10/9/2021 PD Rev. 1, p. 19-21 (adding specific findings related to the GRC process and clarifying that specific issues would be decided there).</p> <p>“PCF adds that the RAMP Report does not contain the necessary information for proper evaluation and continues to be obscure even after repeated directions from the Commission requiring more transparency from Sempra Utilities. PCF cites numerous deficiencies, including the proposed inclusion of a stakeholder impacts attribute, not including climate change as a safety risk, excluding from analysis the Aliso Canyon well blowout, and lack of adequate support for the utilities’ risk analysis. PCF agrees with the SPD report that the RAMP analysis lacks sufficient granularity and that the MAVF calculations imply an unrealistic value of consequences.” D.23-10-004, p. 10.</p> <p>“Southern California Gas Company and San Diego Gas and Electric Company shall address and consider in</p>	<p>Verified. However, we find PCF largely utilized efforts and arguments made in I.19-11-010/011, which is determined to not be compensable.</p> <p>The claimed contribution restates a previous position in an unrelated proceeding and we find the argument primarily echoed the findings of the SPD 2021 RAMP report.</p> <p>We note that PCF did not produce original technical analysis for which their positions were based. As such, we reduce the remaining eligible A.21-05-011/014 hours.</p>

Intervenor’s Claimed Contribution(s)	Specific References to Intervenor’s Claimed Contribution(s)	CPUC Discussion
	<p>their next Risk Assessment Mitigation Phase (RAMP) filing, comments and suggestions for further improvements to the RAMP process by the Safety Policy Division and by intervenors.” D.23-10-004, p. 20 (OP 1).</p> <p>“The testimony and workpapers in Sempra Utilities TY 2024 GRC incorporate feedback from the RAMP process and provide an assessment of RAMP risks, proposed controls and mitigations, and forecast costs to implement RAMP mitigations. “ D.23-10-004, p. 18 (FOF 9).</p> <p>“Proposed spending for risk mitigation programs and activities and the efficiency of risk mitigation funding are to be reviewed in Sempra Utilities TY 2024 GRC application.” D.23-10-004, p. 19 (FOF 10).</p> <p>“The SPD Report and comments from intervenors include suggestions and criticisms regarding the RAMP Report as well as recommendations to further improve the RAMP process.” D.23-10-004, p. 19 (FOF 11).</p> <p>“The issue of whether the utilities have incorporated the intervenors' and SPD’s comments as required is not determined here because it is currently under review in the GRC proceeding.” D.23-10-004, p. 18 (FOF 9).</p> <p>PCF 4/6/2020 Comments on 2019 RAMP, p. 15-39 (transparency, methodology, specificity, cost-effectiveness requirements, utility-specific data, alternatives, shareholder interest removal</p>	

Intervenor’s Claimed Contribution(s)	Specific References to Intervenor’s Claimed Contribution(s)	CPUC Discussion
	<p>requirements); PCF 3/23/2020 Proposal on 2019 RAMP, p. 6-12 (detailing Commission’s RDF decisions and wildfire risk related deficiencies).</p> <p>“With respect to comments and suggestions by parties regarding the next RAMP submission, we agree that SoCalGas and SDG&E should make appropriate modifications to their RAMP process to ensure compliance with D.16-08-018 and the S-Map settlement. Parties identify specific deficiencies and we direct SoCalGas and SDG&E to carefully examine the comments and suggestions to ensure compliance for the next RAMP submission.” D.20-09-004, p. 14.</p> <p>“Southern California Gas Company and San Diego Gas and Electric Company shall address and consider in their next Risk Assessment Mitigation Phase (RAMP) applications, the comments and suggestions by intervenors regarding the 2019 RAMP Report and further improvement of the RAMP process. The utilities’ next RAMP filing shall fully comply with the guidelines set forth in Decision 16-08-018 and the Safety Model Assessment Proceeding Settlement Agreement.” D.20-09-040, p. 18-19 (OP 1).</p> <p>“Further improvements to the RAMP process recommended by SPD and intervenors should be considered and addressed in Sempra Utilities’ pending GRC proceeding (A.22-05-015 and A.22-05-016, consolidated</p>	

Intervenor’s Claimed Contribution(s)	Specific References to Intervenor’s Claimed Contribution(s)	CPUC Discussion
	<p>applications) and its next RAMP filing.” D.23-10-004, p. 19 (COL 4).</p> <p>“Suggestions that are applicable to the TY 2024 GRC proceeding should be addressed in A.22-05-015 et al.” D.23-10-004, p. 20 (COL 5).</p>	
<p><u>Erroneous Baseline</u> PCF argued in comments on both the 2021 RAMP reports and the 2019 RAMP reports that SDG&E’s and SoCalGas’ (the Utilities) baseline analysis was inconsistent with Commission mandates and prevented an assessment of improvements over time. D.23-10-004 recognized that the Utilities agreed to recalculate their 2021 RSE values using 2023 as a baseline for years 2024-2027 in its TY 2024 GRC. Although the Utilities did not agree to recalculate their baseline exactly as PCF had recommended, PCF’s participation uniquely detailed the Commission’s original intent in establishing the baseline requirement and the Utilities’ agreement to recalculate that baseline as recognized in D.23-10-004, resulted in closer adherence to the Commission’s original intent that the baseline should allow for the improvements to be assessed over time.</p>	<p>PCF 6/21/2021 Protest, p. 13 (RAMP reports prevent assessment of effectiveness over time).</p> <p>“Although SDG&E’s and SoCalGas’ baseline controls should have been established in their 2016 RAMP Report, and although PCF identified the utilities baseline error as a deficiency in the 2019 RAMP Report, the utilities in their 2021 RAMP Reports make the same baseline error as the 2019 RAMP Report.” PCF 12/06/2021 Opening Comments on 2021 RAMP Report, p. 14.</p> <p>“Far from helping the Commission assess improvement, the moving baseline target that SDG&E and SoCalGas provide <i>prevents</i> an “understanding how safety mitigation improves over time.” PCF 4/6/2020 Reply re 2019 RAMP, p. 28.</p> <p>“PCF comments that the RAMP Report does not enable to Commission or intervenors to track the cost-effectiveness of risk reduction activities over time.” D.23-10-004, p. 10.</p> <p>“During the review of Sempra Utilities RAMP reports, SPD and other parties identified several deficiencies in Sempra Utilities’ RAMP report as well</p>	<p>Verified. However, we find PCF largely utilized efforts and arguments made in I.19-11-010/011, which is determined to not be compensable.</p> <p>The claimed contribution restates a previous position in an unrelated proceeding and we find those arguments primarily echoed on the findings of the SPD 2021 RAMP report.</p> <p>We note that PCF did not produce original technical analysis for which their positions were based. As such, we reduce the remaining eligible A.21-05-011/014 hours.</p>

Intervenor’s Claimed Contribution(s)	Specific References to Intervenor’s Claimed Contribution(s)	CPUC Discussion
	<p>as areas that can be improved. Based on SPD Report, Sempra Utilities agreed to incorporate the following staff recommendations in the TY 2024 GRC:</p> <p>(a) recalculate their 2021 RSE values using 2023 as a baseline for years 2024-2027 in its TY 2024 GRC and show this calculation as part of its TY 2024 GRC presentation” D.23-10-004, p. 14.</p>	
<p><u>Need for Transparency, Utility-Specific Data, and Increased Granularity</u> PCF argued that effective mitigation programs have not been developed or defined with sufficient granularity in its comments on the 2019 RAMP reports and the 2021 RAMP reports. The Commission, both via SPD in the SPD report and via the Commissioners in D.23-10-004, considered PCF’s comments and recognized that the Utilities had agreed to make changes to better align with PCF’s recommendations.</p>	<p>PCF 4/6/2020 Comments on 2019 RAMP, p. 31-34 (utility-specific data); PCF 6/21/2023 Protest, p. 6, 11-12 (“The 2021 RAMP Report Fails to Meet Transparency Requirements...”).</p> <p>“As with the 2019 RAMP Reports, Effective Mitigation Programs Have Not Been Developed or Defined with Sufficient Granularity. . .PCF points out that the SPD Evaluation Report echoes the comments PCF made in its comments on the 2019 RAMP Reports[.]” PCF 12/06/2021 Opening Comments on 2021 RAMP Report, p. 14; <i>see also e.g.</i> PCF 4/06/2020 Reply Comments, p. 32 (providing specific example of lack of sufficient detail in the pipeline context).</p> <p>“Selecting a risk reduction mechanism logically and necessarily first requires accurate identification of the risk to be reduced. The 2019 RAMP Report fails comprehensively and transparently to identify the risks to the public of SoCalGas’ and SDG&E’s operations and thus fails to meet the transparency requirements set out in D.18-12-014.” PCF 4/6/2020 Comments on 2019</p>	<p>Verified. However, we find PCF largely utilized efforts and arguments made in I.19-11-010/011, which is determined to not be compensable.</p> <p>The claimed contribution restates a previous position in an unrelated proceeding and we find those arguments primarily echoed on the findings of the SPD 2021 RAMP report.</p> <p>We note that PCF did not produce original technical analysis for which their positions were based. As such, we reduce the remaining eligible</p>

Intervenor’s Claimed Contribution(s)	Specific References to Intervenor’s Claimed Contribution(s)	CPUC Discussion
	<p>RAMP, p. 16; <i>id.</i> at p. 13-14 (detailing lack of information leading to D.19-09-051); PCF 8/24/2020 Comments on PD, p. 3-6 (describing impacts resulting from lack of granularity); PCF 3/23/2020 Proposal, p. 6 (detailing transparency requirements in D.20-01-002).</p> <p>“For example, failing to calculate RSEs for all risk reduction activities would not only violate the terms of D.20-09-004 (which required SDG&E and SoCalGas to address comments by PCF to this effect) and the terms of D.18-12-014 to which the utilities all agreed, but would violate Commission decisions beginning as early as D.14-12-025, all of which require a comprehensive analysis of safety risks and inclusion of all mitigation activities.” PCF 12/15/2021 Reply Comments, p. 5.</p> <p>“PCF adds that the RAMP Report does not contain the necessary information for proper evaluation and continues to be obscure even after repeated directions from the Commission requiring more transparency from Sempra Utilities. PCF cites numerous deficiencies, including the proposed inclusion of a stakeholder impacts attribute, not including climate change as a safety risk, excluding from analysis the Aliso Canyon well blowout, and lack of adequate support for the utilities’ risk analysis. PCF agrees with the SPD report that the RAMP analysis lacks sufficient granularity and that the MAVF</p>	<p>A.21-05-011/014 hours.</p>

Intervenor’s Claimed Contribution(s)	Specific References to Intervenor’s Claimed Contribution(s)	CPUC Discussion
	<p>calculations imply an unrealistic value of consequences.” D.23-10-004, p. 10.</p> <p>“During the review of Sempra Utilities RAMP reports, SPD and other parties identified several deficiencies in Sempra Utilities’ RAMP report as well as areas that can be improved. Based on SPD Report, Sempra Utilities agreed to incorporate the following staff recommendations in the TY 2024 GRC:</p> <p>. . . (d) increase granularity in its risk analysis and incorporate Wildfire Risk, and related provision of RSEs for foundational activities” D.23-10-004, p. 14.</p>	
<p><u>Removal of Stakeholder Satisfaction Attribute</u> PCF argued for the removal of the Shareholder Satisfaction Attribute, explaining with citations and detailed that the inclusion of the attribute indicates that the 2021 RAMP Report fails to remove shareholders’ financial interests as required by the Commission’s RDF. After PCF’s comments on the 2019 RAMP report, PCF’s protest to the 2021 RAMP report, and its PHC statement, the SPD report agreed with PCF’s recommendation that the Utilities should remove the Shareholder Satisfaction attribute. The Commission considered PCF’s comments and recognized in</p>	<p>“Inclusion of the “stakeholder impacts” attribute reveals that the 2021 RAMP Report fails to remove shareholders’ financial interests. This proposed fourth attribute focuses on stakeholder perception, a key consideration in public relations strategy. The utilities should focus on meeting the Commission’s existing, data driven, minimum risk assessment requirements, rather than proposing an entirely subjective fourth attribute.” PCF 6/21/2021 Protest, p. 16.</p> <p>“Shareholders financial interests defects: The 2021 RAMP reports fail to ensure shareholder’s financial interests have been removed from the decision-making process.” PCF 7/7/2021 PHC Statement, p. 5.</p> <p>“Among other things, D.16-08-018 directed the utilities “to remove shareholders’ financial interests from</p>	<p>Verified. However, we find PCF largely utilized efforts and arguments made in I.19-11-010/011, which is determined to not be compensable.</p> <p>The claimed contribution restates a previous position in an unrelated proceeding and we find those arguments primarily echoed on the findings of the SPD 2021 RAMP report.</p> <p>We note that PCF did not produce original technical analysis for which</p>

Intervenor’s Claimed Contribution(s)	Specific References to Intervenor’s Claimed Contribution(s)	CPUC Discussion
<p>D.23-10-004 that the Utilities agreed to remove the Shareholder Satisfaction Attribute.</p>	<p>consideration in their risk models and decision frameworks used to support rate case expenditure proposals, especially at the operational level, unless the utility can make a good case for an exception in its Risk Assessment Mitigation Phase filing.” . . . SDG&E and SoCalGas have not yet complied with these key and critical Commission mandates.” PCF 3/23/2020 Proposal, p. 7.</p> <p>“PCF cites numerous deficiencies, including the proposed inclusion of a stakeholder impacts attribute...” D.23-10-004, p. 10.</p> <p>“During the review of Sempra Utilities RAMP reports, SPD and other parties identified several deficiencies in Sempra Utilities’ RAMP report as well as areas that can be improved. Based on SPD Report, Sempra Utilities agreed to incorporate the following staff recommendations in the TY 2024 GRC:</p> <p>. . . (b) recalculate the attribute weights and ranges in its multi-attribute value function (MAVF) by following the existing process outlined in D.18-12-014 and drop the Stakeholder Satisfaction attribute in its calculation of the MAVF” D.23-10-004, p. 14.</p>	<p>their positions were based. As such, we reduce the remaining eligible A.21-05-011/014 hours.</p>
<p><u>2019 and 2021 RAMP Report’s Failure to Adequately Analyze Cost-Effectiveness, PSPS risk, Alternatives, and Climate Change.</u> PCF argued that the Utilities failed to analyze adequately</p>	<p>PCF 4/6/2020 Reply Comments on 2019 RAMP, p. 15, 20-21 (climate change); <i>id.</i> at p. 26-30 (cost-effectiveness); <i>id.</i> at p. 35-37 (alternatives); PCF 6/21/2021 Protest, p. 8-10 (climate change); <i>id.</i> at p. 14 (cost-effectiveness); <i>id.</i> at p. 17 (alternatives); PCF 12/6/2021</p>	<p>Verified. However, we find PCF largely utilized efforts and arguments made in I.19-11-010/011, which is determined</p>

Intervenor’s Claimed Contribution(s)	Specific References to Intervenor’s Claimed Contribution(s)	CPUC Discussion
<p>alternatives to the Utility-proposed risk reduction measures and climate change. The Commission ordered the Utilities to address and consider these and other intervenor’s comments and suggestions in their next RAMP filings and in the Utilities’ TY24 GRC proceeding (with respect to the comments on the 2021 RAMP report).</p>	<p>Comments on 2021 RAMP, p. 8-10 (climate change); <i>id.</i> at p. 14-17 (cost-effectiveness); <i>id.</i> at p. 17-19 (alternatives); <i>id.</i> at p. 19 (PSPS)</p> <p>“PCF comments that the RAMP Report does not enable to Commission or intervenors to track the cost-effectiveness of risk reduction activities over time. PCF adds that the RAMP Report does not contain the necessary information for proper evaluation and continues to be obscure even after repeated directions from the Commission requiring more transparency from Sempra Utilities. PCF cites numerous deficiencies, including the proposed inclusion of a stakeholder impacts attribute, not including climate change as a safety risk, excluding from analysis the Aliso Canyon well blowout, and lack of adequate support for the utilities’ risk analysis. PCF agrees with the SPD report that the RAMP analysis lacks sufficient granularity and that the MAVF calculations imply an unrealistic value of consequences. PCF also states that alternatives have not been fully considered or adequately discussed and that other risks associated with Public Safety Power Shutoffs (PSPS) have not been properly considered in the RAMP.”</p> <p>D.23-10-004, p. 10; <i>see also id.</i> at p. 18-19 (FOF 7-12); <i>id.</i> at p. 19-20 (COL 4-5); <i>id.</i> at p. 20 (OP 1).</p> <p>D.20-09-004, p. 16 (FOF 1); <i>id.</i> at p. 18 (COL 8-9); <i>id.</i> at p. 18-19 (OP 1).</p>	<p>to not be compensable.</p> <p>The claimed contribution restates a previous position in an unrelated proceeding and we find those arguments primarily echoed on the findings of the SPD 2021 RAMP report.</p> <p>We note that PCF did not produce original technical analysis for which their positions were based. As such, we reduce the remaining eligible A.21-05-011/014 hours.</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?	Yes.	Yes
b. Were there other parties to the proceeding with positions similar to yours?	Yes.	Yes
c. If so, provide name of other parties: MGRA, Cal Advocates, TURN		Noted
d. Intervenor’s claim of non-duplication: PCF communicated with other parties in an effort to ensure efficient advocacy and avoid duplication of efforts, and PCF did not duplicate the participation of any party with similar interests that were otherwise adequately represented. PCF is the only party in this proceeding that focuses on the interests of Southern California and San Diego ratepayers, with respect to both affordability and environmental protection concerns. To the extent that PCF and other intervenors made related arguments, PCF supplemented, complemented, and contributed to the presentations by other parties. For example, PCF highlighted the RAMP reports’ failure to adequately identify, assess, and analyze climate change and PSPS impacts as key safety risks, provided specific examples of the Utilities’ failure to include utility-specific data, their failure to analyze adequately cost-effectiveness of mitigation programs and alternatives. PCF provided district and detailed legal and factual analysis with citations to specific consensus on the facts and related legal requirements, and the need to reduce greenhouse gas emissions as quickly as possible. Moreover, PCF’s unique experience, perspective, interests, expertise, and advocacy in this proceeding avoided duplication. Due to PCF’s unique interest in this proceeding in representing Southern California and San Diego ratepayers, PCF presented critical details establishing the importance of the 2019 RAMP proceeding and then the 2021 RAMP proceeding for ratepayers, given that they constituted the first opportunity for the Commission to assess a RAMP application that complied with the Commission’s then-applicable risk-based decision-making framework (RDF).		Noted

C. Additional Comments on Part II:

#	Intervenor’s Comment	CPUC Discussion
II(A)	Substantial Contribution. Pursuant to Section 1802(j), “Substantial contribution” means that, in the	Noted

#	Intervenor's Comment	CPUC Discussion
	<p>judgment of the commission, the customer's presentation has substantially assisted the commission in the making of its order or decision because the order or decision has adopted in whole or in part one or more factual contentions, legal contentions, or specific policy or procedural recommendations presented by the customer."</p>	
II(A)	<p>Substantial Contribution Includes Enriching Deliberations or the Record.</p> <p>The Commission's past decisions recognize that the Commission does not need to fully adopt an intervenor's position on a particular issue for that intervenor to make a substantial contribution. D.08-04-004, p. 4-5; D.19-10-019, p. 3; D.03-03-031, p. 6 ("substantial contribution includes evidence or argument that supports part of the decision even if the Commission does not adopt a party's position in total"). Past Commission decisions instruct that intervenors substantially contribute when they have "provided a unique perspective that enriched the Commission's deliberations and the record" (D.05-06-027, p. 5); when they have "assisted the Commission in the decision-making process" (D.19-10-019, p. 3-4); when they provide a full discussion of the matters at issue so as to allow the Commission "to fully consider the consequences of adopting or rejecting" the parties' proposals (D.08-04-004, p. 5-6); and when they offer alternative evaluations of the disputes addressed (D.19-10-019, p. 5-6.)</p>	<p>Noted. However, we highlight the citation of D.05-06-027 at 5 to clarify the unique perspective enriched "the Commission's deliberations <i>and</i> the record. Here, PCF states "...or the record."</p>
II(A)	<p>Substantial Contribution Includes Procedural Recommendations.</p> <p>The Commission recognizes that "[p]rocedural outcomes are statutorily recognized as substantial contribution." (D.19-10-019, p. 7; <i>id.</i> at p. 4 [adoption of "procedural recommendations related to scheduling and evidence."].)</p>	<p>Noted</p>

#	Intervenor’s Comment	CPUC Discussion
II(B)	<p>No reduction to PCF’s compensation on duplication grounds is warranted given the standard adopted by the Commission in D.03-03-031 and consistent with Public Utilities Code sections 1801.3(b) & (f), 1802(j), 1802.5, and 1803.</p> <p>Section 1803 sets forth the requirements for awarding intervenor compensation. An award of compensation for reasonable fees for participation in a proceeding is required when an intervenor (1) complies with § 1804 and (2) “satisfies both of the following requirements: (a) The customer’s presentation makes a substantial contribution to the adoption, in whole or in part, of the Commission’s order or decision. (b) Participation or intervention without an award of fees or costs imposes a significant financial hardship.” Pub. Util. Code. § 1803; D.03-03-031, p. 12-14.</p> <p>Section 1801.3(f) seeks to avoid “two types of participation,” namely: (1) “unproductive or unnecessary participation that duplicates the participation of similar interests otherwise adequately represented” or (2) “participation that is not necessary for a fair determination of the proceeding.” Pub. Util. Code § 1801.3(f); D.03-03-031, p. 15-18. The “duplication language contained in the first dependent clause requires the compensation opponent to establish three elements – duplication, similar interests, and adequate representation.” D.03-03-031, p. 18.</p> <p>Moreover, section 1802.5 provides for full compensation where participation “materially supplements, complements, or contributes to the presentation of another party.” Pub. Util. Code. § 1802.5; <i>see also</i> D.03-03-031, p.14. Additionally, the intervenor compensation statutory scheme is intended to “be administered in a manner that encourages the effective and efficient participation of all groups that have a stake in the public utility regulation process.” Pub. Util. Code § 1801.3(b).</p> <p>As the Commission has explained, “[t]he evident purpose [of adding Section 1802.5] is to ‘encourage’</p>	<p>Noted</p>

#	Intervenor’s Comment	CPUC Discussion
	<p>participation by groups that might be broadly aligned around common positions and proposals, but who have distinct constituencies or distinct abilities to contribute to the conduct of a proceeding at the commission.” D.03-03-013, p. 14.</p>	

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>PCF’s advocacy reflected in this claim substantially contributed to decisions that required the Utilities to consider PCF’s and others’ comments for incorporation into their subsequent RAMP filings, which promotes increased transparency and facilitates the Commission’s ability to hold the utilities accountable for how their spend ratepayer funds. While it is impossible in this case to provide an actual dollar value of the benefit to ratepayers of PCF’s participation, PCF’s fees are small compared to the benefits San Diego and Southern California residential ratepayers will ultimately realize from PCF’s contributions which move SDG&E and SoCalGas closer to a proper and meaningful risk analysis that prioritizes mitigation measures after considering cost-effectiveness and alternatives, and allows the Commission to assess and hold SDG&E and SoCalGas accountable for their risk related decision making. PCF’s advocacy will save ratepayers money and increase public safety by promoting accountability, transparency, and compliance with Commission directives in the RAMP to GRC to RSAR cycle.</p>	<p>Noted</p>
<p>b. Reasonableness of hours claimed:</p> <p>This claim relates to PCF’s participation both with respect to the utilities’ 2019 RAMP reports and their 2021 RAMP reports, and all of the hours claimed in this request were reasonably necessary to PCF’s participation towards D.20-09-004 and D.23-10-004.</p> <p>PCF’s participation in this proceeding directly responded to the questions in ALJ rulings and the scoping memos in the respective proceedings. PCF’s detailed review and comments on the utilities’ 2019 RAMP report allowed PCF to analyze and comment on the 2021 RAMP report efficiently and effectively. PCF’s extensive experience</p>	<p>Noted. However, see Part III.D CPUC Comments, Disallowances and Adjustments for more information regarding the reasonableness of requested hours.</p>

	CPUC Discussion
<p>participating in various matters before the Commission, including the utilities' TY19 GRC and the Risk OIR, facilitated PCF's efficient participation and saving time and resources in this proceeding while allowing effective issue spotting and comments, and dramatically reduced the number of hours involved in PCF's participation.</p> <p>Ms. Dickenson further optimized PCF's participation by consulting with and utilizing the expertise of attorney and former CPUC president Loretta Lynch, who provided valuable feedback based on her experience and expertise in an extraordinarily efficient and helpful manner.</p> <p>PCF does not claim time spent on any administrative matters, such as time spent filing and serving comments or time spent gathering and preparing time records. In an additional effort to minimize costs, PCF Staff Attorney Jonathan Webster, whose rate is significantly lower than Ms. Dickenson's, prepared this request.</p>	
<p>c. Allocation of hours by issue:</p> <p>Based on the details in the timesheets, the allocation of time spent towards D.23-10-004 is as follows:</p> <p>1) Whether the RAMP report is complete and in compliance with D.14-12-025, D.16-08-018 and the S-MAP Settlement adopted in D.18-12-014. = 12%</p> <p>2a) Whether key safety risks have been adequately identified, assessed, and analyzed. = 6%</p> <p>2b) Whether risk analysis is adequately supported. = 3%</p> <p>2c) Whether effective mitigation programs have been developed and defined with sufficient granularity. = 3%</p> <p>2d) Whether cost effectiveness of mitigations has been reasonably assessed and analyzed. = 4%</p> <p>2e) Whether alternatives have been fully considered and adequately discussed by the utility. = 4%</p> <p>2f) Whether safety and other risks associated with PSPS have been considered in the RAMP process. = 5%</p> <p>3) Whether the Multi Attribute Value Function (MAVF) and Risk Spend Efficiencies (RSE) calculations including relative weightings and</p>	<p>Noted</p>

	CPUC Discussion
<p>ranges for safety, financial, and reliability attributes, and whether their impact on risk estimates appropriately represent societal values, are reasonable and consistent with the SMAP settlement. = 5%</p> <p>4) Whether the utility's analysis is transparent and allows for independent validation of its results. = 5%</p> <p>5) Whether RAMP feedback has been adequately incorporated into the utility's 2024 TY GRC filing. = 2%</p> <p>6) Whether the proceeding should be closed or integrated into the utility's 2024 TY GRC. = 2%</p> <p>Based on the details in the timesheets, the allocation of time spent towards D.20-09-004 is as follows:</p> <p>7) Whether or not the proceedings should be closed or consolidated with SoCalGas' and SDG&E's TY 2019 GRCs subsequent to the filing of a Petition to Modify D.19-09-051. = 10%</p> <p>8) Whether or not the RAMP Report in this proceeding informs the attrition year 2022 and 2023 filings of SoCalGas and SDG&E. = 17%</p> <p>9) Whether or not changes or modifications to the utilities' RAMP methodologies should be incorporated or considered by the utilities in their next RAMP filings. = 18%</p> <p>G) General Participation for both proceedings = 5%</p>	

B. Specific Claim:*

Claimed						CPUC Award		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total\$
Malinda Dickenson [Legal Director; Attorney]	2023	5.5	\$700.00	See Comment #1.	\$3,850	5.50	\$635.00 [1]	\$3,492.50
Malinda Dickenson [Legal Director; Attorney]	2022	3	\$670.00	See Comment #2.	\$2,010	3.00	\$610.00 [1]	\$1,830.00

Claimed						CPUC Award		
Malinda Dickenson [Legal Director; Attorney]	2021	121	\$650.00	See Comment #3.	\$78,650	58.60 [4]	\$590.00 [1]	\$34,574.00
Malinda Dickenson [Legal Director; Attorney]	2020	124.1	\$450.00	Rate verified by commission in D.21-05-029	\$55,845	9.50 [3]	\$450.00 [1]	\$4,275.00
Loretta Lynch [Attorney]	2021	3.4	\$690.00	Rate verified by commission in D.21-08-018	\$2,346	3.40	\$690.00 [2]	\$2,346.00
Loretta Lynch [Attorney]	2020	8.73	\$630.00	Rate verified by commission in D.23-01-016	\$5499.90	0.00 [3]	N/A [3]	\$0.00
Subtotal: \$148,200.90						Subtotal: \$46,517.50		
OTHER FEES								
Describe here what OTHER HOURLY FEES you are Claiming (paralegal, travel **, etc.):								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
Malinda Dickenson [Legal Director; Attorney] Travel	2020	6	\$225.00	½ of Ms. Dickenson's 2020 hourly rate for travel time to the PHC in I.19-11-010/011. Rate verified by Commission in D.21-0-018.	\$1,350	0.00 [3]	N/A [3]	\$0.00
Subtotal: \$1,350.00						Subtotal: \$0.00		
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
Jonathan Webster [Attorney]	2023	14.5	\$135.00	1/2 hourly rate, see Comment #4	\$1,957.50	10.00 [5]	\$125.00 [6]	\$1,250.00
Malinda Dickenson [Legal Director; Attorney]	2023	4	\$350.00	1/2 hourly rate, see Comment #1	\$1,400	4.00	\$317.50 [1]	\$1,270.00
Malinda Dickenson [Legal Director; Attorney]	2021	2	\$325.00	1/2 hourly rate, see Comment #3	\$650	2.00	\$295.00 [1]	\$590.00

Claimed						CPUC Award		
Malinda Dickenson [Legal Director; Attorney]	2020	2	\$225.00	1/2 hourly rate, verified by commission in D.21-05-029	\$450	0.00 [3]	N/A [3]	\$0.00
Subtotal: \$4,457.50						Subtotal: \$3,110.00		
COSTS								
#	Item	Detail			Amount	Amount		
1.	Southwest Flights	Malinda Dickenson travel to 2/26/2020 PHC in I.19-11-010/011			\$279.96	\$0.00 [3]		
2.	Lyft Fare	Malinda Dickenson travel to 2/26/2020 PHC in I.19-11-010/011			\$30.61	\$0.00 [3]		
3.	BART Fare	Malinda Dickenson travel to 2/26/2020 PHC in I.19-11-010/011			\$10.15	\$0.00 [3]		
Subtotal: \$320.72						Subtotal: \$0.00		
TOTAL REQUEST: \$154,329.10						TOTAL AWARD: \$49,627.50		
<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. 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 ⁷	Member Number		Actions Affecting Eligibility (Yes/No?) If "Yes", attach explanation			
Malinda Dickenson		12/4/2002	222564		No			
Jonathan Webster		12/5/2023	351823		No			

C. Attachments Documenting Specific Claim and Comments on Part III⁸:

Attachment or Comment #	Description/Comment
Attachment #1	Certificate of Service
Attachment #2	Time Sheet and Categorization

⁷ The information may be obtained through the State Bar of California's website at <http://members.calbar.ca.gov/fal/MemberSearch/QuickSearch>.

⁸ Attachments not attached to final Decision.

Attachment or Comment #	Description/Comment
Attachment #3	Malinda Dickenson Resume
Attachment #4	Jonathan Webster Resume
Attachment #5	Travel Receipts
Comment #1	<p>Malinda Dickenson basis for 2023 rate: \$700/hour.</p> <p>Ms. Dickenson has 13 years of experience in the legal director role of the Commission’s hourly rate chart, which includes 9 years as principal of her own law firm plus 4 years as PCF’s General Counsel and then Legal & Executive Director. Ms. Dickenson’s 13 years of experience in the legal director role qualifies her for the mid to upper range of Level IV, which applies to 10-15 years of legal director experience. The Commission hourly rate chart provides a median rate of \$672.21 and a high-end rate of \$832.67 for Level IV legal directors in 2023. PCF justifies Ms. Dickenson’s 2023 rate of \$700 based on her 13 years of experience in the legal director role, which is just above the median and far below the upper range for Level IV Legal Directors, and the rates of Legal Directors with comparable training and experience.</p> <p>Legal directors with comparable and less experience than Ms. Dickenson have been awarded rates exceeding Ms. Dickenson’s \$700 rate. Mr. Birkelund was awarded \$705 for 2022 rates (D.23-02-016, p. 10), which equals \$735 per hour in 2023 dollars utilizing the Commission’s approved COLA for 2023 and the Commission’s established practice of rounding to the nearest five-dollar increment. Mr. Birkelund has two years less experience in the legal director role than Ms. Dickenson. (<i>See</i> D.22-08-046, p. 17.) Ms. Elliott, who had 13 years of legal director experience in 2021, was awarded a rate of \$700 for 2021 which equates to \$755 in 2023 dollars utilizing the Commission’s approved COLA for 2022 and 2023 and the Commission’s established practice of rounding to the nearest five-dollar increment. (D.23-08-043, p. 31.)</p> <p>Ms. Dickenson’s rate is also justified by her experience as an Attorney. Ms. Dickenson’s resume is attached and has been updated from previous claims to clarify that Ms. Dickenson is a lawyer with 21 years of experience that is directly related to her work before the Commission. (<i>See</i> Comment #3, <i>infra</i> (last paragraph).) The Commission hourly rate chart provides a median rate of \$654.32 and a high-end rate of \$747.04 for Level V Attorneys in 2023. These rates include overhead costs. Ms. Dickenson’s 2023 rate of \$700 falls in between the median and high values for Level V Attorneys, which is conservative based on Ms. Dickenson’s 21 years of directly related experience in 2023.</p>

Attachment or Comment #	Description/Comment
Comment #2	<p>Malinda Dickenson basis for 2022 rate: \$670/hour.</p> <p>Currently, Ms. Dickenson has 13 years of experience in the legal director role of the Commission’s hourly rate chart, which includes 9 years as principal of her own law firm plus 4 years as PCF’s General Counsel and then Legal & Executive Director. Ms. Dickenson’s more than 12 years of experience in 2022 in the legal director role qualifies her for the mid to upper range of Level IV, which applies to 10-15 years of legal director experience. The Commission hourly rate chart provides a median rate of \$643.51 and a high-end rate of \$803.97 for Level IV legal directors in 2022. These rates include overhead costs. PCF justifies Ms. Dickenson’s 2022 rate of \$670 based on her 12 years of experience in the legal director role in 2021, which is just above the median and far below the upper range for Level IV Legal Directors, and the rates of Legal Directors with comparable training and experience.</p> <p>Legal directors with comparable and less experience than Ms. Dickenson have been awarded rates exceeding Ms. Dickenson’s \$670 rate. Mr. Birkelund was awarded \$705 for 2022 rates (D.23-02-016, p. 10). Mr. Birkelund has two years less experience in the legal director role than Ms. Dickenson. (<i>See</i> D.22-08-046, p. 17.) Ms. Elliott, who had 13 years of legal director experience in 2021, was awarded a rate of \$700 for 2021 which equates to \$720 in 2022 dollars utilizing the Commission’s approved COLA for 2022 and the Commission’s established practice of rounding to the nearest five-dollar increment. (D.23-08-043, p. 31.)</p> <p>Ms. Dickenson’s rate is also justified by her experience as an Attorney. Ms. Dickenson’s resume is attached and has been updated from previous claims to clarify that Ms. Dickenson is currently a lawyer with 21 years of experience that is directly related to her work before the Commission. (<i>See</i> Comment #3, <i>infra</i> (last paragraph).) The Commission hourly rate chart provides a median rate of \$626.38 and a high-end rate of \$719.10 for Level V Attorneys in 2022. These rates include overhead costs. Ms. Dickenson’s 2022 rate of \$670 falls in between the median and high values for Level V Attorneys, which is conservative based on Ms. Dickenson’s 20 years of directly related experience in 2022.</p>
Comment #3	<p>Malinda Dickenson basis for 2021 rate: \$650/hour.</p> <p>Currently, Ms. Dickenson has 13 years of experience in the legal director role of the Commission’s hourly rate chart, which includes 9 years as principal of her own law firm plus 4 years as PCF’s General Counsel and then Legal & Executive Director. Ms. Dickenson’s more than 11 years of experience in 2021 in the legal director role qualifies her for Level IV,</p>

Attachment or Comment #	Description/Comment
	<p>which applies to 10-15 years of legal director experience. The Commission hourly rate chart provides a median rate of \$622.90 and a high-end rate of \$783.36 for Level IV legal directors. These rates include overhead costs. PCF justifies Ms. Dickenson’s 2021 rate of \$650 based on her 11 years of experience in the legal director role in 2021, which is just above the median and far below the upper range for Level IV Legal Directors, and the rates of Legal Directors with comparable training and experience.</p> <p>Legal directors with comparable and less experience than Ms. Dickenson have been awarded rates exceeding Ms. Dickenson’s \$650 rate. Mr. Birkelund was awarded \$705 for 2022 rates (D.23-02-016, p. 10), and Mr. Birkelund has two years less experience in the legal director role than Ms. Dickenson. (<i>See</i> D.22-08-046, p. 17.) Ms. Elliott, who had 13 years of legal director experience in 2021, was awarded a rate of \$700 for 2021. (D.23-08-043, p. 31.)</p> <p>Ms. Dickenson’s rate is also justified by her experience as an Attorney. Ms. Dickenson’s resume is attached and has been updated to clarify that Ms. Dickenson is currently a lawyer with 21 years of experience that is directly related to her work before the Commission. The Commission hourly rate chart provides a median rate of \$606.31 and a high-end rate of \$699.03 for Level V Attorneys in 2021. These rates include overhead costs. Ms. Dickenson’s 2021 rate of \$650 falls in between the median and high values for Level V Attorneys, which is conservative based on Ms. Dickenson’s 19 years of directly related experience in 2021.</p> <p>Ms. Dickenson’s resume and this justification have been updated since Ms. Dickenson was awarded a 2021 rate of \$590 per hour in D.22-10-030. PCF appreciates that in D.23-11-050, the Commission identified the basis for its interpretation of Ms. Dickenson’s previous resume which led to D.22-10-030 and invited Ms. Dickenson to provide additional information by citing to the Intervenor Compensation Guide at page 22 which “advises intervenors seeking a higher hourly expert rate to identify a decision approving a higher rate or to provide updated credentials for its expert to supplement the record.” (D.23-11-043, p. 4.) Accordingly, Ms. Dickenson’s resume and this justification have been updated to clarify that Ms. Dickenson is currently lawyer with 21 years of experience that is directly related to her work before the Commission.</p>
Comment #4	<p>Jonathan Webster basis for 2023 Rate: \$270/hour.</p> <p>Jonathan Webster is a Staff Attorney at The Protect Our Communities Foundation. PCF is requesting a rate of \$270 per hour for Mr. Webster. Mr. Webster graduated from the University of San Diego,</p>

Attachment or Comment #	Description/Comment
	<p>School of Law in May of 2023 was admitted to the California bar on December 5, 2023. Mr. Webster performs legal research, analyzes evidence, prepares data requests, assists in the drafting of testimony, attends workshops, and drafts comments all while under the supervision of an experienced attorney. Since his admission to the State Bar, Mr. Webster has transitioned to the role of Staff Attorney, though his job duties have not changed.</p> <p>Mr. Webster's rate is based on the Commission's hourly rate chart and the rates awarded for attorneys with 0-1 years of experience. For 2023, the range for 0-1 years of attorney experience is \$193.45 (low), \$251.87 (median), and \$317.95 (high).</p> <p>In D.23-08-043 and D.22-09-022, the Commission approved a 2021 rate of \$250 for Rebecca Ruff immediately after being admitted to the bar, which equals \$270 per hour in 2023 dollars utilizing the Commission's approved COLA for 2022 and 2023 and the Commission's established practice of rounding to the nearest five-dollar increment. The rate of \$270 per hour is slightly above the 2023 median rate for a Level 1 Attorney and well below the high end of the range, and supported by Mr. Webster's background, experience, and education in areas of laws and procedures relevant to CPUC matters, including environmental law and utility regulations. Mr. Webster's resume is attached.</p> <p>Mr. Webster graduated from the University of San Diego School of Law in 2023 with Certificates of Specialization in Environmental Law. He graduated with a Bachelor of Arts in Environmental studies from The University of California at Santa Barbara in 2013. During his time at UCSB, Mr. Webster gained experience in conservation and environmental education, as he worked as a tour guide and docent at the Coal Oil Point Nature Reserve and the Research, Experience, and Education Facility (REEF). While in law school, Mr. Webster was a member of both the Journal of Climate and Energy Law and the Environmental Law Society.</p> <p>During law school Mr. Webster obtained a variety of legal experience directly relevant to his work before the CPUC. Mr. Webster took classes relevant to environmental and energy law, such as Administrative Law, Energy Law and Policy, Environmental Law and Policy, and Water Law. Mr. Webster received the CALI Award (awarded to highest achiever) in his Energy Law and Policy Course. Mr. Webster was a member of the Energy Policy Initiative Center's (EPIC) Environmental Law Clinic, in which he worked with the California Air Resources Board (CARB) on a confidential project. In Summer 2022, he interned with the Honorable Judge</p>

Attachment or Comment #	Description/Comment
	<p>Ronald F. Frazier in San Diego Superior Court, where he worked on CEQA litigation as well as Judge Frazier’s general course load. In Spring 2023, Mr. Webster interned with the Honorable Judge Thomas J. Whelan in the United States District Court for the Southern District of California. Mr. Webster’s extensive experience working alongside government agencies such as CARB, coupled with his experience working in both the State and Federal court system, provided him with directly relevant experience and makes him well positioned to meaningfully contribute to CPUC proceedings.</p>

D. CPUC Comments, Disallowances, and Adjustments

Item	Reason
<p>[1] Malinda Dickenson Hourly Rates for 2020 – 2023</p>	<p>D.21-05-029 verified a 2020 rate of \$450.00 for Malinda Dickenson as a Legal – Legal Director – IV.</p> <p>D.23-08-020 verified a 2021 rate of \$590.00 for Malinda Dickenson as a Legal – Legal Director – IV.</p> <p>D.23-08-020 verified a 2022 rate of \$610.00 for Malinda Dickenson as a Legal – Legal Director – IV.</p> <p>D.24-03-030 verified a 2023 rate of \$635.00 for Malinda Dickenson as a Legal – Legal Director – IV.</p> <p>For the years of 2020 – 2023, we apply the same rates here. Intervenor Compensation Claim Preparation is rated at ½ preparer’s normal rate, bringing the 2021 and 2023 claim preparation rates to \$295.00 and \$317.50, respectively.</p>
<p>[2] Loretta Lynch Hourly Rate</p>	<p>D.22-10-030 authorized 2021 rates of \$690.00, respectively, for Loretta Lynch. We apply the same rates here.</p>
<p>[3] Reduction of Hours Associated with Consolidated Test Year (TY) 2019</p>	<p>As noted by PCF in Part I.a.13-16, “it was less clear whether D.23-10-004 also intended to apply to costs incurred in I.19-11-010/011. PCF thus files this claim in an abundance of caution at this time to ensure compliance.”</p> <p>I.19-11-010/011 was the RAMP proceeding for TY2019, from which D.20-09-004 derives, was meant to inform a TY2022 GRC.</p>

Item	Reason
<p>Proceeding I.19-11-010 and I.19-11-011.</p>	<p>. However, the TY2019 GRC period was extended by 2 years so a TY2022 GRC does not exist. Therefore, any work done in I.19-11-010/011 cannot contribute to A.21-05-011, et al. as there is no GRC that is informed by that RAMP proceeding.</p> <p>Review of the submitted timesheets found the below totals associated with I.19-11-010/-011, which we therefore disallow:</p> <p>Malinda Dickenson – 2020 – 114.60 hours (remaining total 9.50 hours) Malinda Dickenson – 2020 - 2.0 hours in Part III.D Intervenor Claim Preparation for “Prepare NOI” on 3/25/2020 (remaining total of 0.0 hours) Malinda Dickenson – 2020 – 6.0 hours for travel (remaining total of 0.0 hours) Loretta Lynch – 2020 – 8.73 hours (remaining total of 0.0 hours)</p> <p>Furthermore, due to the work related to I.19-11-010/011 being determined non-compensable, the associated travel costs (\$320.72) and time (6 hours) are reduced.</p> <p>For years in which 0.0 hours were awarded, no rate could be set and result in a rate of “N/A”.</p>
<p>[4] Reduction of Hours for Lack of Substantial Contribution to D.23-10-004</p>	<p>As noted above in Part II, we find PCF largely utilized efforts and arguments made in I.19-11-010/011, which has been determined to not be compensable. Furthermore, the claimed contributions restate the previous position in another proceeding, and we find those arguments primarily echoed on the findings of the SPD 2021 RAMP report. PCF also did not produce original technical analysis for which their positions were based so we reduce the hours below associated with D.23-10-004, leaving intact hours associated with workshops and the pre-hearing conference:</p> <p>Malinda Dickenson – 2021 – 62.4 hours (remaining total of 58.6 hours)</p> <p>Additionally, we note the hours claimed here can no longer be claimed in a compensation request for efforts made in the A.22-05-015/016 GRC proceeding and will be considered duplicative of work claimed towards D.23-10-004.</p>
<p>[5] Jonathan Webster Reduction of Intervenor Compensation Claim Preparation</p>	<p>Review of the submitted timesheets found a total of 22.50 hours associated with A.21-05-011/014. We note the total requested time above includes 2.0 hours toward I.19-11-010/011 and the remaining 20.50 hours incorporate contributions to D.23-10-004 and D.20-09-004. We find the requested time to be excessive and make the following reductions:</p> <p>Jonathan Webster:</p>

Item	Reason
Hours for Excessive Hours	<p>2023-12-05 - Assess PCF's substantial contributions to D.23-10-004 and D.20-09-004 (1.25 hours) 2023-12-11 – Draft IC claim (1.75 hours) 2023-12-13 – Research re CPUC requirements (1.5 hours)</p> <p>The reduction of the hours listed above brings the total awarded 2023 Intervenor Compensation Claim Preparation hours for Jonathan Webster to 10.0 hours.</p>
[6] Jonathan Webster 2023 Hourly Rate	<p>PCF requested a 2023 rate of \$270.00 for Jonathan Webster as a Legal – Attorney – I.</p> <p>Review of the submitted documents found, and noted by PCF in Part III.C, Jonathan Webster was admitted to the California Bar 12/5/2023. As reflected in Part III.B and the timesheets, Jonathan Webster’s work performed is limited to Intervenor Compensation claim preparation, having begun on 12/5/23 and the final entry on 12/18/2023. PCF adds in Part III.C that “Mr. Webster performs legal research, analyzes evidence, prepares data requests, assists in the drafting of testimony, attends workshops, and drafts comments” and since his admission to the State Bar that “his job duties have not changed,” The 2023 rate range for an Attorney – Legal – I is \$193.45 to \$317.95, with a median of \$251.87. Given the limited experience as a practicing attorney and in consideration of relevant experience pre-Bar, we find a 2023 rate of \$250.00 reasonable as a Legal – Attorney – I and adopt it here.</p> <p>Intervenor Compensation Claim Preparation is rated at ½ preparer’s normal rate, bringing the awarded 2023 claim preparation rate to \$125.00.</p>

PART IV: OPPOSITIONS AND COMMENTS
Within 30 days after service of the Claim, Commission Staff
or any other party may file a response to the Claim (see § 1804(c))

A. Opposition: Did any party oppose the Claim?	Yes
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If so:

Party	Reason for Opposition	CPUC Discussion
San Diego Gas & Electric Company	In D.20-09-004, the Commission closed the 2019 RAMP proceeding and clarified that the Companies’ respective 2019 RAMP Reports	I.19-11-010/-011 RAMP proceeding for TY 2019, from which D.20-09-004 derives, was meant to inform a TY2022 GRC, however, as a result of the

Party	Reason for Opposition	CPUC Discussion
and Southern California Gas Company	<p>would not be integrated into future GRCs nor consideration of a petition for modification in A.17-10-007/-008 (cons.)</p> <p>Until a TY 2024 GRC decision is issued, it appears premature to assess the extent that PCF has contributed, or whether they have failed to do so.</p> <p>No other party to either the 2019 RAMP proceeding or the 2021 RAMP proceeding have yet filed their request for intervenor compensation.</p>	<p>TY2019 GRC period two year extension. Therefore, the TY2022 GRC does not exist. Any work done in I.19-11-010/011 cannot contribute to A.21-05-011, et al as there is no GRC that is informed by that RAMP proceeding.</p> <p>Additionally, although parties have yet filed their compensation requests, as mentioned by SDG&E and So Cal Gas in the filed comments, Intervenor’s are allowed to file before the corresponding GRC proceeding for efforts made in the respective RAMP proceeding, as PCF did here.</p>
The Protect Our Communities Foundation	<p>The Intervenor Compensation statutes require the commission to fully compensate PCF.</p> <p>PCF’s IComp claim was timely as a matter of law and under the commission’s decisions.</p>	<p>We find that PCF satisfied Pub. Util. Code §§ 1801-1812 for contribution to D.23-10-004 in A.21-05-011, et al., however, as noted above, the efforts made to D.20-09-004 in I.19-11-010/011 were deemed not compensable and have been reduced accordingly. <i>See</i> Part III.D CPUC Comments, Disallowances and Adjustments for more information.</p>
B. Comment Period: Was the 30-day comment period waived (see Rule 14.6(c)(6))?		No

If not:

Party	Comment	CPUC Discussion

FINDINGS OF FACT

1. The Protect Our Communities Foundation has made a substantial contribution to D.23-10-004.
2. The requested hourly rates for The Protect Our Communities Foundation’s representatives, as adjusted herein, are comparable to market rates paid to experts and advocates having comparable training and experience and offering similar services.
3. The claimed costs and expenses, as adjusted herein, are reasonable and commensurate with the work performed.
4. The total of reasonable compensation is \$49,627.50.

CONCLUSION OF LAW

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

ORDER

1. The Protect Our Communities Foundation is awarded \$49,627.50.
2. Within 30 days of the effective date of the decision, San Diego Gas & Electric Company and Southern California Gas Company shall pay The Protect Our Communities Foundation their respective shares of the award, based on their California-jurisdictional gas and electric revenues for the 2021 calendar year, to reflect the year in which the proceeding was primarily litigated. If such data are unavailable, the most recent gas and electric revenue data shall be used. Payment of the award shall include compound interest at the rate earned on prime, three-month non-financial commercial paper as reported in Federal Reserve Statistical Release H.15, beginning March 2, 2024, the 75th day after the filing of The Protect Our Communities Foundation’s request, and continuing until full payment is made.
3. The comment period for today’s decision is not waived.

This decision is effective today.

Dated _____, at Sacramento, California.

APPENDIX

Compensation Decision Summary Information

Compensation Decision:		Modifies Decision?	No
Contribution Decision(s):	D2310004		
Proceeding(s):	A2105011, et al.		
Author:	ALJ Lakhanpal, ALJ Lirag		
Payer(s):	San Diego Gas & Electric Company and Southern California Gas Company		

Intervenor Information

Intervenor	Date Claim Filed	Amount Requested	Amount Awarded	Multiplier?	Reason Change/ Disallowance
The Protect Our Communities Foundation	December 18, 2023	\$154,329.10	\$49,627.50	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
Malinda	Dickenson	Attorney, Legal Director	\$700	2023	\$635.00
Malinda	Dickenson	Attorney, Legal Director	\$670	2022	\$610.00
Malinda	Dickenson	Attorney, Legal Director	\$650	2021	\$590.00
Malinda	Dickenson	Attorney, Legal Director ⁹	\$450	2020	\$450.00
Loretta	Lynch	Attorney	\$690	2021	\$690.00
Loretta	Lynch	Attorney	\$630	2020	N/A ¹⁰
Jonathan	Webster	Attorney	\$270	2023	\$250.00

(END OF APPENDIX)

⁹ As noted in Part III.D[1], the awarded category, role and level for Malinda Dickenson was as a Legal – Legal Director – IV.

¹⁰ See Part III.D [3] for more information.