



FORM A: BLANK NOTICE OF INTENT TO CLAIM INTERVENOR COMPENSATION

FILED

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

04:59 PM

A2409010

Application of Liberty Utilities (CalPeco Electric) LLC (U 933-E) for Authority to Among Other Things, Increase Its Authorized Revenues for Electric Service, Establish Marginal Costs, Allocate Revenues, And Design Rates, as of January 1, 2025	A24-09-010 (October 4, 2024)
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**NOTICE OF INTENT TO CLAIM INTERVENOR COMPENSATION
AND, IF REQUESTED (and ☒¹ checked), ADMINISTRATIVE LAW JUDGE'S
RULING ON The Alliance for Housing Opportunity in Energy Supporting Permanent
Affordable Residential Kilowatts (TAHOE SPARK)'S SHOWING OF SIGNIFICANT
FINANCIAL HARDSHIP**

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

Icompcoordinator@cpuc.ca.gov.

Customer or Eligible Local Government Entity (party intending to claim intervenor compensation):	
The Alliance for Housing Opportunities in Energy Supporting Permanent Affordable Residential Kilowatts (TAHOE SPARK)	
Assigned Commissioner:	Administrative Law Judge:
Matthew Baker	Patrick Petersen
I hereby certify that the information I have set forth in Parts I, II, III and IV of this Notice of Intent is true to my best knowledge, information and belief.	
Signature:	<i>Danielle Hughes</i>
Date: 4/16/2025	Printed Name: Danielle Hughes

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

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

A. Status as “customer” (see Pub. Util. Code § 1802(b)) ² The party claims “customer” status because the party is (check one):	Applies (check)
1. A Category 1 customer is an actual customer whose self-interest in the proceeding arises primarily from his/her role as a customer of the utility and, at the same time, the customer must represent the broader interests of at least some other customers. See, for example, D.08-07-019 at 5-10).	☐
2. A Category 2 customer is a representative who has been authorized by actual customers to represent them. Category 2 involves a more formal arrangement where a customer or a group of customers selects a more skilled person to represent the customer’s views in a proceeding. A customer or group of customers may also form or authorize a group to represent them, and the group, in turn, may authorize a representative such as an attorney to represent the group.	☐
3. A Category 3 customer is a formally organized group authorized, by its articles of incorporation or bylaws to represent the interests of residential customers or small commercial customers receiving bundled electric service from an electrical corporation (§1802(b)(1)(C)). Certain environmental groups that represent residential customers with concerns for the environment may also qualify as Category 3 customers, even if the above requirement is not specifically met in the articles or bylaws. See D.98-04-059, footnote at 30.	☒
4. The party’s detailed explanation of the selected customer category. <u>The party’s explanation of its status as a Category 1 customer.</u> A party seeking status as a Category 1 customer must describe the party’s own interest in the proceeding and show how the customer’s participation goes beyond just his/her own self-interest and will benefit other customers. Supporting documents must include a copy of the utility’s bill. <u>The party’s explanation of its status as a Category 2 customer.</u> A party seeking status as a Category 2 customer must identify the residential customer(s) being represented and provide authorization from at least one customer. <u>The party’s explanation of its status as a Category 3 customer.</u> If the party represents residential and small commercial customers receiving bundled electric service from an electrical corporation, it must include in the Notice of Intent either the percentage of group members that are residential ratepayers or the percentage of the members who are receiving bundled electric service from an electrical corporation. Supporting documentation for this customer category must include current copies of the articles of incorporation or bylaws. If current copies of the articles and bylaws have already been filed with the Commission, only a specific	

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

reference (the proceeding's docket number and the date of filing) to such filings needs to be made.	
Do you have any direct economic interest in outcomes of the proceeding? ³ If "Yes", explain:	☐ Yes ☒ No
B. Conflict of Interest (§ 1802.3)	Check
1. Is the customer a representative of a group representing the interests of small commercial customers who receive bundled electric service from an electrical corporation?	☐ Yes ☒ No
2. If the answer to the above question is "Yes", does the customer have a conflict arising from prior representation before the Commission?	☐ Yes ☐ No
C. Status as an Eligible Local Government Entity (§§1802(d), 1802.4, 1803.1)	
The party claims "eligible local government entity" status because the party is a city, county, or city and county that is not a publicly owned public utility that intervenes or participates in a Commission proceeding for the purpose of protecting the health and safety of the residents within the entity's jurisdiction following a catastrophic material loss suffered by its residents either in significant damage to infrastructure or loss of life and property, or both, as a direct result of public utility infrastructure.	☐ Yes ☒ No
<u>The party's explanation of its status as an eligible local government entity must include a description of</u> (1) The relevant triggering catastrophic event; (2) The impacts of the triggering catastrophic event on the residents within the entity's jurisdiction as a result of public utility infrastructure; and (3) The entity's reason(s) to participate in this proceeding.	
D. Timely Filing of Notice of Intent to Claim Intervenor Compensation (NOI) (§ 1804(a)(1)):	
1. Is the party's NOI filed within 30 days after a Prehearing Conference? Date of Prehearing Conference: 1/16/2025 Original was submitted within 30 days.	☒ Yes ☐ No
2. Is the party's NOI filed at another time (for example, because no Prehearing Conference was held, the proceeding will take less than 30 days, the schedule did not reasonably allow parties to identify issues within the timeframe normally permitted, or new issues have emerged)?	☒ Yes ☐ No
2a. The party's description of the reasons for filing its NOI at this other time:	

³ See Rule 17.1(f).

2b. The party's information on the proceeding number, date, and decision number for any Commission decision, Commissioner ruling, Administrative Law Judge's ruling, or other document authorizing the filing of NOI at that other time: This NOI was resubmitted after the Motion for Party Status was approved. The original was denied as party status was initially denied without prejudice.

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

A. Planned Participation (§ 1804(a)(2)(A)):

The party's statement of the issues on which it plans to participate:

TAHOE SPARK, submitted the NOI prior to the statutory requirement; however, it was denied due to party status being initially denied. TAHOE SPARK was granted party status on March 25, 2025. TAHOE SPARK tends to be an active participant in the proceeding on all aspects factual and legal presented in the joint prehearing statement filed on January 9, 2025. TAHOE SPARK represents the interests of Lake Tahoe and surrounding communities of Liberty's Residential Permanent Ratepayers in seeking safe, reliable utility service, and affordable equitable rates, terms, conditions, for Permanent Residents, made up of local workforce, families and growing aging populations including those on fixed wages, low, and moderate incomes facing an affordability crisis impacting community resiliency. TAHOE SPARK has a direct interest in Liberty Utilities application and respectfully requests that it be ruled eligible to seek intervenor compensation so that it may participate in this proceeding. The initial NOI was submitted prior to the statutory deadline; however, party status was initially denied without prejudice. The Commission has granted late-filed NOIs previously for good cause, and TAHOE SPARK respectfully submits that good cause exists in this instance to grant its motion. Obtaining party status was a necessary pre-requisite for TAHOE SPARK to be eligible therefore the initial request was denied; however, an amended notice of intent may be filed within 15 days after the issuance of the scoping memo as noted in the proceeding. 17.1. (Rule 17.1) Notice of Intent to Claim Compensation

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

There are five other parties in this proceeding representing consumer interests: TURN, Cal Advocates, Small Business Utility Advocates, A3 Coalition, and Tahoe Energy Ratepayers Group but none are representing the unique issues of the Residential Permanent Ratepayers who live within the region whom have notably been impacted by recent rate increases and shift in class costs without adequate representation. These rural mountain town residents are especially burdened from socioeconomic and environmental justice issues due to low wages, high costs of living, and peak tourism demands that increase emissions, energy demand, severe weather event and wildfire risks. We lack the resource investments in clean energy opportunities given to other California communities that have been associated with rate increases across California yet have one of the highest rates in the state.

TAHOE SPARK is a new intervenor, requesting support due to significant community hardship, lacking adequate representation in an unincorporated rural are including two low income

communities impacted by wealthy second homeowners. TAHOE SPARK anticipates that it will play a major role in identifying, obtaining and presenting evidence to assist with the Commission's analysis. TAHOE SPARK will work closely with other intervenors to avoid any duplication of effort. TAHOE SPARK anticipates that it will present materials on all issues set forth in the prehearing statement with a focus on assuring that rate distributions are just, reasonable, and equitable.

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

TAHOE SPARK, plans to conduct discovery, participate in the evidentiary hearing, prepare testimony, defend its testimony, cross-examine witnesses, and prepare associated materials. The Parties have identified the following factual and legal issues as noted in the Prehearing Statement for which TAHOE SPARK will participate in:

- 1) Whether Liberty's request to increase its authorized revenues for electric service through the proposed rate increase allocation proposal of \$247.920 million in rate base for TY 2025, and an increase in rate base of \$39.773 million or 19.1% over currently authorized revenues, including the allocation of revenues and design rates effective January 1, 2025 are reasonable and nondiscriminatory;
- 2) Whether Liberty's Operations and Management, and Administrative and General expenses for Test Year (TY) 2025 and capital forecasts for 2025, 2026, 2027, and 2028 in the major categories of (i) Safety & Reliability - Distribution, (ii) Safety and Reliability - Substation, (iii) Safety and Reliability - Wildfire Mitigation, (iv) Customer Driven, and (v) Others is supported and reasonable;
- 3) Whether Liberty's proposals of an increased fixed charge for permanent residential customers and the elimination of the non-permanent residential customer class are just and reasonable, including the impact of the proposed rate increase on affordability and disconnections for non-payment, and whether these are consistent with the goals, objectives and action items included in the Commission's Environmental and Social Justice Action Plan; and
- 4) Whether Liberty's request to continue the use of Post Test-Year Adjustment Mechanism (PTAM) in 2026 and 2027 to include authorized capital project and revenue requirement escalation in rates in 2026 and 2027 is reasonable.

The nature and extent of TAHOE SPARK's participation are dependent on available funding to cover attorney fees and expert witnesses presented below. TAHOE SPARK reserves the right to amend the scope of its participation after receipt of all discovery in this proceeding.

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

Item	Hours	Rate \$	Total \$	#
ATTORNEY, EXPERT, AND ADVOCATE FEES				

Attorney	75	475	\$35,625	
Dr. Courtney Henderson	150	400	\$60,000	
Danielle Hughes	180	400	\$72,000	
Blake Herrschaft	40	250	\$10,000	
Subtotal: \$177,625				
OTHER FEES				
[Person 1]				
[Person 2]				
Subtotal: \$				
COSTS				
Transcripts				\$2000
Research/Information sharing				\$1500
Subtotal: \$ 3500				
TOTAL ESTIMATE: \$ 181,125				
Estimated Budget by Issues: Estimated Budget by Issues: 1) 30% ; 2) 30%; 3) 30%; 4) 10% Danielle Hughes, President of TAHOE SPARK, and full-time resident of Carnelian Bay, will serve primarily as a lead advocate with expertise in land use, public policy, energy, environmental regulations and compliance, public safety, forest management, and CEQA/NEPA for electric utilities derived from her 20+ years of experience in consulting and government. Ms. Hughes was a principal investigator and subapplicant manager for the Tahoe Basin Climate Adaptation Action Plan, which included the utility. She has managed numerous electric utility projects for NV Energy, and has served on numerous working groups with Liberty Utilities related to energy efficiency, transportation electrification, climate resiliency and public safety issues in the region. Ms. Hughes has rate setting experience under proposition 218 and serves on a local utility district Board of Directors. The rate identified above are consistent with what the Commission has established for experts with her background and education (which includes a master's degree in Geology). Blake Herrschaft, will provide supporting analysis and Dr Courtney Henderson will provide expert witness support. Additionally, a scoping memo has not yet been issued in this proceeding, while likely, it is not certain whether hearings will be convened. In the event that hearings are convened, and in the event that Ms. Hughes or another TAHOE SPARK witness is called to the stand, the services of a lawyer may be secured to participate in the hearings and act in the interest of the TAHOE SPARK witness(es). However, and as of the date this NOI is filed, no attorney has been retained and fees are estimates provided to TAHOE SPARK for attorney and additional expert witness support. Therefore, there is a possibility that attorney costs provided may or may not be incurred to fully represent TAHOE SPARK interests in this proceeding.				
<i>When entering items, type over bracketed text; add additional rows to table as necessary. Estimate may (but does not need to) include estimated Claim preparation time. Claim preparation time is typically compensated at ½ professional hourly rate.</i>				

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

A. The party claims that participation or intervention in this proceeding without an award of fees or costs imposes a significant financial hardship, on the following basis:	Applies (check)
1. The customer cannot afford, without undue hardship, to pay the costs of effective participation, including advocate's fees, expert witness fees, and other reasonable costs of participation. (§ 1802(h))	☐
2. In the case of a group or organization, the economic interest of the Individual members of the group or organization is small in comparison to the costs of effective participation in the proceeding. (§ 1802(h))	☒
3. The eligible local government entities' participation or intervention without an award of fees or costs imposes a significant financial hardship. (§ 1803.1(b).)	☐
4. A § 1802(h) or § 1803.1(b) finding of significant financial hardship in another proceeding, made within one year prior to the commencement of this proceeding, created a rebuttable presumption in this proceeding (§ 1804(b)(1)). Commission's finding of significant financial hardship made in proceeding number: Date of Administrative Law Judge's Ruling (or CPUC Decision) in which the finding of significant financial hardship was made:	☐
B. The party's explanation of the factual basis for its claim of "significant financial hardship" (§ 1802(h) or § 1803.1(b)) (necessary documentation, if warranted, is attached to the NOI:	
TAHOE SPARK was created for the purpose of representing the interests of Residential Permanent energy customers before the California Public Utilities Commission ("CPUC"). TAHOE SPARK advocates on utility issues that unite the interests of Lake Tahoe Permanent residential users in seeking safe, reliable utility service and equitable rates, terms, conditions, for customers. TAHOE SPARK educates our state and local governments, community groups, and residents regarding the rate increases proposed by Liberty Utilities and how it affects equity, inclusion, cost of living, extreme weather events and wildfire risk. TAHOE SPARK has a direct interest in Liberty Utilities application and respectfully requests that it be ruled eligible to seek intervenor compensation so that it may participate in this proceeding. TAHOE SPARK is a California incorporated 503c4, (Attachment 2), and as stated in the "TAHOE SPARK Bylaws" (Attachment 3), TAHOE SPARK's official mission is to represent the interests of Residential Permanent utility customers in Lake Tahoe and the surrounding	

rural communities of Liberty Utilities service territory. TAHOE SPARK meets the definition of a Category 3 customer, as set forth in Pub. Util. Code Section 1802(b).

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

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

Attachment No.	Description
1	Certificate of Service
2	Articles of Incorporation
3	TAHOE SPARK Bylaws

ADMINISTRATIVE LAW JUDGE RULING⁴
(Administrative Law Judge completes)

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

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

IT IS RULED that:

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

Dated _____, at San Francisco, California.

Administrative Law Judge