



STATE OF CALIFORNIA

GAVIN NEWSOM, Governor

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298

FILED

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July 10, 2025

Agenda ID #23626
Ratesetting

TO PARTIES OF RECORD IN APPLICATION 15-09-013:

This is the proposed decision of Administrative Law Judge Brian Stevens. 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 August 14, 2025 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 STEVENS** (Mailed 7/10/2025)**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

In The Matter of the Application of San Diego Gas & Electric Company (U902G) and Southern California Gas Company (U904G) for a Certificate of Public Convenience and Necessity for the Pipeline Safety & Reliability Project.

Application 15-09-013

**DECISION GRANTING COMPENSATION TO
THE PROTECT OUR COMMUNITIES FOUNDATION
FOR SUBSTANTIAL CONTRIBUTION TO
DECISION (D.) 24-01-007, D.20-12-056, AND D.20-12-014**

Intervenor: The Protect Our Communities Foundation	For contribution to Decision (D.) 24-01-007, D.20-12-056, D.20-12-014
Claimed: \$342,248.30	Awarded: \$173,324.63
Assigned Commissioner: Alice Reynolds ¹	Assigned ALJ: Brian Stevens ²

PART I: PROCEDURAL ISSUES

A. Brief description of Decision:	D.24-01-007 closed the proceeding after determining that costs must be litigated in SDG&E's general rate case and that all other issues were addressed by D.20-12-014. D.20-12-056 modified D.20-02-024 by correcting D.20-12-14 to add clarification to the CEQA discussion in D.20-02-024. D.20-12-014 modified D.20-04-024 and denied rehearing of the decision as modified. In D.20-12-014 the Commission set forth its rationale that the Line 1600 project qualifies under the
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¹ This proceeding was assigned to Commissioner Alice Reynolds on February 12, 2025.

² This proceeding was assigned to ALJ Brian Stevens on September 16, 2020.

	ministerial exemption from CEQA and that SDG&E was not required to file an application for a CPCN or under section 851.
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B. Intervenor must satisfy intervenor compensation requirements set forth in Pub. Util. Code §§ 1801-1812³:

	Intervenor	CPUC Verification
Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):		
1. Date of Prehearing Conference:	09/22/2016	Verified
2. Other specified date for NOI:	N/A	
3. Date NOI filed:	10/20/2016	Verified
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	A.15-09-013
6. Date of ALJ ruling:	10/28/2021	D.22-05-009 awarded compensation to PCF in A.15-09-013. Per Rule 17.2, ⁴ “A party found eligible for an award of compensation in one phase of a proceeding remains eligible in later phases, including any rehearing, in the same proceeding.”
7. Based on another CPUC determination (specify):	D.23-01-016 (January 12, 2023) in A.19-11-003 et seq.; D.23-03-031 (March 16, 2023) in R.18-10-007	Noted

³ All statutory references are to California Public Utilities Code unless indicated otherwise.

⁴ Unless otherwise indicated, all subsequent Rule references are to the Rules of Practice and Procedure.

	Intervenor	CPUC Verification
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.13-12-010	A.15-09-013
10. Date of ALJ ruling:	Sept. 26, 2014	D.22-05-009 awarded compensation to PCF in A.15-09-013. Per Rule 17.2, “A party found eligible for an award of compensation in one phase of a proceeding remains eligible in later phases, including any rehearing, in the same proceeding.”
11. Based on another CPUC determination (specify):	<i>See also</i> A.15-09-013 (April 25, 2019); A.15-09-013 (May 5, 2022)	Noted
12. Has the Intervenor demonstrated significant financial hardship?		Yes
Timely request for compensation (§ 1804(c)):		
13. Identify Final Decision:	D.24-01-007	Verified
14. Date of issuance of Final Order or Decision:	01/22/2024	Verified
15. File date of compensation request:	03/22/2024	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 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,	Noted. Completion of this section is not needed if there is a valid rebuttable presumption on file, which there is. In

#	Intervenor's Comment(s)	CPUC Discussion
	<p>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>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 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>	<p>future claims, PCF should exclude this information. This practice will reduce the time PCF spends on intervenor compensation preparation.</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 and whose interests are often not adequately represented in Commission proceedings. Although PCF's constituents' rates are among</p>	<p>Noted. Completion of this section is not needed if there is a valid rebuttable presumption on file, which there is. In future claims, PCF should exclude this information. This practice will reduce the time PCF spends</p>

#	Intervenor's Comment(s)	CPUC Discussion
	<p>the highest in the nation, the rates for any one household remains small when compared to the resources necessary to participate effectively before this Commission. 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 proceeding A.21-05-011/014 on October 28, 2021. PCF's circumstances have not changed in any relevant respect since the above determination was made. Pub. Util. Code, § 1803, subd. (b)(1) ("A finding of significant financial hardship shall create a rebuttable presumption of eligibility for compensation in other commission proceedings commencing within one year of the date of that finding.").</p>	on intervenor compensation preparation.

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>Pipeline Project Costs Too High.</u> PCF argued that the estimated costs of the pipeline project are too high and should be carefully reviewed by the Commission as early in the process as possible and before ratepayers are asked to pay for the costs of the pipeline project. The Commission adopted PCF's position in part, by requiring SDG&E to raise and litigate the reasonableness of the pipeline project costs in SDG&E's</p>	<p>Amended Verified Petition (Feb. 8, 2021), p. 21, 22, 23, 36, 44, 45, 46, 48; Verified Petition (Nov. 24, 2020), p. 11; AfR (Feb. 24, 2020), p. 20, 21, 23, 24, 25, 27 ("a costly and dangerous precedent for California pipeline projects – serving as a pretext by the Utilities to justify replacement of well-functioning pipelines which will drive up costs and divert those funds from critical safety projects that are actually</p>	Noted

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
general rate case proceedings. PCF's advocacy in the AfR, in the Supreme Court, and in Phase 2 regarding excessive costs contributed to the Commission's analysis and ultimate determination that those costs should be litigated in the GRC, as it held in D.24-01-007.	necessary."), 28, 29, 31; Joint Matrix (Sept. 11, 2020), pdf. p. 7-8, 11-18. D.24-01-007, p. 7; <i>id.</i> at p. 9 (FOF 11: "The Applicants' GRC is the appropriate venue to litigate issues regarding the cost reasonableness and recovery associated with these projects." COL 2: "The Applicants should raise and litigate the cost reasonableness and recovery issues associated with the Line 1600 PSEP projects in the Applicants' GRC proceedings.").	
<u>Phase 2 Participation.</u> PCF was a major participant in preparing the joint matrix that the Commission directed the parties to file and which the Commission considered before closing the proceeding.	D.24-01-007, p. 4, 5 (discussing the requirements of D.20-02-0024 and the subsequent ALJ ruling and acknowledging PCF was one of the parties filing the required joint matrix") Joint Matrix (Sept. 11, 2020).	Verified
<u>Phase 1 Legal Challenge.</u> PCF filed an application for rehearing (AfR) and, with co-petitioners Cal Advocates and SCGC, filed a petition for review in the California Supreme Court (Petition), that raised multiple legal issues that the Commission considered in responding to the AfR and the Petition, including that D.20-02-024 violated CEQA, section 851, and the CPCN statutes. After PCF ⁵ filed the Petition, the Commission	AfR (Feb. 24, 2020); Verified Petition (Nov. 24, 2020); Opposition to Motion to Dismiss (January 25, 2021); Amended Verified Petition (Feb. 8, 2021); Reply ISO Amended Petition (April 9, 2021); D.24-01-007, p. 4-5 (describing PCF's AfR and describing	Noted. However, see Part III.D. CPUC Comments, Disallowances, and Adjustments, Item [1].

⁵ As described in Sections II.B. and III, PCF worked closely with its co-petitioners Cal Advocates and the Southern California Generation Coalition to ensure the most efficient representation of each organization's specific interests before the California Supreme Court.

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
<p>modified D.20-02-024 to address PCF's detailed legal analysis. The legal arguments contained in PCF's AfR and its Petition resulted in the Commission modifying its original decision, thereby providing a substantial benefit to the Commission's decision-making process. The Commission's action in modifying its decision after PCF's work on the AfR and after PCF filed its Petition demonstrates how PCF's work enriched the record with regard to the Commission's CEQA analysis and approach. PCF's work also enabled the Commission to fully consider the consequences of its decision to proceed with the Line 1600 project, and allowed the public to understand more fully the Commission's rationale underlying its authorization for SDG&E to construct the pipeline project without requiring a CEQA analysis and without requiring SDG&E to file an application for a CPCN or under section 851.</p>	<p>modifications made); <i>id.</i> at p. 21 (noting that "that one statement in the Decision may have caused some confusion on when the project was approved. Specifically, in rejecting POC's request to consider the basis for the cost of the full hydrotest alternative during the second phase of the proceeding, we stated, 'Because this decision approves Design Alternative 1, the cost of a different alternative is not relevant.' (D.20-02-024, p. 46.) This is not an accurate reflection of the events that occurred during the proceeding. We will therefore delete this sentence and replace it with the following: 'Because Design Alternative 1 is in effect as legally required, the cost of a different alternative is not relevant.'").</p> <p>D.24-01-007, p. 9 (COL 4: "With the issuance of D.20-02-024 and D.20-12-014, the remaining issues in this proceeding are resolved.").</p> <p>D.20-12-014, p. 35-36 (ordering modifications to D.20-02-024, including specifying that Design Alternative 1 is in effect as legally required, that Line 1600 is not in good condition, that Line 1600 is mandated by the Public Utilities Code and Commission directive, and that Line 1600 is exempt under CEQA, "" in response to PCF's application for rehearing, after PCF filed the Petition in the Supreme Court).</p> <p>D.20-12-056, p. 1.</p>	

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
<p><u>CEQA Determination.</u> PCF argued that the Commission should have conducted a CEQA review before approving the pipeline project that the Commission referred to as Design Alternative 1. PCF's analysis assisted the Commission in clarifying its standards with respect to the application of CEQA and in correcting the original decision's language. After PCF filed its AfR and the Petition, the Commission modified its original decision by issuing D.20-12-014, and then acted again on its own accord to modify its original decision by issuing D.20-12-056. The Commission acknowledged and responded to PCF's CEQA argument that Commission approval triggers CEQA review, by issuing D.20-12-014 which eliminated the word "approved," and clarified that it did not conduct any CEQA review by relying on the ministerial exemption.</p> <p>Although the Commission disagreed, the Commission clearly considered and addressed PCF's legal analysis in its decisions and in its modifications of D.20-12-014, all of which enriched the Commission's deliberations and the record and assisted the Commission in its decision-making process.</p>	<p>Verified Petition (Nov. 24, 2020), p. 2, 14-15, 21, 23-33;</p> <p>Amended Verified Petition (Feb. 8, 2021), p. 17-20, 31-42;</p> <p>Reply ISO Amended Petition (April 9, 2021), p. 12 (Agency approvals comprise one of the various types of governmental activities that have long been considered to satisfy the governmental activities prong of the definition of "project" under CEQA.");</p> <p>Opposition to Motion to Dismiss (January 25, 2021), p. 1-2, 6-14;</p> <p>AfR (Feb. 24, 2020), p. 23-28; <i>id.</i> at p. 23 ("the Decision does include a finding that would violate, among other things, CEQA's prohibition against piecemealing."); <i>id.</i> at p. 24 ("The Decision also violates CEQA because it fails to analyze a number of reasonably foreseeable consequences of the Pipeline Construction & Abandonment Project.");</p> <p>Joint Matrix (Sept. 11, 2020), pdf. p. 10 (PCF citing 14 Cal. Code Regs., § 15273(b) that the exemption for rate setting is not available for rate increases to fund capital projects for the 'expansion of a system').</p> <p>D.20-12-014, p. 5-13 (discussing CEQA and describing the project as exempt under the ministerial exemption).</p>	<p>Noted</p>

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
	<p>D.20-12-056, p. 1 (“...a new Ordering Paragraph is added below Ordering Paragraph 1.a that states: b. On page 48, delete the language ‘Because this decision approves Design Alternative 1’ and replace it with ‘Because Design Alternative 1 is in effect as legally required.’”).</p> <p>D.24-01-007, p. 9 (COL 4: “With the issuance of D.20-02-024 and D.20-12-014, the remaining issues in this proceeding are resolved.”).</p>	
<p><u>Section 851 Requirements.</u> PCF presented a legal analysis that the Commission should require SDG&E to file a section 851 application before allowing SDG&E to abandon certain pipeline segments. The Commission did not adopt PCF’s recommendation to require an 851 application, but the Commission considered PCF’s evidence which enriched the record and assisted the Commission’s deliberations and decision-making process. PCF’s participation resulted in the Commission establishing its interpretation of section 851 and publicly stating its position that SDG&E is not required to submit an 851 application in order to abandon segments of pipelines.</p>	<p>AfR (Feb. 24, 2020), p. 12, 13-15, 23, 28, 30;</p> <p>Joint Matrix (Sept. 11, 2020), pdf. p. 9 (PCF citing to “the Utilities’ Plan itself, which states that ‘included in this analysis the abandonment of existing infrastructure, including pressure regulator stations that would no longer be needed.’ Plan, p. 17.”).</p> <p>D.20-12-014, p. 22-23 (discussing Section 851 and determining that abandonment of facilities does not “constitute a ‘transfer’ of utility property that would invoke section 851” and that no easements are being abandoned)</p> <p>D.24-01-007, p. 9 (COL 4: “With the issuance of D.20-02-024 and D.20-12-014, the remaining issues in this proceeding are resolved.”).</p>	Noted
<p><u>CPCN Requirements.</u> PCF argued that the Commission should require SDG&E to apply for a CPCN before allowing</p>	<p>Verified Petition (Nov. 24, 2020), p. 1-4, 16-18, 34-39;</p>	Noted

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
<p>SDG&E to proceed with construction of the pipeline project that the Commission referred to as Design Alternative 1. The Commission did not adopt PCF's recommendation to require a CPCN application, but PCF's participation led to the Commission setting forth its interpretation of the CPCN statutes and clarifying the Commission's position that a CPCN is not required for pipeline projects that consists of an extension to an existing pipeline in an area the utility provides utility service. Thus, PCF's legal arguments, analysis, and evidence contained in its AfR and Petition enriched the Commission's deliberations and the record, and assisted the Commission in its decision-making process.</p>	<p>Opposition to Motion to Dismiss (January 25, 2021), p. 1-2, 12;</p> <p>Amended Verified Petition (Feb. 8, 2021), 1-5, 21-24, 43-49; <i>id.</i> at p. 43 ("The Commission has no authority to disregard the legislative mandate requiring utilities to obtain a CPCN as a necessary prerequisite to the construction of a pipeline or extension thereof.");</p> <p>Reply ISO Amended Petition (April 9, 2021), p. 22-31, 39; <i>id.</i> at p. 15 ("Regardless, the law remains clear that a CPCN is required for the Utilities to commence construction of the Pipeline Project lawfully.");</p> <p>AfR (Feb. 24, 2020), p. 23-28;</p> <p>Joint Matrix (Sept. 11, 2020), pdf. p. 7-8, 18.</p> <p>D.20-12-014, p. 17-18 (discussing CPCN requirements and explaining that Commission construes the CPCN statutes as not requiring a CPCN for extensions into an area that a utility already serves).</p> <p>D.24-01-007, p. 9 (COL 4: "With the issuance of D.20-02-024 and D.20-12-014, the remaining issues in this proceeding are resolved.").</p>	

B. Duplication of Effort (§ 1801.3(f) and § 1802.5):

	Intervenor's Assertion	CPUC Discussion
<p>a. Was the Public Advocates Office of the Public Utilities Commission (Cal Advocates) a party to the proceeding?</p>	<p>Yes</p>	<p>Verified</p>

	Intervenor's Assertion	CPUC Discussion
b. Were there other parties to the proceeding with positions similar to yours?	Yes	Verified
c. If so, provide name of other parties: Public Advocates Office (Cal Advocates), Sierra Club, Southern California Generation Coalition (SCGC), and The Utility Reform Network		Noted
<p>d. Intervenor's claim of non-duplication:</p> <p>PCF coordinated closely with other intervenors throughout this proceeding, and continued that approach after the Commission decided D.20-02-024. Shortly after the Commission issued D.20-02-024, PCF reached out to other parties to discuss applying for rehearing. PCF's AfR focused on whether the Commission had adequately conducted an environmental review under CEQA, had proceeded in the manner required by law, made the necessary findings of fact, appropriately disclaimed regulatory authority over the Line 1600 project, appropriately modified D.18-06-028 without conducting a hearing, and appropriately followed the Bagley-Keene Open Meeting Act and ex-parte rules.</p> <p>PCF also avoided duplication by working closely with Cal Advocates and SCGC to jointly file a petition for review in the California Supreme Court (Petition); to successfully oppose the utilities' motion to dismiss the Petition; to amend the Petition at the invitation of the California Supreme Court; and to reply to the Commission's and the Utilities' opposition.</p> <p>PCF also worked with all the parties to file the joint matrix required by D.20-02-024.</p> <p>With respect to PCF's comments on the proposed decision leading to D.24-01-007, PCF was the only party to submit comments.</p> <p>PCF's AfR and participation seeking judicial review was necessary for a thorough and fair determination of the issues in this proceeding because they directly addressed the legal issues related to D.20-02-024. To PCF's knowledge, no other party participating in this proceeding is focused on representing the interests of Southern California and San Diego residential utility ratepayers both with respect to ratepayer and environmental protection; and the adverse impacts both in terms of environment and cost will be felt primarily in San Diego County.</p>		Noted

C. Additional Comments on Part II:

#	Intervenor's Comment	CPUC Discussion
II(A)	<p>Substantial Contribution.</p> <p>Pursuant to Section 1802(j), “Substantial contribution” means that, in the 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>	Noted
II(A)	<p>Substantial Contribution Includes Enriching Deliberations or the Record.</p> <p>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>	Noted
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; p. 4 [adoption of “procedural recommendations related to scheduling and evidence.”].)</p>	Noted
II(B)(d)	<p>No Duplication.</p> <p>No reduction to PCF’s compensation due to duplication 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. Section 1803 sets forth the requirements for awarding intervenor compensation. Pub. Util. Code, § 1803; D.03-03-031, p. 12-14. An award of compensation for reasonable fees for participation in a proceeding is required when an intervenor (1) complies with Section 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</p>	Noted

#	Intervenor's Comment	CPUC Discussion
	<p>fees or costs imposes a significant financial hardship.”</p> <p>Pub. Util. Code, § 1803. Section 1801.3(f) seeks to avoid only (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, subd. (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. 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.</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 fees are small compared to the benefits California ratepayers will ultimately realize as the result of PCF's contributions to this proceeding, which dramatically increased transparency regarding the Commission's rationale in authorizing the pipeline at issue and regarding the need for careful consideration of the costs involved. Although the actual dollar value of the benefit to ratepayers of PCF's participation will be addressed in the GRC proceeding where the cost of the pipeline project will be litigated, PCF's advocacy led to greater awareness amongst the parties and the Commission about the high costs of constructing new gas pipelines both in terms of dollars and in terms of environmental costs.</p>	<p>Noted, however see Part III.D CPUC Comments, Disallowances and Adjustments.</p>
<p>b. Reasonableness of hours claimed:</p> <p>All of PCF's hours claimed in this request for compensation are incremental to PCF's request for compensation leading up to D.20-02-024.</p> <p>PCF's Legal & Executive Director has been a CEQA and public law practitioner and litigator for more than two decades, which allowed her to spot legal issues, prepare the application for rehearing, the</p>	<p>Noted, however see Part III.D CPUC Comments, Disallowances and Adjustments.</p>

	CPUC Discussion
<p>Supreme Court petitions and briefs, and participate in this proceeding efficiently.</p> <p>Ms. Dickenson consulted with former Commission President Loretta Lynch who has extensive Commission and utility regulatory experience and who helped strategize with Ms. Dickenson about the most effective methods to promote the public interest in transparency and in avoiding high costs and limiting adverse environmental impacts.</p> <p>To ensure the reasonableness of the hours requested, and to establish that PCF seeks compensation for only that work which was absolutely necessary to litigate the important public issues described in this claim, PCF has cut from its original time records more than 150 hours of time spent researching, drafting, connecting with concerned members of the community, and strategizing internally. PCF's good faith effort to request intervenor compensation for only a portion of PCF's actual time spent and work performed, demonstrates that PCF has already substantially limited its request for compensation.</p> <p>PCF's hours are also reasonable because, while PCF took the laboring oar in drafting the bulk of the Supreme Court filings, PCF worked closely with counsel for Cal Advocates and SCGC who provided complementary knowledge and expertise and conserved resources for all involved.</p> <p>PCF does <u>not</u> claim time spent on any administrative matters, such as time spent filing and serving comments, or to prepare, serve, and submit exhibits. In particular, PCF is not claiming time spent by PCF advocate Julia Severson in preparing the Appendix, a tremendous task involving significant organizational resources.</p> <p>Additionally, PCF is not including 16 hours of time spent by PCF's expert Bill Powers who reviewed the application and briefs to ensure their technical accuracy and consistency with the evidentiary record.</p> <p>In an additional effort to minimize costs, PCF staff attorney Andrea White, whose rates are significantly lower than Ms. Dickenson's, assisted in preparing this request for intervenor compensation.</p> <p>All of the hours claimed in this request were reasonably necessary to PCF's participation towards D.24-01-007, D.20-12-056, D.20-12-014.</p>	

	CPUC Discussion
<p>c. Allocation of hours by issue: Because this claim seeks compensation for participating in this proceeding after D.20-02-024 was decided, which includes the prerequisite AfR and legal challenge to D.20-02-024, and Phase II, the approximate allocation (rounded to the nearest whole number) of time spent based on the detail in the time sheets and the personal knowledge of PCF's Legal & Executive Director is as follows:</p> <p>16%: Application for Rehearing 79%: Participation before the Supreme Court 5%: Phase II</p>	<p>Noted, however see Part III.D. CPUC Comments, Disallowances and Adjustments.</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	4.9	\$700.00	See Comment #1.	\$3,430	4.90	\$665.00 [2]	\$3,258.50
Malinda Dickenson [Legal Director, Attorney]	2021	265.60	\$650.00	See Comment #1.	\$172,640	140.70 [4, 5]	\$590.00 [2]	\$83,013.00
Malinda Dickenson [Legal Director, Attorney]	2020	314.20	\$450.00	See D.21-05-029.	\$141,390	164.85 [4, 6]	\$450.00	\$74,182.50
Loretta Lynch [Attorney]	2021	13.25	\$690.00	See D.22-10-030; D.23-10-018.	\$9,142.50	7.75 [4]	\$690.00	\$5,347.50
Loretta Lynch [Attorney]	2020	18.75	\$630.00	See D.23-10-018.	11,812.50	8.75 [4]	\$630.00	\$5,512.50
Subtotal: \$338,415.00						Subtotal: \$171,314.00		
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
Malinda Dickenson [Legal Director, Attorney]	2024	3.00	\$365.00	½ of hourly rate. See comment #1.	\$1,095	3.00	\$350.00 [2]	\$1,050.00
Andrea White [Attorney]	2024	7.25	\$140.00	½ of hourly rate. See comment # 2.	\$1,015	7.25	\$132.50 [3]	\$960.63
Subtotal: \$2,110.00						Subtotal: \$2,010.63		

CLAIMED				CPUC AWARD
COSTS				
#	Item	Detail	Amount	Amount
1.	TrueFiling	Court and service fees for filing documents in the California Supreme Court	\$815.30	\$0.00 [7]
2.	River City Process Server	Cost to serve real parties in interest SDG&E and SoCalGas with petition	\$908.00	\$0.00 [7]
Subtotal: \$1,723.30				Subtotal: \$0.00
TOTAL REQUEST: \$342,248.30				TOTAL AWARD: \$173,324.63
<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 ⁶	Member Number	Actions Affecting Eligibility (Yes/No?) If "Yes", attach explanation	
Malinda Dickenson	12/04/2002	222564	No	
Loretta Lynch	12/14/1990	151206	No	
Andrea White	12/05/2023	351824	No	

C. Attachments Documenting Specific Claim and Comments on Part III:⁷

Attachment or Comment #	Intervenor's Description/Comment
Attachment #1	Certificate of Service
Attachment #2	Timesheet and Categorization
Attachment #3	Malinda Dickenson Resume
Attachment #4	Andrea White Resume
Attachment #5	November 24, 2020 Verified Petition for a Writ of Review; Memorandum of Points and Authorities in Support of Petition (S265790)

⁶ This information may be obtained through the State Bar of California's website at <http://members.calbar.ca.gov/fal/MemberSearch/QuickSearch>.

⁷ Attachments are not included to the final decision.

Attachment or Comment #	Intervenor's Description/Comment
Attachment #6	January 8, 2021 letter from Supreme Court Clerk and Executive Officer to Counsel for Petitioners, inviting Petitioners to file an amended writ petition (S265790)
Attachment #7	January 25, 2021 Petitioner's Opposition to Motion to Dismiss by Real Parties in Interest (S265790)
Attachment #8	February 8, 2021 Amended Verified Petition for a Writ of Review; Memorandum of Points and Authorities in Support of Amended Petition (S265790)
Attachment #9	April 9, 2021 Petitioners' Reply in Support of Amended Verified Petition for Writ of Review (S265790)
Attachment #10	Receipts for Costs
Comment #1	<p>Malinda Dickenson basis for 2021, 2022, 2023, and 2024 rates: \$650/hour, \$670/hour, \$700/hour, \$730/hour, respectively.</p> <p>Ms. Dickenson has more than 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 more than 4 years as PCF's General Counsel and then Legal & Executive Director. Ms. Dickenson's greater than 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 \$699.57 and a high-end rate of \$860.03 for Level IV legal directors in 2024. These rates include overhead costs. PCF justifies Ms. Dickenson's 2024 rate of \$730 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 \$730 rate. Mr. Birkelund was awarded \$705 for 2022 rates (D.23-02-016, p. 10), which equals \$765 per hour in 2024 dollars, \$735 in 2023 dollars, and \$680 in 2021 dollars, utilizing the Commission's approved COLA for 2023 and 2024 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. (See 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 \$785 in 2024 dollars and \$755 in 2023 dollars, utilizing the Commission's approved COLA for 2022</p>

Attachment or Comment #	Intervenor's Description/Comment
	<p>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. (See Comment #3, <i>infra</i> (last paragraph).) The Commission hourly rate chart provides a median rate of \$680.95 and a high-end rate of \$773.67 for Level V Attorneys in 2024. These rates include overhead costs. Ms. Dickenson's 2024 rate of \$730 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> <p>The requested 2024 rate for Ms. Dickenson also aligns with the newly updated rate of \$650/hr for 2021 and the requested rate of \$700/hour for 2023.</p> <p>Ms. Dickenson's resume and this justification have been updated since Ms. Dickenson was awarded a 2022 rate of \$610 per hour in D.23-08-020 and D.23-10-018 which were in turn based on the 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 a less comprehensive description of her experience in the previous version of Ms. Dickenson's resume. Ms. Dickenson's current resume unequivocally establishes that Ms. Dickenson has over 21 years of experience that is directly related to her work before the Commission.</p>
Comment #2	<p>Andrea White basis for 2024 rate:</p> <p>Andrea White is a Staff Attorney at The Protect Our Communities Foundation. PCF is requesting a rate of \$280 per hour for Ms. White for 2024. Ms. White graduated from the University of California, Berkeley School of Law in May of 2023 and was admitted to the California bar on December 5, 2023. Ms. White joined PCF as a Law Fellow after law school and was promoted to Staff Attorney upon her admission to the State Bar of California. Ms. White performs her job duties with the skill of lawyers with</p>

Attachment or Comment #	Intervenor's Description/Comment
	<p>much more experience: she prepares briefs, conducts cross-examinations, participates in meet and confers, performs legal research, analyzes evidence, prepares data requests, assists in the drafting of testimony, attends workshops, and drafts comments, while under the supervision of an experienced attorney.</p> <p>Ms. White's rate is based on the Commission's hourly rate chart and the rates awarded for attorneys with 0-1 years of experience. For 2024, the range for 0-1 years of attorney experience is \$203.70 (low), \$262.12 (median), and \$328.20 (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 \$280 per hour in 2024 dollars utilizing the Commission's approved COLA for 2022, 2023, and 2024 and the Commission's established practice of rounding to the nearest five-dollar increment. Additionally, in D.24-02-044, the Commission awarded a rate of \$275 an hour to Marna Anning for 2022 and a rate of \$285/hour for 2023, which is approximately \$295-\$300 in 2024 dollars, rounding to the nearest five dollars. The rate of \$280 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 Ms. White's background, experience, and education in areas of laws and procedures relevant to CPUC matters, including environmental law and utility regulations.</p> <p>Ms. White's resume is attached and demonstrates her background, experience, and education in areas of laws and procedures relevant to CPUC matters, including environmental law and utility regulations. Ms. White graduated from the University of California, Berkeley School of Law in 2023 with Certificates of Specialization in Environmental Law and Energy & Clean Technology Law. She graduated summa cum laude with a Bachelor of Science in Environment & Sustainability and minors in Anthropology, Archaeology, and Climate Change from Cornell University in 2020. During her time at Cornell University, Ms. White gained experience in data analysis, research, and analytics as a research assistant for the Lost Crops Research Group and a teaching assistant for Introductory Biology: Ecology and the Environment. While in law school, Ms. White was a Senior Articles Editor and Executive Editor for Ecology Law Quarterly, a widely-cited premier quarterly environmental law review journal, which as of 2022, was ranked second among Environmental and Land Use Law journals (Washington and Lee School of Law, <i>Law Journal Rankings</i>, available at https://managementtools4.wlu.edu/LawJournals/Default.aspx). Ms. White</p>

Attachment or Comment #	Intervenor’s Description/Comment
	<p>published two of her articles in the journal including one which was a comparative analysis of how French and German courts enforce their greenhouse gas emissions reduction goals as compared to the United States.</p> <p>During law school Ms. White obtained a variety of legal experience directly relevant to her work before the CPUC. Ms. White took classes relevant to environmental and energy law, such as Administrative Law, Energy Law and Policy, Renewable Energy Law, Environmental Law and Policy, Climate Change and the Law, Water Law, Environmental Health through Film, and Energy Project Development and Finance. She performed pro bono work for the student organizations Environmental Conservation Outreach and Clean Energy Leaders in Law. This pro bono work involved legal research and writing and administrative practice on topics related to public lands use, pipeline construction, public records requests, and low-income solar programs. She also advocated for the rights of a Native California Tribe as part of the law school’s Environmental Law Clinic. In Summer 2021, she interned at the Great Rivers Environmental Law Center in St. Louis and in Summer 2022 she was a summer law clerk for the Environmental Defense Center in Santa Barbara. This practical legal experience included legal research and writing, administrative, and litigation experience on topics related to pesticides, water quality, air quality, and oil trucking.</p>

D. CPUC Comments, Disallowances, and Adjustments

Item	Reason
[1] Guidance Regarding Compliance with the Intervenor Compensation Program Requirements	We remind PCF to “include the referenced document’s name, date, and <i>page/portion(s)</i> .” <i>See</i> Intervenor Compensation Program Guide at 20 (emphasis added).
[2] 2021, 2023, and 2024 Hourly Rates and 2024 Intervenor Compensation Preparation Rate for Dickenson	<p><u>Dickenson’s 2021 Hourly Rate: \$590.00</u> D.22-10-030 approved a 2021 hourly rate of \$590.00 for Dickenson. We apply this same hourly rate here.</p> <p><u>Dickenson’s 2023 Hourly Rate: \$665.00</u> D.25-04-017 adopted a 2023 hourly rate of \$665.00 for Dickenson. We apply this same hourly rate here.</p>

Item	Reason
	<p><u>Dickenson’s 2024 Intervenor Compensation Preparation Rate: \$350.00</u></p> <p>D.25-04-017 adopted a 2024 hourly rate of \$700.00 for Dickenson. We apply ½ of Dickenson’s 2024 rate established above for an Intervenor Compensation Claim Preparation rate of \$350.00.</p>
[3] 2024 Hourly Rate and 2024 Intervenor Compensation Preparation Hourly Rate for White	<p>D.25-04-017 approved White’s 2024 hourly rate of \$265.00. We apply one-half of that rate for an Intervenor Compensation Preparation rate of \$132.50.</p>
[4] Reduction for Excessive Hours and Lack of Substantial Contribution	<p>PCF claimed 484.55 hours for Dickenson’s and Lynch’s work before the California Supreme Court appealing D.20-02-024. PCF worked with the Public Advocates Office at the California Public Utilities Commission (Cal Advocates) and Southern California Generation Coalition (SCGC) (combined Joint Petitioners) to file four documents:</p> <ul style="list-style-type: none"> • Verified Petition for a Writ of Review (Petition), • Petitioner’s Opposition to Motion to Dismiss by Real Parties in Interest (Opposition), • Amended Verified Petition for a Writ of Review (Amended Petition), and • Petitioners’ Reply in Support of Amended Verified Petition for a Writ of Review (Reply). <p>Section 1801.3(b) states that it is the intent of the California Legislature that the Intervenor Compensation program is “administered in a manner that encourages the effective and efficient participation of all groups that have a stake in the public utility regulation process.” We find that the time PCF spent on all of those documents – except for the Amended Petition – was excessive due to inefficient and ineffective work. Accordingly, we find 250.00 of those hours to be excessive as explained below.</p> <p><i>Background</i></p> <p>D.20-02-024 was issued by the Commission on February 12, 2020. On November 24, 2020, Joint Petitioners filed their Petition with the California Supreme Court. San Diego Gas & Electric Company (SDG&E) filed a Motion to Dismiss the Petition on January 8, 2021. Joint Petitioners filed an Opposition to the Motion to Dismiss on January 25, 2021. On February 8, 2021, Joint Petitioners filed their Amended Petition. On March</p>

Item	Reason
	<p>15, 2021, the Commission and SDG&E filed Preliminary Oppositions to Petition. Joint Petitioners filed their Reply on April 9, 2021. The Commission responded to the Reply on April 21, 2021. On June 30, 2021, the California Supreme Court denied the Motion to Dismiss the Petition but also denied the Petition.</p> <p><i>Excessive and Inefficient</i></p> <p>Joint Petitioners produced 128.5 pages of substantive work product between the Petition, Opposition, and Reply. PCF is claiming 434.35 hours for their work on these three documents. This would amount to \$231,513.50 to be paid by the ratepayers of SDG&E and Southern California Gas Company (SoCal Gas) if PCF were awarded their request in full. We find this excessive and inefficient because (1) PCF was working with two other experienced Joint Petitioners and (2) the experience of PCF's attorneys.</p> <p>Given the experience of the representatives of Cal Advocates and SCGC, PCF should have used their resources more efficiently and effectively. At the time the Petition was filed, Cal Advocates' counsels of record, Darwin Farrar and Joseph Como, had nearly 50 years of experience as attorneys. SCGC's counsel of record, Norman Pedersen, had nearly 40 years of experience as an attorney. Since neither of PCF's co-petitioners filed an intervenor compensation claim we do not know how much time they spent on the three filings in question. However, in Part III.A.b "Reasonableness of hours claimed" PCF states that they "draft[ed] the bulk of the Supreme Court filings [and] worked closely with counsel for Cal Advocates and SCGC who provided complementary knowledge and expertise and conserved resources for all involved." While PCF did not need to rely on their co-petitioners to draft all of these documents, they could have used their time more efficiently by leveraging the significant experience of their co-petitioners when drafting the three filings in question.</p> <p>Even without relying more on their co-petitioners more, PCF spent an excessive amount of time drafting these documents. At the time PCF began drafting the Petition, attorneys Dickenson and Lynch had nearly fifty years of combined legal experience. With this much experience, we find that the number of hours PCF claims for drafting these three documents is excessive. For example, PCF spent nearly 200.00 hours drafting 40 pages of</p>

Item	Reason
	<p>substantive work product on their Petition, not including any time spent by the co-petitioners. Given the experience of PCF's two attorneys, this is excessive and inefficient.</p> <p><i>Lack of Substantial Contribution</i> Public Utilities Code §1802(j) states that a substantial contribution "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." PCF is claiming 484.55 hours for their time participating before the California Supreme Court, where it did not prevail. Nowhere, explicitly or implicitly, does the Commission state that PCF's arguments before the California Supreme Court affected their decision-making process in the three decisions for which PCF is claiming substantial contributions towards. The only mention of PCF's California Supreme Court work was in D.24-01-007 at 7-8, which merely summarized the Joint Petitioners' arguments and states that their Petition was denied. Although the Commission does not require intervenors to prevail in order to receive compensation, intervenors' efforts must meaningfully assist the Commission's decision-making. In this instance, PCF's participation had minimal influence on the decision-making process. Given this, we find the 484.55 hours claimed for their participation before the California Supreme Court to be excessive. Therefore we reduce 250.00 hours for PCF's work on the three documents, as this is commensurate with the contributions made and is consistent with the standard set forth in § 1802(j).</p> <p><i>Conclusion</i> Because PCF's efforts were excessive and were not sufficiently contributory, we reduce 250 hours, which breaks down as follows:</p> <p><u>Verified Petition for a Writ of Review (115.00 hours)</u> PCF claimed 195.00 hours for Dickenson's and Lynch's work on their Verified Petition for a Writ of Review. As discussed above, we find PCF's requested hours to be excessive for the 40 pages of substantial work product produced and therefore reduce 115.00 hours of PCF's 2020 hours, which breaks down as follows:</p> <ul style="list-style-type: none"> • Dickenson in 2020: 105.00 hours disallowed

Item	Reason
	<ul style="list-style-type: none"> • Lynch in 2020: 10.00 hours disallowed <p><u>Petitioner’s Opposition to Motion to Dismiss by Real Parties in Interest (70.00 hours)</u></p> <p>PCF claimed 96.65 hours for Dickenson’s and Lynch’s work on their Petitioner’s Opposition to Motion to Dismiss by Real Parties in Interest. As discussed above, we find PCF’s requested hours to be excessive for the 14.5 pages of substantial work product produced and therefore reduce 70.00 hours, which breaks down as follows:</p> <ul style="list-style-type: none"> • Dickenson in 2020: 7.50 hours disallowed • Dickenson in 2021: 60.00 hours disallowed • Lynch in 2021: 2.50 hours disallowed <p><u>Petitioners’ Reply in Support of Amended Verified Petition for a Wit of Review (65.00 hours)</u></p> <p>PCF claimed 142.70 hours for Dickenson’s and Lynch’s work on their Petitioners’ Reply in Support of Amended Verified Petition for a Wit of Review. As discussed above, we find PCF’s requested hours to be excessive for the 39 pages of substantial work product produced and therefore reduce 65.00 hours, which breaks down as follows:</p> <ul style="list-style-type: none"> • Dickenson in 2021: 62.00 hours disallowed • Lynch in 2021: 3.00 hours disallowed
[5] 2021 Reductions for Dickenson	<p>PCF’s 2021 submitted timesheet for Dickenson includes two separate timesheet entries for 2.90 hours of communications where the topic or issue being discussed is not disclosed. This issue stands out when compared to PCF’s other timesheet entries of communications where the topic at hand is disclosed. We therefore reduce the following timesheet entries from Dickenson’s 2021 work due to vagueness and a lack of sufficient detail to determine their relevance or value to the proceeding.</p> <ul style="list-style-type: none"> • February 5, 2021: “Email correspondence, phone call with counsel for joint petitioners” • May 13, 2021: “Email correspondence and phone call with counsel for joint petitioners”

Item	Reason
[6] 2020 Reductions for Dickenson	<p>We reduce 36.85 hours of Dickenson’s remaining 2020 requested hours for the following reasons:</p> <p><u>Notice of Amendment to Application for Rehearing (12.00 hours)</u> PCF claimed 14.00 hours for Dickenson’s work on their Notice of Amendment to Application for Rehearing of D.20-02-024. This work included, but was not limited to, legal research, communications, drafting the notice, and reviewing the record. We find PCF’s requested hours to be excessive for the one page of substantial work product produced and therefore reduce 12.00 hours of PCF’s 2020 work.</p> <p><u>Multiple Items in Same Timesheet Entry (15.75 hours disallowed)</u> PCF submitted six activities totaling 31.50 hours in their 2020 timesheet for Dickenson that inappropriately combined multiple tasks in the same time entry. Pursuant to Rule 17.4, each time record shall identify the specific task performed. Therefore we reduce 15.75 hours, or 50%, for failure to comply with program guidelines.</p> <ul style="list-style-type: none"> • March 9, 2020: “Legal research re statutory timeframe; phone call with Norman Pederson; email to team; begin drafting notice of errata and rechecking citations; legal research re cost effectiveness analysis under CPCN statutes, CEQA; review record re genesis and development of cost effectiveness analysis requirement; analysis of CEQA documentation for Line 3602” • March 10, 2020: “Continue drafting notice of errata and rechecking citations; review joint parties' application for rehearing, make notes; legal research re CEQA mandatory finding of significance; continue reviewing past CEQA documents, attention to GHG claims; review response to application for rehearing by SDG&E/SoCalGas” • March 11, 2020: “Review Public Advocates edits, notes to file; conference call with JDA parties” • March 11, 2020: “Review CEQA documents sent by Public Advocates Office; email Save Tara, lead agency regulations to Public Advocates Office; review comments on Line 3602 project; analyze need to respond to SDG&E/SoCalGas opposition to application for rehearing” • September 11, 2020: “Draft matrix third column and revisions to pleadings; coordinate with other parties; incorporate edits; email correspondence with utilities”

Item	Reason
	<ul style="list-style-type: none"> December 30, 2020: “Analysis of legal effect of statements made in D.20-12-014; email correspondence with team re CEQA settlement conference” <p><u>Vague Timesheet Entries (7.60 hours)</u></p> <p>PCF’s 2020 submitted timesheet for Dickenson includes five separate timesheet entries totaling 7.60 hours where the topic or issue being worked on was not disclosed. This issue stands out when compared to PCF’s other timesheet entries where the topic or issue at hand is disclosed. Additionally, the entries listed below lack the necessary detail to determine their relevance or value to the proceeding, and do not comply with program requirements. We therefore reduce the following from Dickenson’s 2020 work for being vague and insufficiently described.</p> <ul style="list-style-type: none"> September 3, 2020: “Incorporating edits and suggestions” September 8, 2020: “Email correspondence with Public Advocates Office” September 9, 2020: “Email and phone call with joint parties” September 10, 2020: “Review email correspondence from parties” September 10, 2020: “Phone calls with Norman Pederson and Daryl Gruen” <p><u>Administrative/Clerical (1.50 hours)</u></p> <p>The Commission does not compensate attorneys for time spent on clerical and administrative tasks as such work is considered subsumed within professional fees. See the CPUC Intervenor Compensation Program Guide at 12 and 22. We therefore reduce 1.50 hours from Dickenson’s 2020 claimed hours:</p> <ul style="list-style-type: none"> September 8, 2020: “Email correspondence with utility representatives re form of matrix” September 9, 2020: “Prepare matrix draft” December 1, 2020: “Review agenda, hold list re AfR item”
[7] Reduction of Costs	<p>We reduce all \$1,723.30 of PCF’s Court and service fees for filing documents in the California Supreme Court and the cost to serve real parties in interest SDG&E and SoCalGas with petition. These costs are embedded into the fees paid for attorneys.</p>

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

A. Opposition: Did any party oppose the Claim?	No
B. Comment Period: Was the 30-day comment period waived (<i>see</i> 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.24-01-007, D.20-12-056, and D.20-12-014.
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 \$173,324.63.

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 \$173,324.63.
2. Within 30 days of the effective date of this 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 revenues for the 2020 calendar year, to reflect the year in which the proceeding was primarily litigated. If such data are unavailable, the most recent gas 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 June 5, 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.
4. Application 15-09-013 is closed.

This decision is effective today.

Dated _____, at Sacramento, California.

APPENDIX**Compensation Decision Summary Information**

Compensation Decision:		Modifies Decision?	No
Contribution Decision(s):	D2401007, D2012056, D2012014		
Proceeding(s):	A1509013		
Author:	ALJ Stevens		
Payee(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	3/22/2024	\$342,248.30	\$173,324.63	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	\$730	2024	\$700.00
Malinda	Dickenson	Attorney	\$700	2023	\$665.00
Malinda	Dickenson	Attorney	\$650	2021	\$590.00
Malinda	Dickenson	Attorney	\$450	2020	\$450.00
Loretta	Lynch	Attorney ⁸	\$690	2021	\$690.00
Loretta	Lynch	Attorney ⁸	\$630	2020	\$630.00
Andrea	White	Attorney ⁹	\$280	2024	\$265.00

(END OF APPENDIX)

⁸ Lynch is classified as a Legal – Attorney – Level V for 2021.

⁹ White is classified as a Legal – Attorney – Level I for 2024.