



BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA
FILED

Order Instituting Rulemaking to Improve the California Climate Credit.	R.25-07-013 (Filed July 24, 2025)	12/19/25 01:27 PM R250701B
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**NOTICE OF INTENT TO CLAIM INTERVENOR COMPENSATION
AND, IF REQUESTED (and [☒]¹ checked), ADMINISTRATIVE LAW JUDGE'S
RULING ON ENVIRONMENTAL DEFENSE FUND'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 lcompcoordinator@cpuc.ca.gov.

Customer or Eligible Local Government Entity (party intending to claim intervenor compensation): ENVIRONMENTAL DEFENSE FUND

Assigned Commissioner: ALICE REYNOLDS

Administrative Law Judge: MARIA SOTERO

I hereby certify that the information I have set forth in Parts I, II, III and IV of this Notice of Intent is true to my best knowledge, information and belief.

Signature:

/s/ Michael Colvin

Date: December 19, 2025

Printed Name:

Michael Colvin

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

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

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

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

<p>2. A Category 2 customer is a representative who has been authorized by actual customers to represent them. Category 2 involves a more formal arrangement where a customer or a group of customers selects a more skilled person to represent the customer's views in a proceeding. A customer or group of customers may also form or authorize a group to represent them, and the group, in turn, may authorize a representative such as an attorney to represent the group.</p>	<input type="checkbox"/>
<p>3. A Category 3 customer is a formally organized group authorized, by its articles of incorporation or bylaws to represent the interests of residential customers or small commercial customers receiving bundled electric service from an electrical corporation (§1802(b)(1)(C)). Certain environmental groups that represent residential customers with concerns for the environment may also qualify as Category 3 customers, even if the above requirement is not specifically met in the articles or bylaws. <i>See</i> D.98-04-059, footnote at 30.</p>	<input checked="" type="checkbox"/>
<p>4. The party's detailed explanation of the selected customer category.</p> <p><u>The party's explanation of its status as a Category 3 customer.</u> If the party represents residential and small commercial customers receiving bundled electric service from an electrical corporation, it must include in the Notice of Intent either the percentage of group members that are residential ratepayers or the percentage of the members who are receiving bundled electric service from an electrical corporation. Supporting documentation for this customer category must include current copies of the articles of incorporation or bylaws. If current copies of the articles and bylaws have already been filed with the Commission, only a specific reference (the proceeding's docket number and the date of filing) to such filings needs to be made.</p> <p>Environmental Defense Fund (EDF) is a non-profit membership organization engaged in linking science, economics and law to create innovative, equitable and cost-effective solutions to society's most urgent environmental problems. As an organization, EDF has been active in California on environmental issues since the 1970s and has participated in proceedings on energy related topics at the California Public Utilities Commission since 1976. During these proceedings EDF had provided extensive analysis on the development and use of market-based instruments and principles for achieving combined environmental and economic success.</p> <p>EDF is a non-profit organization organized under the laws and jurisdiction of New York. The Sixth Amended and Restated Bylaws of EDF, as amended through May 2024 (the "EDF Bylaws"), state that a purpose and objective of EDF is to encourage and support the wise use of natural resources, and the maintenance and enhancement of</p>	

<p>environmental quality; and also to effect a joining of the best scientific findings with the most appropriate social action discovered by the social sciences and legal theory in order that practical decisions shall be made which shall best promote a quality environment. The bylaws are included as an attachment to this Notice.</p> <p>EDF has approximately 60,000 dues paying members in California and over 500,000 supporters. EDF's members in California are dispersed throughout the state, including in the service territory for the respondents to this Rulemaking, including Pacific Gas and Electric Company, Southern California Edison Company, Southern California Gas Company and San Diego Gas & Electric Company, though we do not have an exact percentage of those members in each service territory. EDF participates in this Rulemaking as a representative of these members and their interests in the utility bill with aligning climate change policies and objectives. EDF participates in this proceeding to achieve these results and to promote outcomes aided by social science and legal analysis. Accordingly, this qualifies EDF as a Category 3 customer pursuant to Section 1802(b)(1)(C) of the Public Utilities Code.</p> <p>EDF has routinely been found to be a customer as defined in PUC Section 1802(b)(1)(C), including in Rulemakings 20-01-007 and 21-06-017. EDF was granted a showing of significant financial hardship by ALJ Tran in Rulemaking 20-01-007 on May 20, 2020 and EDF was also granted a showing of significant financial hardship in Rulemaking 21-06-017 by ALJs Hymes and Sisto on November 9, 2021. EDF has also requested showings of significant financial hardship that went unruled in other more recent proceedings, including A.25-03-010 et al. EDF requests a new showing of significant financial hardship in this Rulemaking out of an abundance of caution.</p>	
<p>Do you have any direct economic interest in outcomes of the proceeding?³</p> <p>If "Yes", explain:</p>	<p><input type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> No</p>
<p>B. Conflict of Interest (§ 1802.3)</p>	<p>Check</p>
<p>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?</p>	<p><input type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> No</p>
<p>2. If the answer to the above question is "Yes", does the customer have a conflict arising from prior representation before the Commission?</p>	<p><input type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> No</p>
<p>C. Status as an Eligible Local Government Entity (§§1802(d), 1802.4, 1803.1)</p>	
<p>The party claims "eligible local government entity" status because the party is a city, county, or city and county that is not a publicly owned public utility that intervenes or participates in a Commission proceeding for the purpose of protecting the health and safety of the residents within the entity's jurisdiction following a catastrophic material</p>	<p><input type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> No</p>

³ See Rule 17.1(f).

loss suffered by its residents either in significant damage to infrastructure or loss of life and property, or both, as a direct result of public utility infrastructure.	
<p>The party's explanation of its status as an eligible local government entity must include a description of</p> <p>(1) The relevant triggering catastrophic event;</p> <p>(2) The impacts of the triggering catastrophic event on the residents within the entity's jurisdiction as a result of public utility infrastructure; and</p> <p>(3) The entity's reason(s) to participate in this proceeding.</p>	
D. Timely Filing of Notice of Intent to Claim Intervenor Compensation (NOI) (§ 1804(a)(1)):	
<p>1. Is the party's NOI filed within 30 days after a Prehearing Conference? Date of Prehearing Conference: 11/21/2025</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p>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)?</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2a. The party's description of the reasons for filing its NOI at this other time: N/A	
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: N/A	

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

A. Planned Participation (§ 1804(a)(2)(A)):
<p>The party's statement of the issues on which it plans to participate:</p> <p>Broadly, EDF intends to participate in all aspects of this Rulemaking. At the time of the submittal of this Notice, the Assigned Commissioner has not yet issued her Scoping Memo and Ruling, so EDF cannot directly tie its efforts to the scoped issues for participation. However, EDF does not intend to limit its participation and plans to fully engage in the proceeding. As indicated in our response to the Order Instituting Rulemaking, EDF intends to find ways to enhance the affordability benefits of California's cap-and-invest program through the updates to the California Climate Credit. In order to do so, EDF will engage in all aspects of the proceeding including those established in the Order Instituting Rulemaking and as further preliminarily identified by the Administrative Law Judge during the pre-hearing conference.</p> <p>The party's explanation of how it plans to avoid duplication of effort with other parties: EDF was a strong supporter and integral to the passage of Assembly Bill 1207, which reauthorized California's Cap and Invest program. As such, EDF brings unique perspective to this Rulemaking.</p>

EDF will work collaboratively with any party to eliminate duplicative effort, however EDF intends to submit comments and develop the record on its own merits.

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

As the Assigned Commissioner's Scoping Memo and Ruling is not yet available, EDF can only broadly state that it intends to participate in developing the record via comments, participation at workshops, evidentiary hearings (if required) and legal briefs (if required). EDF notes that it is likely that this Rulemaking will be conducted in multiple phases, and we are making a best guess given limited available information.

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				
Michael Colvin	50	\$625/hour	\$31,250	1
Caroline Jones	100	\$400/hour	\$40,000	2
Katie Schneer	100	\$330/hour	\$33,000	3
Subtotal: \$104,250				
OTHER FEES				
N/A				
Subtotal: \$0				
COSTS				
N/A				
Subtotal: \$0				
TOTAL ESTIMATE: \$104,250				

Estimated Budget by Issues: EDF does not yet have the Assigned Commissioner's Scoping Memo and Ruling, so we cannot allocate our hours to specific issues at this time. EDF notes that it anticipates that the issues in this Rulemaking will be highly interwoven so assignment to specific topics may be highly subjective. With that caveat, EDF will make a good faith effort to ensure that the submitted hours in our claim correspond to the Assigned Commissioner's Scoping Memo and Ruling, once issued.

With the limited information available, we estimate that 25% of our time will be allocated to issues a-d respectively identified in the Order Instituting Rulemaking.

- 1) Mr. Colvin is the Director, California Energy Program at Environmental Defense Fund
- 2) Ms. Jones is a Manager in the Energy Transition Program at Environmental Defense Fund
- 3) Ms. Schneer is a Manager in the Energy Transition Program at Environmental Defense Fund.

The three people indicated in the preliminary budget listed above are full time employees at EDF. EDF reserves the right to bring in outside counsel or experts, which we cannot ascertain if will be required, until after the Assigned Commissioner issues her Scoping Memo and Ruling. In the

event that EDF does engage outside counsel, we will identify them as such clearly in our Claim seeking Substantial Contribution.

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.

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

A. The party claims that participation or intervention in this proceeding without an award of fees or costs imposes a significant financial hardship, on the following basis:	Applies (check)
1. The customer cannot afford, without undue hardship, to pay the costs of effective participation, including advocate's fees, expert witness fees, and other reasonable costs of participation. (§ 1802(h))	<input type="checkbox"/>
2. In the case of a group or organization, the economic interest of the Individual members of the group or organization is small in comparison to the costs of effective participation in the proceeding. (§ 1802(h))	<input checked="" type="checkbox"/>
3. The eligible local government entities' participation or intervention without an award of fees or costs imposes a significant financial hardship. (§ 1803.1(b).)	<input type="checkbox"/>
4. A § 1802(h) or § 1803.1(b) finding of significant financial hardship in another proceeding, made within one year prior to the commencement of this proceeding, created a rebuttable presumption in this proceeding (§ 1804(b)(1)).	<input type="checkbox"/>
Commission's finding of significant financial hardship made in proceeding number:	
Date of Administrative Law Judge's Ruling (or CPUC Decision) in which the finding of significant financial hardship was made:	
November 9, 2021, in Rulemaking 21-06-017	
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:	
EDF represents the interests of its 60,000 members in California. EDF believes that its intervention will result in affordability benefits for its members and other energy customers who receive a Climate Credit.	

The Commission has previously found that EDF has satisfied the eligibility requirements of PUC Section 1802 and to have shown significant financial hardship. See, Administrative Law Judge’s Ruling on Environmental Defense Fund Inc.’s Showing of Significant Financial Hardship in, among others:

Rulemaking 20-01-007 (May 20, 2020)

Rulemaking 21-06-017 (November 9, 2021)

EDF has several other pending claims but requests a new showing of significant financial hardship for this proceeding.

**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	Sixth Amended and Restated Bylaws of EDF

ADMINISTRATIVE LAW JUDGE RULING⁴

(Administrative Law Judge completes)

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

⁴ 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).

4. The Administrative Law Judge provides the following additional guidance (see § 1804(b)(2)):	<input type="checkbox"/>
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IT IS RULED that:

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

Dated _____, at San Francisco, California.

Administrative Law Judge