



Decision \_\_\_\_\_

**FILED**

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

02/09/26

08:00 AM

Application of Pacific Gas and Electric Company to Recover in Customer Rates the Costs to Support Extended Operation of Diablo Canyon Power Plant from January 1 through December 31, 2026, and for Approval of Planned Expenditure of 2026 Volumetric Performance Fees (U 39E)	Application 25-03-015 (File March 28, 2025)
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**INTERVENOR COMPENSATION CLAIM OF  
 AND DECISION ON INTERVENOR COMPENSATION CLAIM OF Californians for  
 Renewable Energy (CARE)]**

**NOTE:** After electronically filing a PDF copy of this Intervenor Compensation Claim (Request), please email the document in an MS WORD and supporting EXCEL spreadsheet to the Intervenor Compensation Program Coordinator at [Icompcoordinator@cpuc.ca.gov](mailto:Icompcoordinator@cpuc.ca.gov).

<b>Intervenor: CALifornians for Renewable Energy, Inc. (CARE)</b>	<b>For contribution to Decision (D.)25-12-007</b>
<b>Claimed: \$ \$7,707.50</b>	<b>Awarded: \$</b>
<b>Assigned Commissioner: Karen Douglas</b>	<b>Assigned ALJ: Jack Chang</b>
I hereby certify that the information I have set forth in Parts I, II, and III of this Claim is true to my best knowledge, information and belief. I further certify that, in conformance with the Rules of Practice and Procedure, this Claim has been served this day upon all required persons (as set forth in the Certificate of Service attached as Attachment 1).	
<b>Signature:</b>	
<b>Date: 2/7/2026</b>	<b>Printed Name: Michael E. Boyd</b>

**PART I: PROCEDURAL ISSUES**  
*(to be completed by Intervenor except where indicated)*

<b>A. Brief description of Decision:</b>	Approves Pacific Gas and Electric Company's (PG&E's) 2026 Diablo Canyon Power Plant extended operations revenue requirement of \$382.233 million. The revenue requirement is allocated to PG&E, Southern California Edison Company, and San Diego Gas & Electric Company
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	using the allocation factors 44.19 percent, 45.86 percent, and 9.95 percent, respectively. Also approves PG&E's Volumetric Performance Fees spending plan and addresses other matters relating to Diablo Canyon.
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**B. Intervenor must satisfy intervenor compensation requirements set forth in Pub. Util. Code §§ 1801-1812<sup>1</sup>:**

	Intervenor	CPUC Verification
<b>Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):</b>		
1. Date of Prehearing Conference:	5/30/25	
2. Other specified date for NOI:		
3. Date NOI filed:	6/19/25	
4. Was the NOI timely filed?		
<b>Showing of eligible customer status (§ 1802(b)) or eligible local government entity status (§§ 1802(d), 1802.4):</b>		
5. Based on ALJ ruling issued in proceeding number:	D.24-12-2024	
6. Date of ALJ ruling:	12/5/2024	
7. Based on another CPUC determination (specify):	Decision 24-12-024 December 5, 2024	
8. Has the Intervenor demonstrated customer status or eligible government entity status?		
<b>Showing of "significant financial hardship" (§1802(h) or §1803.1(b)):</b>		
9. Based on ALJ ruling issued in proceeding number:	D.24-12-2024	
10. Date of ALJ ruling:	12/20/24	
11. Based on another CPUC determination (specify):	Decision 24-12-024 December 5, 2024	
12. Has the Intervenor demonstrated significant financial hardship?		

<sup>1</sup> All statutory references are to California Public Utilities Code unless indicated otherwise.

	<b>Intervenor</b>	<b>CPUC Verification</b>
<b>Timely request for compensation (§ 1804(c)):</b>		
13. Identify Final Decision:	D25-12-007	
14. Date of issuance of Final Order or Decision:	12/09/25	
15. File date of compensation request:	2/7/26	
16. Was the request for compensation timely?		

**C. Additional Comments on Part I: (use line reference # as appropriate)**

<b>#</b>	<b>Intervenor's Comment(s)</b>	<b>CPUC Discussion</b>

**PART II: SUBSTANTIAL CONTRIBUTION**  
**(to be completed by Intervenor except where indicated)**

Revised March 2023

**A. Did the Intervenor substantially contribute to the final decision (see § 1802(j), § 1803(a), 1803.1(a) and D.98-04-059): (For each contribution, support with specific reference to the record.)**

Intervenor’s Claimed Contribution(s)	Specific References to Intervenor’s Claimed Contribution(s)	CPUC Discussion
<p>1. The Decision finds that CARE and other intervenors “raise legitimate concerns that PG&amp;E may be recovering, in this application, overspending on DCPD transition and renewal costs in excess of the \$1.4 billion DWR loan”. (page 25)</p> <p>The Decision also states that “the parties appropriately raise questions as to whether PG&amp;E’s reprioritization of transition and renewal funds might be improperly shifting those costs to the current application as funding for DCPD extended operations.” Based on these concerns, the Decision requires PG&amp;E, in future Diablo Canyon cost recovery proceedings, to “disclose whenever any transition and license renewal costs that were part of the amounts included in the TLRES are proposed for recovery in any future DCPD forecast proceedings for DCPD extended operations, along with explanations for why those costs were originally proposed as transition and license renewal costs and why those costs are now eligible for recovery for extended operations.” (pages 25-26)</p>	<p>D.25-12-007, pages 25-26, 77-78, Ordering Paragraph 5.</p>	

<p>2. CARE identified several VPF projects that warrant CPUC approval. CARE-01 Pages 10-14</p> <p>CARE-01 Page 13 Reliability Battery Project</p> <p>CARE-01 Page 13 Emergency Water Heating Replacement</p> <p>Renewable Energy Activities CARE-01 Page 11</p>	<p>The Commission determines that PG&amp;E’s VPF spending plan application is consistent with Pub. Util. Code Section 712.8(s)(1) requirements. Decision Page 66</p>	
<p>3. CARE identified \$19,439,401 of O&amp;M expenses that were incurred before November 2, 2024 and did not meet PG&amp;E’s or the CPUC’s definition of extended operations costs. CARE-01 CARE Application for Rehearing. page 4, CARE Opening Brief Page 12</p>	<p>Included in CARE’s Request for reconsideration Page</p>	
<p>4. CARE identified that PG&amp;E did not meet all the requirements of D.23-12-036 and D.24-12-033 Reply Testimony Page 5,6 CARE Opening Brief Page 20,21</p>	<p>EPUC and CARE write that PG&amp;E has not complied with CPUC directives to explain why it did not seek government funding for DCPD costs. Decision Page 75 Additionally, as discussed earlier, PG&amp;E minimally complies with requirements in D.24-12-033 that it explain why it did not seek government funding for project costs in excess of \$1 million requested for recovery from ratepayers, or was otherwise unable to anticipate the need for the investments and activities at the time government funding was being requested. Decision Page 76</p>	

<p>5. CARE’s testimony proposed lowering the revenue requirement by returning the interest on the liquidated damages to ratepayers account potentially saving ratepayers millions of dollars as waiting to provide the interest on the liquidated damages account in 20230 will dilute the value due to inflation.</p>	<p>Decision ignores CARE’s opportunity to save millions of dollars for ratepayers</p>	
<p>6. CARE provided a list of cancelled projects from the 2020 general rate case several of which PG&amp;E is now seeking ratepayer funding for. CARE-01 page 26</p>	<p>Decision ignores 2020 project list and fails to comment on it.</p>	
<p>7. CARE opposed PG&amp;E initial request for a fixed management fee as exorbitant CARE-01-page 4 Opening Brief Page 13 The commission required PG&amp;E to recalculate the fee. (Decision Page 6)  See:ALJ Ruling Directing Filing of Additional Information on October 8, 2025, pages 2-3.</p>	<p>Decision Page 6 “A subsequent ALJ Ruling was issued on September 25, 2025 ordering PG&amp;E to provide more detail about how it calculated the 2026 fixed management fee using the escalation factor methodology authorized in D.24-12-003 and the data it used to calculate that 2026 fixed management fee as well as its reasons for proposing a new methodology for calculating the 2026 fixed management fee compared to the methodology authorized in D.24-12-033.</p>	
<p>8. CARE extensively chronicled recommendations from the DCISC on project upgrades proposed by PG&amp;E which the DCISC recommends approval of. CARE-01, CARE-03, CARE-05 The Decision claims that DCISC made no recommendations.</p>	<p>Included in CAREs Rehearing Request.</p>	

<p>9. CARE’s Testimony challenged PG&amp;E’s RA substitution amounts and supported using the methodology derived in D.25-06-049 CARE-01 page 6,7</p>	<p>The Decision approves the use of the revised RA MPB to calculate substitution capacity costs and takes note of the “substantial modifications to the RA MPB methodology” adopted in D.25-06-049 that lowered the requested Diablo Canyon revenue requirement by almost \$28 million. D.25-12-007, pages 44-45</p>	
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**B. Duplication of Effort (§ 1801.3(f) and § 1802.5):**

	Intervenor’s Assertion	CPUC Discussion
<p><b>a. Was the Public Advocate’s Office of the Public Utilities Commission (Cal Advocates) a party to the proceeding?<sup>2</sup></b></p>	YES	
<p><b>b. Were there other parties to the proceeding with positions similar to yours?</b></p>	Yes	
<p><b>c. If so, provide name of other parties:</b> A4NR, WEM</p>		
<p><b>d. Intervenor’s claim of non-duplication:</b> Our Approach to interest on Liquidated Damages Account was supported by WEM, WEM also supported the DCISC recommendations analyses. A4NR had similar clams on O&amp;M expense largely based on PMO++ program while CARE relied on PG&amp;E’s 2020 capital project cancelation list and DCISC’s recommendations to complete project detailed by PG&amp;E</p>		

**C. Additional Comments on Part II: (use line reference # or letter as appropriate)**

#	Intervenor’s Comment	CPUC Discussion

<sup>2</sup> The Office of Ratepayer Advocates was renamed the Public Advocate’s Office of the Public Utilities Commission pursuant to Senate Bill No. 854, which the Governor approved on June 27, 2018.

**PART III: REASONABLENESS OF REQUESTED COMPENSATION**  
***(to be completed by Intervenor except where indicated)***

**A. General Claim of Reasonableness (§ 1801 and § 1806):**

	<b>CPUC Discussion</b>
<p><b>a. Intervenor’s claim of cost reasonableness:</b>                      CARE’s participation was effective in causing the Commission to require PG&amp;E to detail in future proceedings to identify cost that were reimbursed by DWR loan, CARE identified over 19 million dollars that were incurred prior to November 2, 2024 that should not have been paid by ratepayer funding. CARE supported the RA substitution factor from D.25-06-049. CARE’S request was modest compared to other intervenors.</p>	
<p><b>b. Reasonableness of hours claimed:</b>                      CARE only claimed minimal amounts of compensation compared to the actual time CARE spent on this proceeding. CARE identified substantial savings for ratepayers but the commission ultimately gave in to PG&amp;E on all issues. CARE claimed no compensation request for issue 3,5,and 6.</p>	
<p><b>c. Allocation of hours by issue:</b></p> <ul style="list-style-type: none"> <li>0 638 Minute</li> <li>1 75 Minutes</li> <li>2 325 Minutes</li> <li>3 0</li> <li>4 65 Minutes</li> <li>5 0</li> <li>6 0</li> <li>7 20 Minutes</li> <li>8 650 Minutes</li> <li>9 40 Minutes</li> </ul> <p><u>Issues</u></p> <ul style="list-style-type: none"> <li>0 General</li> <li>1 The Commission determines that PG&amp;E’s VPF spending plan application is consistent with Pub. Util. Code Section 712.8(s)(1) requirements.</li> <li>2 The Commission determines that PG&amp;E’s VPF spending plan application</li> <li>3 is consistent with Pub. Util. Code Section 712.8(s)(1) requirements.</li> <li>4 CARE identified \$19,439,401 of O&amp;M expenses that were incurred before November 2, 2024</li> </ul>	

		CPUC Discussion
5	CARE identified that PG&E did not meet all the requirements of D.23-12-036 and D.24-12-033.	
6	CARE provided a list of cancelled projects from the 2020 general rate case	
7	CARE opposed PG&E initial request for a fixed management fee as exorbitant.	
8	CARE extensively chronicled recommendations from the DCISC on project upgrades proposed by PG&E which the DCISC recommends approval of.	
9	CARE's Testimony challenged PG&E's RA substitution amounts and supported using the methodology derived in D.25-06-049.	

**B. Specific Claim:\***

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
[Attorney 1]								
[Attorney 2]								
[Expert 1]	2025	30.5	230.00	D.25-10-024	7,015.00			
[Expert 2]								
[Advocate 1]								
[Advocate 2]								
<i>Subtotal: \$</i>						<i>Subtotal: \$</i>		
OTHER FEES								
Describe here what OTHER HOURLY FEES you are Claiming (paralegal, travel **, etc.):								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
[Person 1]								
[Person 2]								
<i>Subtotal: \$</i>						<i>Subtotal: \$</i>		

CLAIMED						CPUC AWARD		
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
Robert Sarvey	2025	4.5	115.00	D.25-10-024	517.50			
Michael Boyd	2025	2.0	87.50	D.25-10-024	175.00			
<i>Subtotal: \$</i>						<i>Subtotal: \$</i>		
COSTS								
#	Item	Detail			Amount	Amount		
1.								
2.								
<i>Subtotal: \$7,707.50</i>						<i>Subtotal: \$</i>		
<b><i>TOTAL REQUEST: \$</i></b>						<b><i>TOTAL AWARD: \$</i></b>		
<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 <sup>3</sup>	Member Number		Actions Affecting Eligibility (Yes/No?) If "Yes", attach explanation			

**C. Attachments Documenting Specific Claim and Comments on Part III:  
*(Intervenor completes; attachments not attached to final Decision)***

Attachment or Comment #	Description/Comment
1	Certificate of Service

<sup>3</sup> This information may be obtained through the State Bar of California's website at <http://members.calbar.ca.gov/fal/MemberSearch/QuickSearch>.

Attachment or Comment #	Description/Comment
2	

**D. CPUC Comments, Disallowances, and Adjustments *(CPUC completes)***

Item	Reason

**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))**

<b>A. Opposition: Did any party oppose the Claim?</b>	
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If so:

Party	Reason for Opposition	CPUC Discussion

<b>B. Comment Period: Was the 30-day comment period waived (see Rule 14.6(c)(6))?</b>	
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If not:

Party	Comment	CPUC Discussion

***(Green items to be completed by Intervenor)***

**FINDINGS OF FACT**

1. [INTERVENOR'S FULL LEGAL NAME] [has/has not] made a substantial contribution to D. \_\_\_\_\_.
2. The requested hourly rates for [INTERVENOR'S FULL LEGAL NAME]'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 \$\_\_\_\_\_.

**CONCLUSION OF LAW**

1. The Claim, with any adjustment set forth above, [satisfies/fails to satisfy] all requirements of Pub. Util. Code §§ 1801-1812.

**ORDER**

1. [INTERVENOR'S FULL LEGAL NAME] is awarded \$\_\_\_\_\_.
2. Within 30 days of the effective date of this decision, \_\_\_\_\_ shall pay [INTERVENOR'S FULL LEGAL NAME] the total award. [for multiple utilities: "Within 30 days of the effective date of this decision, ^, ^, and ^ shall pay [INTERVENOR'S FULL LEGAL NAME] their respective shares of the award, based on their California-jurisdictional [industry type, for example, electric] revenues for the ^ calendar year, to reflect the year in which the proceeding was primarily litigated. If such data are unavailable, the most recent [industry type, for example, electric] revenue data shall be used."'] Payment of the award shall include compound interest at the rate earned on prime, three-month non-financial commercial paper as reported in Federal Reserve Statistical Release H.15, beginning [date], the 75<sup>th</sup> day after the filing of [INTERVENOR'S FULL LEGAL NAME]'s request, and continuing until full payment is made.
3. The comment period for today's decision [is/is not] waived.

This decision is effective today.

Dated \_\_\_\_\_, at San Francisco, California.

**APPENDIX**

**Compensation Decision Summary Information**

<b>Compensation Decision:</b>		<b>Modifies Decision?</b>	
<b>Contribution Decision(s):</b>			
<b>Proceeding(s):</b>			
<b>Author:</b>			
<b>Payer(s):</b>			

**Intervenor Information**

<b>Intervenor</b>	<b>Date Claim Filed</b>	<b>Amount Requested</b>	<b>Amount Awarded</b>	<b>Multiplier?</b>	<b>Reason Change/Disallowance</b>
[INTERVENOR'S NAME]				N/A	

**Hourly Fee Information**

<b>First Name</b>	<b>Last Name</b>	<b>Attorney, Expert, or Advocate</b>	<b>Hourly Fee Requested</b>	<b>Year Hourly Fee Requested</b>	<b>Hourly Fee Adopted</b>

**(END OF APPENDIX)**