



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

FILED

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R1807003

Order Instituting Rulemaking to Continue
Implementation and Administration,
and Consider Further Development,
of California Renewables Portfolio
Standard Program.

Rulemaking R.18-07-003

**MOTION OF THE GREEN POWER INSTITUTE
FOR PROMPT ISSUANCE OF A PROPOSED DECISION**

April 27, 2026

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**MOTION OF THE GREEN POWER INSTITUTE
FOR PROMPT ISSUANCE OF A PROPOSED DECISION**

Pursuant to Rule 11.1 of the Commission’s Rules of Practice and Procedure, the Green Power Institute (GPI), the renewable energy program of the Pacific Institute for Studies in Development, Environment and Security, hereby submits this *Motion of the Green Power Institute for Prompt Issuance of a Proposed Decision* on GPI’s Intervenor Compensation Claim filed on February 10, 2023, in R.18-07-003, the Order Instituting Rulemaking to Continue Implementation and Administration, and Consider Further Development, of California Renewables Portfolio Standard Program. GPI is respectfully requesting the prompt issuance of a proposed decision on our claim within the next 45 days to avoid any further undue delay. It has been well over 3 years since GPI filed this claim, which is the second oldest unsettled Icomp claim on the Commission’s spreadsheet, and 6 months since GPI filed its response to the IComp Division’s 9/16/25 Ruling requesting additional information. A proposed decision on GPI’s claim is egregiously overdue.

Relief Requested

GPI has 17 pending IComp claims before the Commission, including the oldest 5 and 8 of the oldest 9 on the Commission’s spreadsheet. GPI has not had a claim resolved in over a year-and-a-half. Although we have never been notified as to why or when, we believe that the Commission imposed a complete moratorium on the processing of GPI’s claims around August or September of 2024. A full year later, in September of 2025, the Commission issued a Ruling asking for additional information on each and every one of GPI’s 17 outstanding claims. We timely complied with every aspect of the Ruling. As far as we can tell, there has been no effort to process our claim in the immediate proceeding since the moratorium was imposed, including during the six months following our submission of the additional information that was requested in September 2025. We note that §1804(e) of the CA Public Utilities Code specifies that IComp claims should be settled within 75 days of submission. As of the date of this filing it is now three years past

the statutory deadline for settlement. There is simply no justification for this ongoing delay.

Although there has been no official explanation given, we have come to believe that the hold on processing GPI IComp claims will not be lifted until a determination of GPI's eligibility to receive awards of intervenor compensation is made in an IComp Application that was filed two years after our IComp filing in the immediate preceding. The only reason that we can think of for holding up our IComp claim in R.18-07-003 pending the settlement of a claim in an unrelated, two-year later proceeding would be if the Commission intended to apply that Decision retroactively to our claim in the immediate proceeding. Such a retroactive application of a Decision would be contrary to fundamental principles of administrative law and equity, and flies in the face of fairness.

Our claim in R.18-07-003 includes hours for 2020, 2021 and 2022. We have received numerous awards of compensation for our efforts during 2020, 2021 and 2022 in a variety of Commission proceedings, in each case with accompanying determinations that we were eligible to receive intervenor compensation during this time period. There is absolutely no reason why the 2020, 2021 and 2022 hours covered by our 2/10/23 claim in R.18-07-003 should be treated differently than the hours that we devoted to contemporaneous Commission work in other proceedings. During the period covered by this claim we worked under the understanding that our efforts would be eligible for compensation, an understanding that was nurtured by the Commission. The outcome of an unrelated IComp claim that covers efforts in a different timeframe should have no bearing on our 2/10/23 claim in R.18-07-003, and the processing of our 2/10/23 claim should not be held up pending the resolution of this unrelated, two-year-later claim, a claim that might be settled next week, or next month, or quite possibly not until next year – the Commission has declined to give us any information about its likely settlement timeline.

The legal principle against retroactive application is particularly relevant to our IComp claim in the immediate proceeding because the Commission took more than a year to ask GPI for eligibility-related information after a question of eligibility apparently arose, in the process encouraging GPI to continue to contribute to various Commission proceedings

in good faith and benefiting from our contributions for over a year without in any way informing us that our eligibility to receive intervenor compensation was in question. During the now year-and-a-half-long delay in adjudicating the question of our eligibility, the Commission stopped processing GPI's pending IComp claims altogether, causing significant harm and damage to GPI, including forcing us to suspend our efforts at the Commission several months ago, thus removing an important independent voice in some key areas of interest to the Commission. The damage that retroactive application of a finding of non-eligibility would cause is greatly exacerbated by the multi-year delay in addressing the issue, a delay that is completely unwarranted.

GPI has been a valued and effective public interest intervenor at the Commission for more than 22 years. We have received upwards of 80 awards of intervenor compensation, and we have built our institute in reasonable reliance on repeated Commission findings that GPI was eligible for compensation. The Supreme Court has emphasized that agencies must consider serious reliance interests when changing policy or interpretations of policy, and cautioned that the failure to consider such interests renders agency action arbitrary and capricious.

Conclusion

Based on the foregoing, GPI respectfully requests that our Motion be granted, and that the Commission immediately begin to process GPI's 2/10/23 Intervenor Compensation Claim in R.18-07-003 and issue a proposed decision on GPI's claim within 45 days.

Dated April 27, 2026
Respectfully Submitted,



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