

**PUBLIC UTILITIES COMMISSION**505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298**FILED**

06/11/26

12:40 PM

A2504015

June 11, 2026

Agenda ID #24277
Ratesetting

TO PARTIES OF RECORD IN APPLICATION 25-04-015:

This is the proposed decision of Administrative Law Judge Andrew Dugowson. 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 July 16, 2026, 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: cg7

Attachment

Decision **PROPOSED DECISION OF ALJ DUGOWSON (MAILED 06/11/2026)****BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Application of San Diego Gas & Electric Company
(U 902-E) for Authority to Establish a Ratemaking
Mechanism for Energization Projects Pursuant to
Senate Bill 410

Application 25-04-015
(Filed April 25, 2025)

DECISION GRANTING COMPENSATION TO UTILITY CONSUMERS' ACTION NETWORK FOR SUBSTANTIAL CONTRIBUTION TO DECISION 25-10-034

Intervenor: Utility Consumers' Action Network	For contribution to Decision (D.) 25-10-034
Claimed: \$62,100.13	Awarded: \$24,010.98
Assigned Commissioner: Matthew Baker	Assigned ALJ: Andrew Dugowson

PART I: PROCEDURAL ISSUES

A. Brief description of Decision:	This decision approved SDG&E's request to establish a memorandum account to track energization expenses associated with SB 410 for calendar years 2024-2026. It also approved some of SDG&E's requests for capital expenditures associated with the energization process.
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B. Intervenor must satisfy intervenor compensation requirements set forth in Pub. Util. Code §§ 1801-1812¹:

	Intervenor	CPUC Verification
Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):		
1. Date of Prehearing Conference:	June 2, 2025	Verified
2. Other specified date for NOI:		
3. Date NOI filed:	July 2, 2025	Verified
4. Was the NOI timely filed?		Yes

¹ All statutory references are to California Public Utilities Code unless indicated otherwise.

	Intervenor	CPUC Verification
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:	R.23-12-008	Verified
6. Date of ALJ ruling:	June 18, 2025	Verified
7. Based on another CPUC determination (specify):		
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.23-12-008	Verified
10. Date of ALJ ruling:	June 18, 2025	Verified
11. Based on another CPUC determination (specify):		
12. Has the Intervenor demonstrated significant financial hardship?		Yes
Timely request for compensation (§1804(c)):		
13. Identify Final Decision:	D.25-10-034	Verified
14. Date of issuance of Final Order or Decision:	November 7, 2025	Verified
15. File date of compensation request:	January 6, 2026	Verified
16. Was the request for compensation timely?		Yes

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>1. <u>UCAN contributed to the Decision not recognizing nor awarding SDG&E’s request for IT expenditures.</u></p> <p>UCAN reviewed and recommended that SDG&E’s information technology request be reduced by 20% because of the lack of specificity in the application and the reality that IT spending is a major source of operational costs at SDG&E.</p>	<p>The Commission eliminates SDG&E’s category of IT expenditures finding that SDG&E’s application was not specific enough to justify its proposed IT expenditures.</p> <p>D.25-10-034, at pp. 42-43.</p> <p><i>See, UCAN Opening Brief, at pp. 14-15 (citing to UCAN Testimony, at pp. 13-14).</i></p> <p>(SDG&E’s request for Information Technology upgrades should be reduced by 20%.)</p>	<p>Verified. The Decision at 42 noted that “UCAN does not explain how it arrived at its recommendation of a 20 percent reduction.” <i>See</i> Part III.D CPUC Comments, Disallowances, and Adjustments [1].</p>

<p>UCAN’s concerns and recommendations were noted in the final decision.</p> <p>While the Commission declined to adopt UCAN’s explicit recommendation for a 20% reduction in proposed IT expenditures, the Decision simply eliminated this category of expenditures finding that SDG&E’s application was not specific enough to justify its proposed IT expenditures, nor did it explain these costs sufficiently. The elimination of this category of expenses is consistent with the spending cuts recommended by UCAN to encourage SDGE to be more “cost conscious”.</p>	<p>D.25-10-034 at 42-43, <i>and see</i> fn’s. 158-161 citing Exhibit UCAN-01.</p> <p>D.24-10-034 at 43-44, Section 6.5.10 <i>and see</i> Conclusions of Law #19 at 67.</p>	<p>The correct decision reference is D.25-10-034 not D.24-10-034.</p>
<p><u>2. UCAN contributed to the Decision determining a cost cap for this Application should be set at the consumer price index.</u></p> <p>UCAN argued, in the least, that a cost cap should be set at the rate of inflation if the Commission were to approve SDG&E’s Application.</p> <p>While not noting UCAN’s recommendation in the final decision, limiting SDGE’s spending to an index is in line with UCAN’s recommendation that the Commission reign in SDGE’s spending requests due to lack of justifications, existing affordability issues, and to encourage SDGE to be more “cost conscience.”</p>	<p>The Decision adopted a cost-cap based on the Consumer Price Index. D.25-10-034, at pp. 22-23.</p> <p><i>See, UCAN Opening Brief, at p. 17</i> (fn. 43 citing to UCAN Testimony, at pp. 18-19). (UCAN recommended a cost cap should be set at the rate of inflation for SDG&E’s Application.</p> <p><i>See also</i> Comments and Reply Comments of UCAN on Proposed Decision, filed September 29, 2025 and October 6, 2025, respectively.</p>	<p>Noted. While UCAN made a recommendation to set the cost cap at the consumer price index, they provided no justification or analysis to support this. We find that this position duplicates TURN’s recommendation. <i>See</i> Part III.D CPUC Comments, Disallowances, and Adjustments [1].</p>
<p><u>3. UCAN contributed to the Decision’s finding that it was</u></p>	<p>D.25-10-034, at p. 8, and see Conclusion of Law 6, at p. 66.</p>	<p>Noted. UCAN’s comments primarily</p>

<p><u>reasonable to authorize SDG&E to create a new memorandum account titled the Electric Energization Memorandum Account (EEMA) but not until each cost forecast was evaluated individually.</u></p> <p>UCAN did not object to the establishment of the EEMA account but expressed major concerns about “many of the expenditures SDG&E proposes to request recovery via the EEMA.”</p> <p>The Final Decision agreed with UCAN and other intervenors by allowing the EEMA to be established but limiting or denying many of the requested costs.</p>	<p><i>See</i>, UCAN Opening Brief, at p.16-17. (citing to UCAN Testimony, UCAN testimony regarding sufficiency of evidence concerning SDG&E’s request for memorandum account treatment, its lack of realistic economic headwinds, and high cost escalations that needed to be tied to the rate of inflation.)</p> <p><i>See</i> D.25-10-034 in general.</p>	<p>reiterated TURN’s arguments or stated recommendations without further analysis. <i>See</i> Part III.D CPUC Comments, Disallowances, and Adjustments [1].</p>
<p><u>4. UCAN contributed to the Decision’s review and clarification that SDG&E’s application did not establish a link between projected load growth and its energization cost forecasts. Rather, the final decision evaluated each cost forecast individually and ended up reducing SDGE’s requested cap by 83%, directly related to some of UCAN’s recommendations as described above.</u></p> <p>UCAN believed the PD needed additional information to reinforce its conclusions.</p> <p>While not agreeing that the record would be improved by including the information described by UCAN, the final decision distinguished that SDGE did not</p>	<p>The Decision approved SDG&E’s SB 410 application for authorization to record energization costs that are incremental to the energization costs approved in SDGE’s 2024 General Rate Case (GRC) and reduced SDGE’s requested cap by 83%. D.25-10-034, at p. 2 and see p. 59.</p> <p><i>See</i> Comments and Reply Comments of UCAN on Proposed Decision.</p> <p>D.25-10-034 at p. 59.</p>	<p>Noted. D.25-10-034 at 59 indicated that it “does not rely on and the record would not be improved by the information that UCAN seeks.” <i>See</i> Part III.D CPUC Comments, Disallowances, and Adjustments [1].</p>

rely on projected load growth in regard to the energization costs forecasts and therefore neither did the final decision.		
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B. Duplication of Effort (§1801.3(f) and §1802.5):

	Intervenor’s Assertion	CPUC Discussion
a. Was the Public Advocate’s Office of the Public Utilities Commission (Cal Advocates) a party to the proceeding?	Yes	Verified
b. Were there other parties to the proceeding with positions similar to yours?	Somewhat	Yes
c. If so, provide name of other parties: California Advocates, The Utility Reform Network		Noted. Small Business Utility Advocates also had positions similar to UCAN.
d. Intervenor’s claim of non-duplication: This proceeding explicitly directed Parties to review and examine various issues regarding SDG&E’s request to establish a memorandum account to track energization expenses associated with SB 410 for calendar years 2024-2026. Multiple parties provided testimonies, analyses and recommendations. UCAN, however, was the only party that submitted data on anticipated demand for electricity during 2025-2026. It also submitted data in its testimony on the level of penetration of electric vehicles in California, a factor that SDG&E cited as one of the grounds for additional electrification investments. UCAN was the only party that submitted forecast data on the prospects for the economy in SDG&E’s service territory and presented testimony on how high customer rates are having a deleterious effect on the local economy and low-income households. If the Commission does find any duplication of effort UCAN urges it to be found minor and therefore reasonable.		We note that UCAN duplicated or primarily reiterated TURN’s position without adding further analysis. <i>See</i> Part III.D CPUC Comments, Disallowances, and Adjustments [1].

PART III: REASONABLENESS OF REQUESTED COMPENSATION

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

	CPUC Discussion
a. Intervenor’s claim of cost reasonableness: UCAN’s participation led to meaningful benefits for residential ratepayers. UCAN believes the benefits gained for ratepayers far exceed the cost of its participation. For example, this Decision authorized SDG&E to record a	After the adjustments made to this claim, the remainder of the claimed costs are reasonable. <i>See</i> CPUC Disallowances and Adjustments in Part III.D.

	CPUC Discussion
<p>total of \$51 Million of incremental costs to the EEMA; an 83 percent reduction of SDG&E’s requested cap of \$310 Million from 2024 to 2026. In contrast, UCAN’s overall cost of participation was \$62,100. UCAN’s representatives strived to avoid internal duplication of responsibilities and overlap of work by handling different work assignments. UCAN’s Senior Staff Attorney served as its expert witness while the Executive Director coordinated, with the Staff Attorney, to manage and overall direct UCAN’s participation. More specifically, the Staff Attorney initially identified pertinent issues and developed testimony. The Executive Director integrated testimony into the framework of advocacy and briefs with each representative generally focused on distinct issues. Brief drafting was handled by the Staff Attorney with editing/finalizing chiefly tackled by the Executive Director. UCAN urges the Commission to find these modest number of hours and costs reasonable. UCAN urges the Commission to find these costs reasonable in light of their substantial contribution to the decision detailed in Part II.A above.</p>	
<p>b. Reasonableness of hours claimed: The majority of these hours are for substantive work examining and analyzing the select issues identified by UCAN for intervention in this matter. This was a complex case with an accelerated review schedule application review, discovery, testimony preparation, brief writing, and opening and reply comments on the proposed decision. UCAN staff were diligent to avoid duplicative tasks, e.g., identification and initial outline of issues were provided by the one while research, discovery, and testimony were developed by the other. Chief drafting of briefs and comments were created by the Staff Attorney but substantive editing, to focus and improve advocacy and participation, were provided by the Executive Director. UCAN self-monitored and self-reduced hours rendered here before finalizing in this ICOMP.</p> <p>UCAN worked diligently to comply with the ICOMP Program rules addressing vagueness and/or combining tasks. UCAN asks where there has been an oversight of this directive to find it minimal and therefore reasonable. UCAN urges the Commission to find the number of hours claimed by UCAN reasonable.</p>	<p>After the adjustments made to this claim, the remainder of the claimed hours are reasonable. <i>See</i> CPUC Disallowances and Adjustments in Part III.D.</p>

		CPUC Discussion
c. Allocation of hours by issue:		Noted. UCAN’s allocation of hours for substantive issues (not including IComp prep) by percentage are: IT Expenditures (23.8%), Cost-cap recommendation (23.0%), Memorandum Account basis (SB 410 compliance) (20.3%), Projected load growth vs. energization cost forecasts (sufficiency of evidence) (16.2%), General Prep/Research (16.8%). These percentages do not add up to 100% due to rounding.
Issue		
Prep/Research		
Inditures		
o recommendation		
ndum Account basis (SB410 compliance)		
d load growth vs. energization cost forecasts (sufficiency of evidence)		
Prep		
Total		

B. Specific Claim:*

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
Edward Lopez	2025	42.5	\$485	See Comment 1	\$20,612.50	20.09 [1]	\$485.00 [2]	\$9,743.65
Jason Zeller	2025	50	\$795	See Comment 2	\$39,750.00	15.76 [1]	\$795.00 [3]	\$12,529.20
Subtotal: \$60,362.50						Subtotal: \$22,272.85		
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
Edward Lopez	2025	2.25	\$242.50	See Comment 1	\$545.63	2.25	\$242.50 [2]	\$545.63
Jason Zeller	2025	3	\$397.50	See Comment 2	\$1,192.50	3.00	\$397.50 [3]	\$1,192.50
Subtotal: \$1,738.13						Subtotal: \$1,738.13		
TOTAL REQUEST: \$62,100.63						TOTAL AWARD: \$24,010.98		

*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.

CLAIMED		CPUC AWARD	
**Travel and Reasonable Claim preparation time are typically compensated at ½ of preparer’s normal hourly rate			
ATTORNEY INFORMATION			
Attorney	Date Admitted to CA BAR ²	Member Number	Actions Affecting Eligibility (Yes/No?) If “Yes”, attach explanation
Edward Lopez	12/20/1991	157052	No
Jason Zeller	3/21/1989	139477	No

C. Attachments Documenting Specific Claim and Comments on Part III:³

Attachment or Comment #	Description/Comment
1	Certificate of Service
Comment #1 Rate Escalation Request for Edward Lopez	2025: UCAN requests a 2025 rate for Mr. Lopez of \$485. This rate is derived by applying the proper escalation rate of 3.46% for 2025, as published by the Commission in the 2025 version of the hourly rate chart for intervenor compensation (see https://www.cpuc.ca.gov/-/media/cpucwebsite/divisions/administrative-law-judge-division/documents/icompmaterials/hourlyratechart-02132025.xlsm). The resulting 2025 rate is \$491.44 rounded up to the nearest \$5, equals \$495. [\$475 x 1.0346 = \$491.44 rounded up to the nearest \$5 increment = \$495]. The CPUC approved rate category for Mr. Lopez is “Advocate – Executive Director – V.” Because rate for the category is capped at \$488 for 2025, UCAN requests the highest \$5 increment within the rate category of \$485 instead of the calculated escalation of \$495.
Comment #2 Rate Escalation Request for Jason Zeller	Based on the approved \$770 2024 hourly rate, per D.24-10-023, the application of the Commission’s 3.46% escalation for 2025, and rounding to the nearest \$5 increment, UCAN requests the 2025 hourly rate for Mr. Zeller of \$795. (Note: Mr. Zeller’s rate actually rounds up to \$800, but that exceeds the highest approved rate for Attorney-V for 2025, which is \$797.23 in the Commission’s hourly rate chart.)

D. CPUC Comments, Disallowances, and Adjustments

Item	Reason
[1] Reductions –	<u>Limited Contribution</u>

² This information may be obtained through the State Bar of California’s website at <https://apps.calbar.ca.gov/attorney/LicenseeSearch/QuickSearch>.

³ Attachments not attached to final Decision.

Item	Reason
<p>Limited Contribution, Duplication of Efforts</p>	<p>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.”</p> <p>“[T]o be eligible for compensation, the statute requires that the customer have made a ‘substantial contribution’ to the PUC’s proceedings, as the PUC determines. “‘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....”</p> <p>In evaluating whether UCAN made a contribution, the Commission evaluates whether the hours claimed were commensurate with the contributions claimed by the intervenor. Making a substantial contribution in and of itself does not entitle an intervenor to all its claimed fees and costs. Compensation is granted for efficient, meaningful contributions.</p> <p>For the reasons set forth below, the Commission reduces 22.41 hours from Lopez in 2025 and 34.24 hours from Zeller in 2025 to reasonably reflect the hours necessary to prepare the documents and undertake the work performed that resulted in the substantial contribution provided. As stated above and as reflected in all recent decisions on intervenor compensation, making a substantial contribution in and of itself does not entitle an intervenor to all its claimed fees and costs.</p> <p>UCAN’s contribution to D.25-10-034 on Information Technology System Enhancements was limited. The Decision at 42 noted that "UCAN does not explain how it arrived at its recommendation of a 20 percent reduction." We also note that the decision cited language from UCAN's exhibit. Although the Commission will compensate intervenors regardless of whether their positions are adopted, UCAN’s input had minimal influence on the decision-making process. To reasonably align UCAN’s limited substantial contribution to its limited substantive participation, we award 80% of the claimed hours coded as issue 1 “IT Expenditures” in their timesheets, broken down as follows:</p> <ul style="list-style-type: none"> • Lopez 2025: 7.00 • Zeller 2025: 10.60 <p>UCAN’s contribution to D.25-10-034 on the issues of cost cap and memorandum account basis was limited. We found that UCAN often duplicated TURN's positions by summarizing TURN’s positions without offering their own unique analysis or further justification. Merely supporting the positions of other parties, without offering additional analysis, a distinct</p>

Item	Reason
	<p>perspective, or unique factual or legal contributions, does not constitute a significant contribution. While an intervenor’s alignment with a particular position can be helpful in informing the Commission’s decision-making process, the hours claimed for such support must be reasonable. Ratepayers should not bear the cost of excessive time spent by an intervenor reiterating arguments that have already been presented by others in the proceeding. To reasonably align UCAN’s limited substantial contribution to its limited substantive participation, we award 5% of the claimed hours coded as issue 2 “cost-cap recommendation” and issue 3 “Memorandum Account basis (SB410 compliance).”</p> <ul style="list-style-type: none"> • Lopez 2025: 0.63 • Zeller 2025: 1.36 <p>UCAN’s contribution to D.25-10-034 on projected load growth and energization cost forecasts was limited. The Decision at 59 indicated that it “does not rely on and the record would not be improved by the information that UCAN seeks.” Although the Commission will compensate intervenors regardless of whether their positions are adopted, UCAN’s input had minimal influence on the decision-making process. To reasonably align UCAN’s limited substantial contribution to its limited substantive participation, we award 5% of the claimed hours coded as issue 4 “Projected load growth vs. energization cost forecasts (sufficiency of evidence).”</p> <ul style="list-style-type: none"> • Lopez 2025: 0.46 • Zeller 2025: 0.30
<p>[2] Edward Lopez 2025 Hourly Rate and 2025 Intervenor Compensation (IComp) Preparation Rate</p>	<p>D.25-06-028 verified a 2024 rate of \$475.00 for Edward Lopez as an Advocate – Executive Director – V. To the 2024 rate of \$475.00, we apply the 2025 annual escalation factor of 3.46%. The maximum of the Executive Director V 2025 range is \$488.27, rounded down to the nearest \$5.00 yields a 2025 rate of \$485.00. We find this rate reasonable and adopt it here. We take ½ of Lopez’s 2025 rate for an IComp preparation rate of \$242.50.</p>
<p>[3] Jason Zeller 2025 Hourly Rate and 2025 Intervenor Compensation (IComp) Preparation Rate</p>	<p>D.25-12-039 verified a 2025 rate of \$795.00 for Jason Zeller as a Legal – Attorney – V. We find this rate reasonable and apply it here. We take ½ of Zeller’s 2025 rate for an IComp preparation rate of \$397.50.</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
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B. Comment Period: Was the 30-day comment period waived (see Rule 14.6(c)(6))?	No
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If not:

Party	Comment	CPUC Discussion

FINDINGS OF FACT

1. Utility Consumers’ Action Network has made a substantial contribution in some aspects to D.25-10-034.
2. The requested hourly rates for Utility Consumers’ Action Network’s representatives 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 \$24,010.98.

CONCLUSION OF LAW

1. The Claim, with any adjustment set forth above, satisfies all requirements of Pub. Util. Code §§ 1801-1812.

ORDER

1. Utility Consumers’ Action Network is awarded \$24,010.98.
2. Within 30 days of the effective date of this decision, San Diego Gas & Electric Company shall pay Utility Consumers’ Action Network the total award. 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 March 22, 2026, the 75th day after the filing of Utility Consumers’ Action Network’s request, and continuing until full payment is made.

3. The comment period for today's decision is not waived.
4. Application 25-04-015 is closed.

This decision is effective today.

Dated _____, 2026, at San Francisco, California.

APPENDIX

Compensation Decision Summary Information

Compensation Decision:		Modifies Decision?	No
Contribution Decision(s):	D2510034		
Proceeding(s):	A2504015		
Author:	ALJ Andrew Dugowson		
Payer(s):	San Diego Gas & Electric Company		

Intervenor Information

Intervenor	Date Claim Filed	Amount Requested	Amount Awarded	Multiplier?	Reason Change/Disallowance
Utility Consumers' Action Network	01/06/2026	\$62,100.13	\$24,010.98	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
Edward	Lopez	Attorney	\$485	2025	\$485.00
Jason	Zeller	Attorney	\$795	2025	\$795.00

(END OF APPENDIX)