



STATE OF CALIFORNIA

GAVIN NEWSOM, *Governor*

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298

FILED

06/15/26

04:14 PM

A2403018

June 15, 2026

Agenda ID #24317
Ratesetting

TO PARTIES OF RECORD IN APPLICATION 24-03-018:

This is the proposed decision of Administrative Law Judge Nilgun Atamturk. 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 ATAMTURK (Mailed 06/15/2026)**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Application of Pacific Gas and Electric Company to Recover in Customer Rates the Costs to Support Extended Operation of Diablo Canyon Power Plant from September 1, 2023 through December 31, 2025 and for Approval of Planned Expenditure of 2025 Volumetric Performance Fees. (U39E)

A.24-03-018
(Filed March 29, 2024)

**DECISION GRANTING COMPENSATION TO SMALL BUSINESS UTILITY
ADVOCATES FOR SUBSTANTIAL CONTRIBUTION TO
DECISIONS (D.) 24-12-033 AND D.25-07-041**

Intervenor: Small Business Utility Advocates	For contribution to Decision (D.) 24-12-033 and D.25-07-041
Claimed: \$94,957.78	Awarded: \$52,567.00
Assigned Commissioner: Karen Douglas	Assigned ALJ: Nilgun Atamturk

PART I: PROCEDURAL ISSUES

A. Brief description of Decision:	<p>D.24-12-033 approves Pacific Gas & Electric Company's (PG&E) 2024 Diablo Canyon extended operations revenue requirement of \$722.6 million (reduced from requested \$761 million) and conditionally approves PG&E's 2025 Volumetric Spending Plan.</p> <p>D.25-07-041 denies the applications for rehearing of D.24-12-033 filed, respectively, by PG&E, Alliance for Nuclear Responsibility (A4NR), and San Luis Obispo Mothers for Peace (SLOMFP), subject to modifications.</p>
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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:	05/31/2024	Verified
2. Other specified date for NOI:		
3. Date NOI filed:	07/01/2024	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.23-10-001	Verified
6. Date of ALJ ruling:	06/03/2024	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:	A.23-10-001	Verified
10. Date of ALJ ruling:	06/03/2024	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.24-12-033 for which the applications for rehearing were by D.25-07-041 denied	Verified
14. Date of issuance of Final Order or Decision:	12/20/2024 and 07/25/2025	Verified
15. File date of compensation request:	09/23/2025	Verified

¹ All statutory references are to California Public Utilities Code (Pub. Util. Code) unless indicated otherwise.

	Intervenor	CPUC Verification
16. Was the request for compensation timely?		Yes

C. Additional Comments on Part I:

#	Intervenor’s Comment(s)	CPUC Discussion
B.1-4	The Commission’s Rule 17.1(a) requires an NOI to be filed within 30 days of the prehearing conference. Pursuant to Rule 1.15, if the last day falls on a Saturday, Sunday, holiday or other day when the Commission offices are closed, the time limit is extended to include the next business day thereafter. Thirty days from the prehearing conference was Sunday, June 30, 2024; and SBUA filed its NOI on the next business day thereafter, which was Monday, July 1, 2024.	Noted
B.13-15	Rule 17.3 provides that a compensation request is timely if filed within 60 days of an order denying rehearing on <i>an issue</i> to which the intervenor believes it contributed or upon closure of the proceeding. D.25-07-041, which denied the Application for Rehearing (AFR) of D.24-12-033 and closed the case, satisfies both triggers. Accordingly, SBUA’s request is timely because the denial of rehearing independently triggered Rule 17.3. <i>See, e.g.</i> , D.23-04-033 at 3-4; D.11-06-016 at 2-3.	Noted

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. Volumetric Performance Fees</p> <p>SBUA advanced a proposal for the allocation of at least \$2 million of VPF revenues specifically to programs helping small businesses comply with building decarbonization requirements. SBUA argued that this targeted allocation would help improve PG&E’s original VPF spending plan for small business ratepayers. Through testimony and briefing, SBUA demonstrated that small businesses face unique financial and informational barriers when implementing energy-efficient measures, and that dedicated funding was necessary to overcome these obstacles. Opening Brief of Small Business Utility Advocates, Oct. 1, 2024 (Opening Brief), at 2-4; Reply Brief of Small Business Utility Advocates, Oct. 21, 2024 (Reply Brief), at 2-3; <i>see also</i> Direct Testimony of Michael Brown on Behalf of Small Business Utility Advocates, July 29, 2024 (Ex. SBUA-01), at 28-34 (analysis of VPF issues and proposals). SBUA also supported PG&E’s proposal to reallocate funds of \$30-\$60 million previously</p>	<p>The plan for VPF expenditures includes: “Programs to support building decarbonization for small businesses (at least \$2 million) aims to support new or expanded programs to support small business in pursuing building decarbonization objectives.” D.24-12-033 (Decision) at 59.</p> <p>The Decision considers party positions, including SBUA’s support for PG&E’s VPF plan and the small-business allocation and Customer Programs Investment reallocation focus. <i>Id.</i> at 61.</p> <p>“PG&E’s 2025 Volumetric Spending Plan is conditionally approved.” <i>Id.</i> at 67; <i>see also id.</i> at 80, Finding of Fact 23 (“PG&E’s VPF spending plan provides sufficient detail showing how the plan is consistent with Section 712.8(s)(1) requirements, subject to the compliance measures explained in the Decision.”).</p>	<p>Verified</p>

<p>allocated to the Customer Programs Investment Program toward accelerating the integration of renewable energy, modernizing the grid, and supporting customer education around building electrification and electric vehicles. Opening Brief at 3-4.</p> <p>PG&E agreed to SBUA’s proposal on support for small businesses, and the Commission conditionally approved the 2025 VPF Spending Plan, incorporating stakeholder guidance and calling for added specificity and transparency on VPF use going forward. <i>See</i> Opening Comments of Small Business Utility Advocates on Proposed Decision on Pacific Gas and Electric Company’s Revenue Requirement to Support Extended Operation of Diablo Canyon Power Plant and 2025 Volumetric Performance Fees Proposal, Dec. 4, 2024 (Opening Comments on PD), at 7 (supporting VPF plan); Reply Comments of Small Business Utility Advocates on Proposed Decision on Pacific Gas and Electric Company’s Revenue Requirement to Support Extended Operation of Diablo Canyon Power Plant and 2025 Volumetric Performance Fees Proposal, Dec. 9, 2024 (Reply Comments on PD), at 3. SBUA’s advocacy thus materially shaped the record on VPF priorities and supported the Commission’s conditional approval framework.</p>		
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<p>2. Forecasted Costs and Revenue Requirement</p> <p>SBUA supported the continued operation of DCP. <i>See, e.g.,</i> Rebuttal Testimony of Michael Brown on Behalf of Small Business Utility Advocates, Aug. 20, 2024 (Ex. SBUA-02), at 4 (keeping DCP operational is important for California’s electric grid). However, SBUA analyzed PG&E’s forecasted costs and revenue requirements and raised a number of suggestions. SBUA pressed for tighter justification and transparency around O&M forecasts, specifically questioning the \$15.9 million labor-overhead forecast under Major Work Category BP and the \$80 million license -renewal implementation forecast (Maintain DCP Plant Assets). SBUA scrutinized PG&E’s labor overhead and license-renewal forecasts as exceeding industry norms and pressed for greater detail and accountability. Opening Brief at 6-7; Reply Brief at 3-4; Ex. SBUA-01 at 4-5; Opening Comments on PD at 1-2; <i>see also</i> Reply Comments on PD at 1. SBUA also urged the Commission to ensure transparency of all funds used by PG&E from the State of California and U.S. Department of Energy for any expenses</p>	<p>The Decision discusses SBUA’s claim that the \$15.9M labor overhead under Major Work Category BP and \$80M license-renewal implementation costs exceed norms; but does not find SBUA’s proposed reductions sufficiently detailed. Decision at 20. While the Commission did not adopt SBUA’s proposed reductions, it directed PG&E, in its next application, to (1) provide detailed information for all projects over \$1 million and (2) explain why government funding was not pursued or was unavailable, transparency measures aligned with SBUA’s concerns and advocacy. <i>Id.</i> at 20.</p> <p>The Commission acknowledged SBUA’s request for specificity on liquidated-damages use and returns to customers but declined to delay the schedule for a supplement to the Application. <i>Id.</i> at 27.</p> <p>In accord with SBUA’s positions, the Commission rejected PG&E’s request to embed an additional revenue requirement in the Results of Operation model to address potential normalization violations and instead adopted PG&E’s alternative approach:</p>	<p>SBUA’s support for the continued operation of DCP is deemed out of scope for this proceeding. Ongoing long-term system reliability needs are already considered and addressed through the Commission’s Integrated Resource Planning proceeding.²</p> <p>SBUA’s arguments regarding the projected labor overhead costs and license renewal implementation forecast were not well supported and did not provide sufficient details for the Commission to consider the reductions proposed.³ As such, SBUA’s position was not adopted.</p> <p>Several parties disputed PG&E’s forecasted O&M cost components, and the Commission directive for PG&E to provide detailed information for projects over \$1 Million, was in response to Cal Advocates’ arguments.⁴</p> <p>In addition, several parties argued the cost components should not be recovered from ratepayers and should instead be covered by government funding. In D.24-12-033, the Commission found that PG&E’s approach is consistent with the intent of SB 846 and compliant with Commission decisions but agreed that PG&E should attempt to recover the</p>
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² D.24-12-033 at 12.

³ D.24-12-033 at 20.

⁴ *Id.*, at 20.

<p>related to operations of DCP. <i>See, e.g.,</i> Ex. SBUA-02 at 2.</p> <p>SBUA addressed statutory-fee treatment, agreeing PG&E’s cost-recovery request was appropriate while pressing for clearer specification of how liquidated-damages funds will be used and returned to customers. Opening Comments on PD at 3-4; Reply Comments on PD at 2-3; Ex. SBUA-01 at 10-15.</p> <p>SBUA opposed PG&E’s proposal to include additional revenue requirements for potential tax law normalization violations. Opening Comments on PD at 4-6; Ex. SBUA-01 at 19-21.</p> <p>SBUA also opposed PG&E’s attempt to recover federal and state income tax gross-ups on fixed management fees. SBUA argued that management fees be treated as pre-tax, and noted that the legislature would have probably affirmatively stated if it wanted the management fees to be treated as after-tax earnings. Ex. SBUA-01 at 22-23.</p>	<p>record any potential deferred taxes in an SB 846 ratemaking memorandum account and seek an IRS private-letter ruling. <i>Id.</i> at 38-40.</p> <p>The Commission agreed with SBUA and others that there is no reason to allow a “gross up” on a fixed management fee. <i>Id.</i> at 40-43. (This position was also upheld on rehearing, discussed below.)</p>	<p>transition and extended operations costs using government funding in its next application as directed in D.22-12-005.⁵ The Commission acknowledged Alliance for Nuclear Responsibility’s (A4NR) interpretations of ‘preparatory costs for extended operations’ as overly broad and Californians for Renewable Energy, Inc.’s argument that PG&E is attempting to cost-shift O&M expenses onto ratepayers, however, the Commission did not mention SBUA’s concerns or advocacy regarding government funding. SBUA’s input on these issues had minimal influence on the decision-making process. Merely supporting the positions of other parties without offering additional analysis, a distinct perspective, or unique factual or legal contribution, does not constitute a significant contribution.</p> <p>As indicated, SBUA requested that PG&E be required to supplement its testimony or file a new application to specify how liquidated damage funds will be used and returned to customers. The Commission did not think it was appropriate to delay the proceeding schedule.⁶ As such, SBUA’s position was not adopted. We find that SBUA’s input on these issues had minimal influence on the decision-making process.</p>
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⁵ *Id.*, at 15-18.

⁶ D.24-12-033 at 28.

		<p>SBUA opposed PG&E’s proposal to include an additional revenue requirement in the RO Model to mitigate for the potential normalization violation but did not provide a solution.⁷ The decision to approve PG&E’s alternate proposal was based on The Utility Reform Network’s (TURN) testimony,⁸ not SBUA’s proposal, and we find that SBUA’s input on these issues had minimal influence on the decision-making process. As such, SBUA did not provide a unique position that substantially contributed to the decision-making process.</p> <p>The Commission acknowledges that SBUA made arguments similar to those by A4NR, Energy Producers & Users Coalition, and TURN, opposing to authorize PG&E to include federal and state income taxes and the related tax gross up.⁹ The Commission did not mention SBUA’s contribution regarding this issue and extensively discussed TURN’s position that “SB 846 does not allow for a tax gross-up on incentive payments collected from ratepayers,” therefore, concluding that “PG&E is not authorized to recover any tax gross-up on the fixed</p>
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⁷ Id., at 39.

⁸ Id., at 39.

⁹ D.24-12-033 at 40.

		<p>management fee.¹⁰” Most of SBUA’s filings lacked substance, and therefore, did not contribute to the Commission’s decision-making process.</p> <p><i>See</i> Part III.D. CPUC Comments, Disallowances, and Adjustments.</p>
<p>3. Non-Bypassable Charge (NBC)</p> <p>SBUA presented testimony recommending modifications to the NBC allocation methodology to better reflect cost causation principles and protect small businesses from disproportionate rate impacts. SBUA proposed using future General Rate Case marginal costs rather than the 12-CP demand-based allocation, arguing this would more fairly distribute costs based on actual usage patterns and cost drivers. Ex. SBUA-01 at 25-26. While the Commission retained the 12-CP methodology established in D.23-12-036, SBUA’s advocacy developed the record and helped frame the issues the Commission addressed in adopting the 12-CP-based approach.</p>	<p>The Decision discusses SBUA’s proposal to “modify the methodology established in D.23-12-036 to replace the 12-CP demand-based allocation with an allocation based on future GRC marginal costs.” Decision at 48-49. But the Decision does not adopt the suggestion: “After reviewing the IOUs’ proposed methodology, the Commission concludes that the IOUs’ proposed methodology and rate design for allocating the DCPD costs, complies with the Commission’s directives in D.23-12-036.”</p>	<p>Noted; however, SBUA did not explain how their proposal to modify the methodology complied with the requirements of D.23-12-036. The Commission concluded that the IOU’s proposed methodology and rate design complied with directives in D.23-12-036.¹¹ SBUA’s position was not adopted, and we find that SBUA’s input on these issues had minimal influence on the decision-making process. <i>See</i> Part III.D. CPUC Comments, Disallowances, and Adjustments.</p>
<p>4. RA Attributes and GHG-Free Energy</p> <p>SBUA supported adjusting the Resource Adequacy (RA) and Greenhouse Gas (GHG) benefit allocation to reflect the</p>	<p>The Decision considers that “[i]n support of PG&E’s proposal, SBUA argues that the proposed adjustment recognizes the disproportionate financial</p>	<p>Noted; however, the Commission concluded that PG&E’s proposal did not comply with implementation of the RA allocation methodology adopted in D.23-12-036 and</p>

¹⁰ Id., at 42-43.

¹¹ D.24-12-033 at 49.

<p>disproportionate cost burden on PG&E customers, ensuring that small-business equity considerations were squarely presented. SBUA Opening Brief at 4-6; SBUA Reply Brief at 4-5; Ex. SBUA-01 at 25-26. SBUA was one of only three parties (along with PG&E and Green Power Institute (GPI)) to advocate for this more equitable allocation approach. Although the Commission did not change the methodology, SBUA's advocacy was valuable to inform the record and resulted in more robust decision-making.</p>	<p>burden borne by PG&E's customers for the extended operations of DCPD." Decision at 52.</p> <p>The Commission discusses its authority under Pub. Util. Code Section 712.8(q) for the Commission to consider the higher costs to customers in PG&E's service area in benefit allocation; however, it declines PG&E's and supporting parties' proposals to change the methodology, relying instead on the RA allocation methodology adopted in D.23-12-036. <i>Id.</i> at 54-55.</p>	<p>therefore rejected it.¹² SBUA's input on these issues had minimal influence on the decision-making process. We remind SBUA to delineate a unique position to prevent future reductions.</p> <p><i>See</i> Part III.D. CPUC Comments, Disallowances, and Adjustments.</p>
<p>5. Application for Rehearing</p> <p>SBUA made a substantial contribution to the rehearing phase by filing a Response to Applications for Rehearing that addressed ratemaking and policy issues raised by PG&E, A4NR, and SLOMFP. Among other things, SBUA opposed PG&E's rehearing request to "gross-up" the fixed-management fee for income taxes, arguing that SB 846's text limits ratepayer responsibility to expressly authorized items and that the Legislature did not provide for a tax gross-up on the fixed fee. SBUA emphasized ratepayer impacts on small businesses and urged the Commission to clarify that this special mechanism does not disturb traditional</p>	<p>"As SBUA's Response to PG&E's Application for Rehearing aptly notes, '[i]f the state legislature wanted to pay for PG&E's taxes on its profit, it would have said so. . . . The fact that the Legislature did not expressly include tax obligations within the scope of allowable cost recovery underscores that PG&E, as a profit seeking entity, should bear the tax consequences of that profit.' [Fn. omitted] We agree with this argument and the Decision's finding on this issue." D.25-07-041 at 6-7.</p> <p>The Commission therefore affirmed the original decision's denial of tax gross-</p>	<p>Verified</p>

¹² *Id.*, at 52-54.

<p>General Rate Case (GRC) tax-gross-up practices. Response of Small Business Utility Advocates to Applications for Rehearing of Decision 24-12-033, Feb. 5, 2025, at 4-5.</p>	<p>ups with minor modifications. <i>See</i> D.25-07-041 at 34-35.</p>	
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B. Duplication of Effort (§ 1801.3(f) and § 1802.5):

	Intervenor’s Assertion	CPUC Discussion
<p>a. Was the Public Advocate’s Office of the Public Utilities Commission (Cal Advocates) a party to the proceeding?</p>	<p>Yes.</p>	<p>Verified</p>
<p>b. Were there other parties to the proceeding with positions similar to yours?</p>	<p>Yes.</p>	<p>Verified</p>
<p>c. If so, provide name of other parties: A4NR, SLO, GPI, Californians for Renewable Energy, The Utility Reform Network.</p>		<p>Noted</p>
<p>d. Intervenor’s claim of non-duplication: SBUA sought to reduce overlap of efforts by presenting unique perspectives on the concerns of small business ratepayers as a distinct customer class. SBUA’s expert, Michael Brown, offered independent analysis on many issues through his testimony, and SBUA was the only party that specifically analyzed and presented the perspectives of small commercial customers. Although the interests of various customer classes can overlap, SBUA’s positions did not mirror other parties’ advocacy. For example, on VPF allocation, SBUA was the sole advocate for dedicating funds specifically to small business decarbonization assistance. While SBUA joined others in opposing tax gross-ups, SBUA uniquely emphasized the disproportionate burden on small businesses rates that are already too high. <i>See, e.g.</i>, Ex. SBUA-01 at 23. Even where positions converged with other parties on certain issues, SBUA provided distinct expert analysis. Therefore, while other parties may have had positions that were similar to SBUA in some respects, our perspectives and goals were necessarily different, and efforts on common issues were supplemented, not duplicated.</p>		<p>Noted, but <i>See</i> CPUC Disallowances and Adjustments in Section III.D.</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>SBUA seeks compensation for actively participating in this proceeding by filing a response to the Application, engaging in discovery, submitting direct and rebuttal testimony into the record, filing opening and reply legal briefs, filing opening and reply comments on the proposed decision, and filing a response to the applications for rehearing.</p> <p>SBUA’s claimed costs reflect the time and resources reasonably expended to represent small business customers and participate meaningfully in this complex proceeding on DCPD extended operations. Small business ratepayers have a significant interest in this Application, given that the approved \$722.6 million revenue requirement will flow through to rates, including for small commercial customers.</p> <p>SBUA’s participation created a more robust record on cost reasonableness, advocated for VPF funding for small business decarbonization programs, helped prevent tens of millions in tax gross-ups from being passed to ratepayers, and contributed to enhanced transparency requirements for future DCPD cost applications. Additionally, SBUA’s advocacy for a \$2 million dedicated small-business decarbonization assistance allocation was conditionally approved and has the potential to deliver direct benefits to this underserved customer class.</p> <p>For these reasons, the Commission should find that SBUA’s efforts on behalf of small businesses served the public interest and constituted a substantial contribution to this proceeding.</p>	<p>After the adjustments and disallowances made to this claim, the remainder of the claimed costs are reasonable. <i>See</i> CPUC Disallowances and Adjustments in Section III.D.</p>
<p>b. Reasonableness of hours claimed:</p> <p>SBUA seeks recovery for 177.85 hours of professional time, excluding time associated with travel and preparing this compensation request, as detailed below. SBUA’s outside consultant and expert witness, Michael Brown, devoted 106.6 hours to this proceeding. He led development of SBUA’s testimony, engaged in discovery, contributed to comments on the Proposed Decision, and prepared SBUA’s response to the applications for rehearing. Mr. Brown analyzed PG&E’s proposals and other parties’ positions, and played an instrumental role in formulating and advancing SBUA’s recommendations. <i>See Attachment 4</i> (SBUA contract with Mr. Brown).</p>	<p>After the adjustments and disallowances made to this claim, the remainder of the claimed hours are reasonable. <i>See</i> CPUC Disallowances and Adjustments in Section III.D.</p>

	CPUC Discussion
<p>SBUA’s General Counsel, James Birkelund, devoted approximately 62.5 hours to this proceeding. He oversaw litigation strategy, assisted in developing SBUA’s positions, and took primary responsibility for legal briefing. Mr. Birkelund served on a contingency basis through E&E Law Corp. at prevailing market rates. <i>See Attachment 5</i> (attorney-client agreement, filed under seal). The Commission has previously approved this outside consultant arrangement. <i>See, e.g.,</i> D.25-05-023 (approving Mr. Birkelund’s outside counsel relationship at market rates), D.25-05-021, D.25-03-029, D.25-04-012, and D.25-02-025. In addition, two other attorneys, Michael Raykher (assistance on SBUA response to Application) and Andrew Pomaville (attended the PHC), provided limited early support. Given their limited involvement and to further ensure reasonableness, SBUA does not seek recovery for their time.</p> <p>SBUA’s Executive Director, Britt Marra, also assisted in this proceeding. She primarily attended the DCPP site tour to better understand operational complexities but also assisted in feedback and developing SBUA’s positions in legal briefs. Ms. Marra is an employee of SBUA.</p> <p>SBUA took care to coordinate its efforts between experienced professionals, and given the \$722.6 million revenue requirement’s impact on small business customers and the precedential importance of DCPP extended operations for California’s energy future, SBUA’s time spent represents an appropriate level of engagement and effort. Therefore, SBUA seeks compensation for all hours recorded by our attorneys and experts and included in this request.</p>	
<p>c. Allocation of hours by issue:</p> <ol style="list-style-type: none"> 1. Volumetric Performance Fees – 40.7 hrs. or 22.9% 2. Forecasted Costs and Revenue Requirement – 73.8 hrs. or 41.5% 3. Non-Bypassable Charge – 10.35 hrs. or 5.8% 4. RA Attributes and GHG-Free Energy – 15.6 hrs. or 8.8% 5. Application for Rehearing – 16.65 hrs. or 9.4% 6. Workshop and Hearing prep, Meet and Confers, DCPP tour – 13.5 hrs. or 7.6% 7. General Participation – 7.25 hrs. or 4.1% 	<p>Noted; however, when rounded, the total adds up to 100.10%.</p>

B. Specific Claim: *

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
Michael Brown	2024	91.4	\$325	D.25-05-023 setting 2023 rate at \$310, escalated by 4.07% for 2024	\$29,705.00	25.65 [4]	\$325.00 [1]	\$8,336.25
Michael Brown	2025	15.2	\$335	As above, escalated by 3.46% for 2025	\$5,092.00	15.20	\$335.00 [1]	\$5,092.00
James Birkelund	2024	56.25	\$800	D.24-12-069	\$45,000.00	33.85 [4]	\$800.00 [2]	\$27,080.00
James Birkelund	2025	6.25	\$830	D.25-07-036	\$5,187.50	6.25	\$830.00 [2]	\$5,187.50
Britt Marra	2024	8.75	\$250	Res. ALJ-393; see Comment #1 below	\$2,187.50	1.40 [4, 5]	\$250.00 [3]	\$350.00
Subtotal: \$87,172.00						Subtotal: \$46,045.75		
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 \$
Britt Marra	2024	9.25	\$125	50% of 2024 rate	\$1,156.25	0.00 [5]	\$125.00 [3]	\$0.00
Subtotal: \$1,156.25						Subtotal: \$0.00		
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
James Birkelund	2024	1	\$400	50% of 2024 rate	\$400.00	1.00	\$400.00 [2]	\$400.00
James Birkelund	2025	14.75	\$415	50% of 2025 rate	\$6,121.25	14.75	\$415.00 [2]	\$6,521.25

CLAIMED				CPUC AWARD	
<i>Subtotal: \$6,521.25</i>				<i>Subtotal: \$6,521.25</i>	
COSTS					
#	Item	Detail	Amount	Amount	
1.	Hotel	Marra lodging for July 19, 2024 DCPP tour	\$417.69	\$0.00 [6]	
2.	Flight	Marra flight for July 19, 2024 DCPP tour	\$316.20	\$0.00 [6]	
3.	Rental Car	Marra rental car for July 19, 2024 DCPP tour	\$108.28	\$0.00 [6]	
<i>Subtotal: \$842.17</i>				<i>Subtotal: \$0.00</i>	
<i>TOTAL REQUEST: \$94,957.78¹³</i>				<i>TOTAL AWARD: \$52,567.00</i>	
<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 ¹⁴	Member Number	Actions Affecting Eligibility (Yes/No?) If "Yes", attach explanation	
James M. Birkelund		March 2000	206328	No	

C. Attachments Documenting Specific Claim and Comments on Part III:¹⁵

Attachment or Comment #	Description/Comment
Comment 1	<u>2024 Hourly Rate for Executive Director Marra</u>

¹³ Correct Total Request is \$95,691.67.

¹⁴ This information may be obtained through the State Bar of California's website at <https://apps.calbar.ca.gov/attorney/LicenseeSearch/QuickSearch>.

¹⁵ Attachments not included in final Decision.

Attachment or Comment #	Description/Comment
	<p>SBUA requests that the Commission set Britt K. Marra’s 2024 hourly rate at \$250 under the Level II range for the Executive Director category (2–5 years’ experience). This request is consistent with the Market Rate Study and Resolution ALJ-393, and is equivalent to approximately \$223/hour in 2021. The Level II 2021 range was \$106.29 (low) / \$178.91 (median) / \$285.87 (high).</p> <p>Ms. Marra is an employee of SBUA, and her professional background is provided as <u>Attachment 3</u>. The requested rate, slightly above the median at approximately the 65th percentile of the Level II range, is justified given Ms. Marra’s more than a decade of leadership in small-business utility advocacy (Executive Director since 2023; previously Assistant Executive Director). Her experience includes significant utility-regulatory work coordinating attorneys, experts, and outreach in California and other jurisdictions. Accordingly, the requested \$250/hour is reasonable, falls within the Level II range, and is consistent with Commission precedent.</p>
Attachment 1	Certificate of Service (<i>see</i> attachment under separate cover)
Attachment 2	Time Sheet Records with Allocation of Hours by Issue
Attachment 3	Professional background of Britt K. Marra
Attachment 4	Contract with Michael Brown
Attachment 5	Attorney-Client Agreement with E&E Law
Attachment 6	Travel Receipts

D. CPUC Comments, Disallowances, and Adjustments

Item	Reason
[1] Michael Brown (Brown) 2024 & 2025 Hourly Rates	<p>SBUA has confirmed that Brown is a consultant. Pursuant to Commission policy, the rate requested by an intervenor must not exceed the rate billed to that intervenor by any outside consultant it hires, even if the consultant’s billed rate is below the floor for a given experience level¹⁶. Per the IComp Program Guide at 24, the Commission may audit the records and books of the intervenors to the extent necessary to verify the basis for the award (§ 1804(d)).</p> <p><u>2024 Rate:</u></p>

¹⁶ D.07-01-009, D.08-04-010, and Resolution ALJ-235.

Item	Reason
	<p>SBUA has confirmed that it paid Brown \$325 per hour for work in this proceeding. We find this rate reasonable given Brown’s experience and approve this rate here.</p> <p><u>2025 Rate:</u> SBUA has confirmed that it paid Brown \$335 per hour for work in this proceeding. We find this rate reasonable given Brown’s experience and approve this rate here.</p> <p>The award determined herein for Brown’s contribution in this proceeding shall be paid in full to Brown, and no portion of this part of the award shall be kept by SBUA. Additionally, the rates approved here are specific to work in this proceeding and the contract terms between the consultant and intervenor, as they are established in accordance with the Commission’s policy on consultant compensation.</p>
<p>[2] James Birkelund (Birkelund) 2024 & 2025 Hourly Rates</p>	<p>SBUA has confirmed that Birkelund is a consultant. Pursuant to Commission policy, the rate requested by an intervenor must not exceed the rate billed to that intervenor by any outside consultant it hires, even if the consultant’s billed rate is below the floor for a given experience level¹⁷. Per the IComp Program Guide at 24, the Commission may audit the records and books of the intervenors to the extent necessary to verify the basis for the award (§ 1804(d)).</p> <p><u>2024:</u> SBUA has confirmed that it paid Birkelund \$800 per hour for work in this proceeding. We find this rate reasonable given Birkelund’s experience and approve this rate here.</p> <p><u>2025:</u> SBUA has confirmed that it paid Birkelund \$830 per hour in this proceeding. We find this rate reasonable given Birkelund’s experience and approve this rate here.</p> <p>The award determined herein for Birkelund’s contribution in this proceeding shall be paid in full to Birkelund, and no portion of this part of the award shall be kept by SBUA. Additionally, the rates approved here are specific to work in this proceeding and the contract terms between the consultant and intervenor, as they are established in accordance with the Commission’s policy on consultant compensation.</p>

¹⁷ D.07-01-009, D.08-04-010, and Resolution ALJ-235.

Item	Reason
	<p>Intervenor Compensation Claim Preparation is rated at ½ preparer’s normal rate, bringing the 2024 intervenor compensation claim preparation rate to \$400 and the 2025 rate for Birkelund to \$415.</p>
<p>[3] Britt Marra (Marra) 2024 Hourly Rate</p>	<p><u>2024 Hourly Rate for Marra</u> SBUA requests a 2024 hourly rate of \$250 for Britt Marra as an Advocate-Executive Director – II. Marra has been an Executive Director since 2022, which is 2 years of experience as of 2024 in this capacity earning the level of Advocate-Executive Director-II. Given that the 2024 rate range for Advocate – Executive Director - II is \$128.32 to \$307.90, we find the requested 2024 hourly rate of \$250 to be reasonable and we adopt it here.</p>
<p>[4] Brown, Birkelund & Marra 2024 Limited Substantial Contribution & Excessive Hours</p>	<p><u>Limited Substantial Contribution (89.75 Hours Reduced)</u> 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>In evaluating whether SBUA made a contribution here, we also evaluate 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 SBUA’s claimed hours to reasonably reflect the hours necessary to prepare the documents and undertake the work performed that resulted in the substantial contribution provided. Accordingly, we reduce 89.75 hours from Issue 2: Forecasted Costs and Revenue Requirement (FCRR), Issue 3: Non-Bypassable Charge (NBC), and Issue 4: Resource Adequacy (RA) and Greenhouse Gas (GHG)-Free Energy, as it appropriately acknowledges the value of SBUA’s contributions.</p> <p>Although the Commission will compensate intervenors regardless of whether their positions are adopted, SBUA’s input had minimal influence on the decision-making process. The award granted herein is commensurate with that level of contribution. The burden of proof is on the intervenor to show that each of the hours claimed was spent productively to make a substantial contribution to the decision. In this instance, SBUA failed to prove that.</p>

Item	Reason
	<p>Merely supporting the positions of other parties—without offering additional analysis, a distinct 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. Given that SBUA’s contribution was limited, we reduce 66.45 hours from Issue 2: FCRR, 9.30 hours from Issue 3: NBC, and 14.00 hours from Issue 4: RA and GHG Free Energy.</p> <p><u>Issue 2: FCRR (66.45)</u> SBUA claimed 73.80 hours of work on Issue 2, with claimed contributions described in Part II.A above. SBUA’s claimed contributions for Issue 2 were included in 8 separate filings. We reviewed SBUA’s claimed contributions to D.24-12-033 and D.25-07-041 and found that most of their work did not meet the substantial contribution standards of Sections § 1802(j) or § 1802.5 of the Pub. Util. Code.</p> <p>The Commission found that SBUA did not always provide sufficient details to support its arguments (e.g. <i>See</i> Part II.A. labor overhead & license renewal; and request to file a new application), provide solutions (e.g. <i>See</i> Part II.A. additional revenue requirements; and Normalization) nor delineate a unique perspective to prevent reductions (e.g. <i>See</i> Part II.A. tax gross up; government funding; and Normalization).</p> <p>SBUA did not identify specific language in D.24-12-033 and D.25-07-041 to demonstrate that its participation assisted the Commission in writing the Decision(s) and did not offer a unique perspective on Issue 2 that substantially contributed to the decision-making process. Therefore, we find it reasonable to reduce 66.45 hours of SBUA’s claimed work which breaks down as follows:</p> <p><u>2024 (66.45 Hours)</u></p> <ul style="list-style-type: none"> • Marra: 1.10 hours • Brown: 51.75 hours • Birkelund: 13.60 hours <p><u>Issue 3: NBC (9.30 Hours)</u></p>

Item	Reason
	<p>SBUA claimed 10.35 hours of work on Issue 3, with claimed contributions described in Part II.A above. SBUA’s claimed contributions for Issue 3 were included in 7 separate filings. We reviewed SBUA’s claimed contributions to D.24-12-033 and D.25-07-041 and found that most of their work did not meet the substantial contribution standards of Sections § 1802(j) or § 1802.5 of the Pub. Util. Code.</p> <p>SBUA presented testimony recommending modifications to the NBC allocation methodology, however, SBUA did not explain how this proposal complied with the requirements of D.23-12-036. After reviewing the investor-owned utilities’ proposed methodology, the Commission concluded that the proposed methodology complied with the Commission’s directives. SBUA did not identify specific language in D.24-12-033 and D.25-07-041 to demonstrate that its participation assisted the Commission in writing the Decision(s) and did not offer a unique perspective on Issue 3 that substantially contributed to the decision-making process. Therefore, we find it reasonable to reduce 9.30 hours of SBUA’s claimed work which breaks down as follows:</p> <p><u>2024 (9.30 Hours)</u></p> <ul style="list-style-type: none"> • Brown: 7.20 hours • Birkelund: 2.10 hours <p><u>Issue 4: RA and GHG Free Energy (14.00 Hours)</u></p> <p>SBUA claimed 15.60 hours of work on Issue 4, with claimed contributions described in Part II.A above. SBUA’s claimed contributions for Issue 4 were included across 8 separate filings. We reviewed SBUA’s claimed contributions to the D.24-12-033 and D.25-07-041 and found that most of their work did not meet the substantial contribution standards of Sections § 1802(j) or § 1802.5 of the Pub. Util. Code.</p> <p>SBUA supported PG&E’s proposal to adjust the RA and GHG benefit allocation, however, the Commission concluded that PG&E’s proposal did not comply with implementation of the RA allocation methodology adopted in D.23-12-036 and was rejected. SBUA did not identify specific language in D.24-12-033 and D.25-07-041 to demonstrate that its participation assisted the Commission in writing the Decisions(s) and did not offer a unique perspective on Issue 4 that substantially contributed to the decision-making process. Therefore, we find it</p>

Item	Reason
	<p>reasonable to reduce 14.00 hours of SBUA’s claimed work which breaks down as follows:</p> <p><u>2024 (14.00 Hours)</u></p> <ul style="list-style-type: none"> • Marra: 0.50 hour • Brown: 6.80 hours • Birkelund: 6.70 hours
<p>[5] Marra 2024 Lack of Substantial Contribution, Travel & Lodging Disallowances</p>	<p><u>Diablo Canyon Tour (DCPP) (15.00 Hours)</u> SBUA claimed substantial contributions to the decision-making process for attending the DCPP Tour, however, nowhere in this claim does SBUA describe how Marra’s attendance at these events was necessary for her participation in this proceeding or substantially contributed to the decision-making process. We, therefore, reduce all hours Marra claimed for attending, driving to and from, and lodging at these events, which breaks down as follows:</p> <p><u>DCPP Tour (5.75 Hours)</u></p> <ul style="list-style-type: none"> • 07/19/24: Tour of Diablo Canyon Power Plant <p><u>Travel Hours (Other Fees) and Lodging (9.25 Hours)</u></p> <ul style="list-style-type: none"> • 07/18/24: Travel to San Luis Obispo (4.75 Hours) • 07/19/24: Hotel \$417.69 • 07/19/24: Flight \$316.20 • 07/19/24: Car rental \$108.28 • 07/20/24: Travel from San Luis Obispo (4.50 Hours)
<p>[6] Intervenor Responsibility for Transparency and Accuracy in Compensation Requests</p>	<p>The Commission takes this opportunity to remind all intervenors that they bear the burden of providing accurate, complete, and honest information in all compensation requests. The Commission relies on intervenors' good faith representations, particularly regarding consultant agreements and payments, as it does not have the resources to review every contract or non-standard arrangement in detail.</p> <p>Intervenor compensation is funded by ratepayers, and the Commission takes seriously any effort to mislead or obscure the financial basis for a claim. Although no violation of Rule 1.1 has been found in this instance, we remind intervenors that under Rule 1.1, intent to deceive is not required for a violation, misstatements may still be actionable. Dishonest or misleading claims not only risk</p>

Item	Reason
	<p>denial of compensation but may also subject the intervenor to penalties.</p> <p>The Commission has clear authority to audit intervenors' books and records to verify the basis for any award. Intervenors must therefore ensure full transparency regarding actual time spent on issues, consultant fees, payment arrangements, and the actual disbursement of funds. Failure to meet this obligation undermines the integrity of the compensation process and may lead to denial of claims or further enforcement action.</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. Small Business Utility Advocates has made a substantial contribution in some aspects to D.24-12-033 and D.25-07-041.
2. The requested hourly rates for Small Business Utility Advocates’ representatives, are comparable to market rates paid to experts and advocates having comparable training and experience and offering similar services, and/or reflect the actual rates billed to, and paid by the intervenor, for consultant services rendered.
3. The claimed costs and expenses, as adjusted herein, are reasonable and commensurate with the work performed.
4. The total of reasonable compensation is \$52,567.00.

CONCLUSION OF LAW

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

ORDER

1. Small Business Utility Advocates is awarded \$52,567.00.
2. Within 30 days of the effective date of this decision, Pacific Gas and Electric Company shall pay Small Business Utility Advocates the total award. Payment of the award shall include a compound interest at the rate earned on prime, three-month non-financial commercial paper as reported in Federal Reserve Statistical Release H.15, beginning December 7, 2025, the 75th day after the filing of Small Business Utility Advocates' request, and continuing until full payment is made.
3. The Motion of Small Business Utility Advocates for Leave to File Under Seal Documents in Support of its Intervenor Compensation Claim, dated September 23, 2025, is granted. The information submitted by SBUA is confidential and shall remain under seal. This information shall not be disclosed or made accessible to anyone other than Commission staff, the assigned Commissioner, the assigned Administrative Law Judge, or the Law and Motion Judge.
4. The comment period for today's decision is not waived.

This decision is effective today.

Dated July ___, 2026, at San Francisco, California.

APPENDIX

Compensation Decision Summary Information

Compensation Decision:		Modifies Decision?	No
Contribution Decision(s):	D2412033, D2507041		
Proceeding(s):	A2403018		
Author:	ALJ Nilgun Atamturk		
Payer(s):	Pacific Gas and Electric Company		

Intervenor Information

Intervenor	Date Claim Filed	Amount Requested	Amount Awarded	Multiplier?	Reason Change/Disallowance
Small Business Utility Advocates	June 23, 2025 ¹⁸	\$94,957.78	\$52,567.00	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
Michael	Brown	Expert	\$325	2024	\$325.00 ¹⁹
Michael	Brown	Expert	\$335	2025	\$335.00 ¹⁹
James	Birkelund	General Counsel	\$800	2024	\$800.00 ²⁰
James	Birkelund	General Counsel	\$830	2025	\$830.00 ²⁰
Britt	Marra	Executive Director	\$250	2024	\$250.00

(END OF APPENDIX)

¹⁸ The correct date claim filed is September 23, 2025.

¹⁹ Michael Brown served SBUA as a consultant in 2024 and 2025.

²⁰ James Birkelund served SBUA as a consultant in 2024 and 2025.