STATE OF CALIFORNIA GAVIN NEWSOM, Governor

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

**FILED**
07/08/26
10:39 AM
A2403018

July 8, 2026

**Agenda ID #24362**
**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 August 13, 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: sgu
Attachment

Decision **PROPOSED DECISION OF ALJ ATAMTURK (Mailed 7/8/2026)**

**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.) | Application 24-03-018<br>(Filed March 29, 2024) |

**DECISION GRANTING COMPENSATION TO GREEN POWER INSTITUTE FOR SUBSTANTIAL CONTRIBUTION TO DECISION 24-12-033**

| | |
|---|---|
| **Intervenor:** Green Power Institute | **For contribution to Decision** (D.) 24-12-033 |
| **Claimed:** $64,640[1] | **Awarded:** $29,015.00 |
| **Assigned Commissioner:** Karen Douglas | **Assigned ALJ:** Nilgun Atamturk |

**PART I: PROCEDURAL ISSUES**

| | |
|---|---|
| **A. Brief description of Decision:** | D.24-12-033 is the Decision on PG&E's Application for a revenue requirement to support extended operation of Diablo Canyon Power Plant and 2025 Volumetric Performance Fees Proposal |

**B. Intervenor must satisfy intervenor compensation requirements set forth in Pub. Util. Code §§ 1801-1812[2]:**

| | **Intervenor** | **CPUC Verification** |
|---|---|---|
| **Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):** | | |
| 1. Date of Prehearing Conference: | May 31, 2024 | Verified |
| 2. Other specified date for NOI: | None | |

[1] As discussed in the footnotes in Part III.B, GPI's correct amount claimed for their contributions toward D.24-12-033 is $64,639.00.

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

| | | |
|---|---|---|
| 3. Date NOI filed: | June 6, 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: | R.22-10-010 | Verified |
| 6. Date of ALJ ruling: | May 15, 2023 | Verified |
| 7. Based on another CPUC determination (specify): | D.23-11-036 | D.23-11-036 referred to the earlier findings, pursuant to the rebuttable presumption rule of §1804(b)(1) and did not make an independent finding on the customer status pursuant to §1802(b)(1)(C). Those findings have expired (see §1804(b)(1)). |
| 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.22-10-010 (see note below) | Verified |
| 10. Date of ALJ ruling: | May 15, 2023 | August 29, 2024 |
| 11. Based on another CPUC determination (specify): | D.24-08-054 | Verified |
| 12. Has the Intervenor demonstrated significant financial hardship? | | Yes |
| **Timely request for compensation (§ 1804(c)):** | | |
| 13. Identify Final Decision: | D.24-12-033 | Verified |
| 14. Date of issuance of Final Order or Decision: | December 20, 2024 | Verified |
| 15. File date of compensation request: | January 31, 2025 | Verified |
| 16. Was the request for compensation timely? | | Yes |

## C. Additional Comments on Part I:

| # | Intervenor's Comment(s) | CPUC Discussion |
|---|---|---|
| Line 9 | The May 15, 2023, ALJ Ruling on GPI's NOI in R.22-10-010 requested additional financial information before making a finding of "significant financial hardship." On June 22, 2023, GPI submitted the requested additional information in our filed Supplement to the NOI. Decision D.24-08-054 made the final determination, finding that GPI had demonstrated significant financial hardship and was eligible to receive intervenor compensation. | Verified |

## 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 |
|---|---|---|
| | (Please note that Attachment 2 includes a list of issue areas and GPI Pleadings relevant to this Claim.) | Noted |
| **1. RA Attributes and GHG-Free Energy.**<br>Decision D.23-12-036 in R.23-01-007 directs that the RA attributes of extended operations at DCPP be allocated to LSEs on the basis of their contribution to the coincident peak on the CAISO grid. PG&E proposes to readjust this allocation to take into account the fact that ratepayers in their service territory will pay an extra share of volumetric performance fees, and therefore deserve an | **Decision D.24-12-033**<br>In support of PG&E's proposal, SBUA argues that the proposed adjustment recognizes the disproportionate financial burden borne by PG&E's customers for the extended operations of DCPP. GPI also supports PG&E's proposal. [D.24-12-033, pg. 52.]<br>Upon review, the Commission concludes that PG&E's proposal does not comply with implementation of the RA allocation methodology adopted in D.23-12-036, and therefore, it is rejected. [D.24-12-033, pg. 54.]<br>**Pleadings** | We verify that GPI supported Pacific Gas and Electric's (PG&E) proposal that was rejected by the Commission. Other than supporting PG&E's proposal, we find that GPI did not contribute any unique perspectives on this issue.<br>An intervenor may receive compensation "if the participation makes a substantial |

| Intervenor's Claimed Contribution(s) | Specific References to Intervenor's Claimed Contribution(s) | CPUC Discussion |
|---|---|---|
| equivalent extra share of the RA attributes. GPI provided a detailed analysis of the case for readjusting the RA allocation, showing that doing so would be consistent with the letter and spirit of SB 846 and the California Public Utilities Code sections it enacted. The Decision identifies GPI on page 52 as a supporter of PG&E's proposal. In fact, our position was more nuanced. We demonstrated that while the proposal was consistent with statute, the issue of whether to adopt it also required a consideration of the extent to which the benefits of the use of the VPF fund accrue to ratepayers statewide, versus being limited to ratepayers in the PG&E service territory. The Decision declines to alter D.23-12-036, even knowing, through our filings, that doing so in principle would be consistent with state policy and statute. GPI made substantial contributions to D.24-12-033 by making a case for legitimacy in principle of taking the unequal contributions to the cost of extended operations at DCPP into account in the allocation of the RA attributes, but also pointing out that unless the majority of the benefits of the uses of the VPF monies accrues statewide, there is no policy imperative for readjusting the D.23-12-036 allocation directive. GPI's | The threshold question regarding readjusting the allocation of RA credits is whether, based on statute and the directives in D.23-12-036, it is even permitted to do so. GPI believes that the threshold is met. We present our reasoning in this section. [GPI Brief, 10/1/24, pg. 3.]<br><br>Ultimately, in the opinion of the GPI, it is the mix of uses of the VPF funds, and whether the bulk of the uses have statewide or only PG&E-territory wide benefits, that should determine whether there is a need to re-adjust the distribution of DCPP's RA credits, as PG&E's Application proposes. [GPI Brief, 10/1/24, pg. 3.]<br><br>Assuming that the case has been made that readjusting the allocation of RA and environmental attributes based on the unequal assessment of VPF charges as suggested by PG&E's Application is permitted, the remaining question is whether it ought to be done from the perspective of good public policy. It appears that the VPF program assessments were designed in the way that they were in recognition of the fact that the VPF program might very well fund a number of programs that benefit only ratepayers in the PG&E service territory. That being the case, it is reasonable to assess greater charges to PG&E ratepayers. On the other hand, if the VPF funds are used primarily to fund programs that have benefits statewide, then one straightforward way to redress the higher burden on PG&E ratepayers would be to adjust the allocation of RA and environmental attributes. [GPI Brief, 10/1/24, pg. 6.] | contribution to a commission order or decision." §1802.5. A substantial contribution is when an intervenor's "presentation 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." § 1802(h).<br><br>GPI does not provide any citations or other evidence that their presentation in support of PG&E's proposal on this issue was adopted in whole or in part by D.24-12-033. We find that GPI did not make a substantial contribution on this issue. |

| Intervenor's Claimed Contribution(s) | Specific References to Intervenor's Claimed Contribution(s) | CPUC Discussion |
|---|---|---|
| arguments clearly enriched the record upon which the final Decision is based, which constitutes a substantial contribution. | As GPI explained in our Brief, we believe that readjusting the RA and environmental attribute allocation to take into account the unequal allocation of cost via the VPF is consistent with statute and with D.23-12-036. The question remains, however, whether we ought to perform such a readjustment. As we argued in our Brief, if the bulk of the VPF funds are spent on expenses that benefit only ratepayers in the PG&E service territory, no readjustment is necessary. On the other hand, if most of the VPF funds are spent on expenses that benefit ratepayers statewide, then a readjustment is in order. [GPI Reply Brief, 10/21/24, pgs. 1-2.]<br><br>In our Testimony and Briefs in this Application proceeding GPI made the case that PG&E's proposal to temper the distribution of the RA attributes from extended operations at DCPP from a basis that is strictly dependent on the coincident peak load of a jurisdictional LSE to a modified basis that also takes into account the unequal distribution of Volumetric Performance Fees (VPF) assessments between LSEs in the PG&E service territory and LSEs in the SCE and SDG&E service territories is allowed by statute and regulation. We further made the case that any decision about whether to modify the allocation of RA credits from the directive in D.23-12-036 to base it solely on an LSE's share of the coincident peak load should take into account whether the VPF funds were used primarily for the benefit of ratepayers in the PG&E service territory, or whether the funds were used primarily for the benefit of ratepayers throughout the CAISO. The more the benefits accrue to PG&E | |

| Intervenor's Claimed Contribution(s) | Specific References to Intervenor's Claimed Contribution(s) | CPUC Discussion |
|---|---|---|
| | service territory ratepayers only, the less need there is to modify the allocation of RA credits from the coincident peak load basis only. [GPI Comments on the PD, 12//24, pg. 1.] | |
| **2. Volumetric Performance Fees Spending Plan.**<br>GPI argued that PG&E's proposed plan for the spending of VPF funds was extremely sketchy, to the point that there was little basis on which to anticipate what would be done with the funds. Moreover, because the plan lacked safeguards, there was a real possibility that some of the funds could be used to make up for cost overruns in various continuing programs that are already funded, in effect allowing the use of the VPF funds to act as a slush fund. The November 14, 2024, PD on PG&E's Application rejected PG&E's proposed spending plan for the VPF funds, essentially on the basis that it lacked sufficient specification. In recognition of the fact that the legislation is quite vague on the subject of what a spending plan should include, and in an effort to expedite the use of the funds, the final Decision reversed this conclusion and approved the plan, but did add provisions to safeguard against some of the vulnerabilities that we identified, including requiring PG&E to file an advice letter supplementing their proposed | **Decision D.24-12-033**<br>However, the Commission determines that PG&E must use the Advice Letter process to supplement its first year spending plan application to further explain how it will meet the requirements of Section 712.8(s) and subsequently, to submit findings of an independent third party auditor regarding PG&E's compliance with Section 712.8(s). Therefore, PG&E's request for approval of its VPF spending plan is conditionally approved, provided that PG&E submits the Tier 1 Advice Letter filing described in Section 9.3. [D.24-12-033, pgs. 55-56.]<br><br>GPI also makes several recommendations for the use of VPFs as follows:<br>1) Without an auditing process there is a risk that the funds could be used to cover cost overruns for existing programs, i.e. a slush fund.<br>2) For proposed pole inspection program, GPI requests a more thorough explanation to ensure this is separate from the inspections requested through PG&E's Wildfire Mitigation Plan process.<br>3) GPI requests a maximum 20 percent allocation to the VPF contingency fund with annual rollover of unused funds.<br>4) GPI argues that costs below the 115% threshold should be eligible to offset DCPP operating costs. | Verified<br><br>We verify that this is a correct citation of D.24-12-033. However, the only recommendation that D.24-12-033 adopted of these was that there should be an auditing process for PG&E's use of Volumetric Performance Fees (VPF). |

| Intervenor's Claimed Contribution(s) | Specific References to Intervenor's Claimed Contribution(s) | CPUC Discussion |
|---|---|---|
| spending plan. GPI made substantial contributions to D.24-12-033 by articulating the case for rejecting the proposed spending plan based on its lack of specificity, and by identifying vulnerabilities that should be fixed before the plan is approved. The Decision reversed the determination to reject the plan in the PD, but did add new requirements to fix some of the plan's vulnerabilities. GPI's arguments clearly enriched the record upon which the final Decision is based. | [D.24-12-033, pg. 63.]<br>**Pleadings**<br>PG&E's proposal is largely thematic in nature, offering only very broad estimates of the amount of the VPFs that will be allocated to each issue category. For example, the amount of funds that might be devoted to defined customer benefit programs, according to the estimates in Chapter 9, could be anywhere from $70-130 million of the total VPF funds of $160 million. This makes it rather difficult to anticipate what the outcome of the proposal in its current form will be. [GPI Brief, 10/1/24, pg. 8.] | Noted |
| | PUC §712.8(s)(1) provides six categories of customer benefit programs that are eligible in principle to receive funding from the VPF program funds. The statute stipulates that the VPF funds can either be used to create new programs, or to enhance or extend existing programs. Supplementing existing programs makes it necessary to put into place an exacting auditing process that can guarantee that the VPF funds are used for purposes that are entirely additional to the already established program. Absent an effective auditing process, there would be a risk that VPF funds could be used to cover cost overruns in existing and already funded programs, in effect a slush fund. We do not think that such uses should qualify for VPF funds. The VPF funds should not be used as a slush fund for programs that are not living up to their approved specifications. [GPI Brief, 10/1/24, pgs. 8-9.] | Verified |

| Intervenor's Claimed Contribution(s) | Specific References to Intervenor's Claimed Contribution(s) | CPUC Discussion |
|---|---|---|
| | We agree wholeheartedly with the parties that argue for the Commission to exercise its authority and demand much more detail before approving PG&E's proposed VPF spending plan. [GPI Reply Brief, 10/21/24, pg. 2.] | Verified |
| | PG&E's proposed spending plan for the use of the VPF funds during 2025 is vague and imprecise, and not ready to be adopted in its current form. PG&E, in response, resists the level of scrutiny of their program that GPI and many of the intervenors believe is appropriate, and suggests that the program be adopted as proposed. We disagree, and urge the Commission to require further information about the program, as well as provisions that ensure that VPF funds are not misused, before deciding how to respond to the proposed program. [GPI Reply Brief, 10/21/24, pg. 3.] | Verified |
| | Many of the critical public purpose programs described in PG&E's VPF spending plan are programs that are already underway, with funding approval coming from the utility's GRC, in some cases in coordination with its Wildfire Mitigation Plan (WMP). The VPF funds absolutely should not be used to pay for cost overruns in these programs, or to cover costs or liabilities that would otherwise be assigned to shareholders rather than ratepayers. The current spending plan does not have any guarantees that the funds will not be spent in this manner, and that is unacceptable. [GPI Reply Brief, 10/21/24, pg. 4.] | This is a summary of TURN's Opening Brief. |
| **3. Regulatory Process for Reporting VPF.** | **Decision D.24-12-033**<br>PG&E's request to utilize a Tier 3 advice letter process for reporting VPF | Verified |

| Intervenor's Claimed Contribution(s) | Specific References to Intervenor's Claimed Contribution(s) | CPUC Discussion |
|---|---|---|
| D.23-12-036 specifies that PG&E file a yearly Application for the approval of their annual VPF spending plan, of which the present Application is the first one. In this Application, PG&E proposes that in future years the utility should be able to file an advice letter for approval of their proposed VPF spending plan, rather than going through the more elaborate Application process. GPI argued strongly that it is premature to even consider such a relaxation of regulatory oversight before the first year's spending program is even approved, never mind placed into service and having its performance evaluated. The Decision adopts our position and denies PG&E's request for the present time. Our successful argument was our substantial contribution on this issue. | revenue spending for future annual plans and retrospective reporting of section 712.8(s) requirements is denied without prejudice. [D.24-12-033, pg. 67.]<br><br>Upon review, we decline to adopt PG&E's proposal to submit future plans via Tier 3 advice letter without prejudice. This matter can be reconsidered in the next application. The VPF program is a new program. Until we gain a reasonable amount of experience with the program, it is appropriate to consider the program annually through an application process. [D.24-12-033, pg. 68.]<br><br>GPI also recommends that the Commission reject PG&E's proposal to move VPF Plan approval to a Tier 3 AL process. [D.24-12-033, pg. 68.]<br><br>**Pleadings**<br><br>PG&E proposes, in Application A.24-03-018, that in future years rather than requiring an Application for the annual approval of PG&E's spending plan for the VPF funds, a tier 3 Advice Letter should be sufficient. Decision D.24-01-036 in R.23-01-007 specifies that an annual Application should be used for the purpose of VPF plan approval. This (A.24-03-018) is the first such Application that has been submitted for plan approval, in this case for plan approval through 2025. In other words, the Commission is currently in the process of considering the very first VPF spending plan proposed by PG&E. The results of this initial review process are still months away. In the opinion of GPI, it is premature to even consider PG&E's proposal at the present time. This proposal should not be considered | Verified<br><br>Noted, however D.24-12-033 also notes that A4NR and TURN had the same position as GPI.<br><br>Verified |

| Intervenor's Claimed Contribution(s) | Specific References to Intervenor's Claimed Contribution(s) | CPUC Discussion |
|---|---|---|
| | until at the least the 2025 spending plan has been approved and its outcome monitored and assessed. [GPI Brief, 10/1/24, pg. 12.] | |

**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?** | Yes | Verified |
| **c. If so, provide name of other parties:** SBUA, A4NR, CalCCA, Californians for Green Nuclear Power, TURN, CCUE, AReM, DACC, and the three IOUs. | | Noted |
| **d. Intervenor's claim of non-duplication:** This proceeding covers a variety of topics related to the potential extension of operations at DCPP. The Green Power Institute has been an active participant in the Commission's RPS and LTPP/IRP proceedings, the Application to retire DCPP in 2024/2025, and a number of other proceedings related to renewable energy. The Green Power Institute coordinated its efforts in this proceeding with other parties in order to avoid duplication of effort, and added significantly to the outcome of the Commission's deliberations through our own unique perspective. We held numerous individual calls and conference calls with fellow parties regarding various issues that were under consideration in this proceeding. Some amount of duplication has occurred in this proceeding on all sides of contentious issues, but Green Power avoided duplication to the extent possible, and tried to minimize it where it was unavoidable. | | Noted |

## PART III: REASONABLENESS OF REQUESTED COMPENSATION

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

| | CPUC Discussion |
|---|---|
| **a. Intervenor's claim of cost reasonableness:**<br><br>The GPI is providing, in Attachment 2, a listing of all of the pleadings we provided in this Proceeding that are relevant to matters covered by this Claim, and in Attachment 3, a detailed breakdown of GPI staff time spent for work performed that was directly related to our substantial contributions to Decision D.24-12-033. | After the adjustments made to this claim, the remainder of the claimed costs are reasonable. *See* Part III.D. |

| | **CPUC Discussion** |
|---|---|
| The hours claimed herein in support of Decision D.24-12-033 are reasonable given the scope of the Proceeding, and the strong participation by the GPI. GPI staff maintained detailed contemporaneous time records indicating the number of hours devoted to the matters settled by this Decision in this case. In preparing Attachment 3, Dr. Morris reviewed all of the recorded hours devoted to this proceeding, and included only those that were reasonable and contributory to the underlying tasks. As a result, the GPI submits that all of the hours included in the attachment are reasonable, and should be compensated in full.<br><br>Dr. Morris is a renewable energy analyst and consultant with more than 40 years of diversified experience and accomplishments in the energy and environmental fields. He is a nationally recognized expert on biomass and renewable energy, climate change and greenhouse-gas emissions analysis, integrated resources planning, and analysis of the environmental impacts of electric power generation. Dr. Morris holds a BA in Natural Science from the University of Pennsylvania, an MSc in Biochemistry from the University of Toronto, and a PhD in Energy and Resources from the University of California, Berkeley.<br><br>Dr. Morris has been actively involved in electric utility restructuring in California throughout the past three decades. He served as editor and facilitator for the Renewables Working Group to the California Public Utilities Commission in 1996 during the original restructuring effort, consultant to the CEC Renewables Program Committee, consultant to the Governor's Office of Planning and Research on renewable energy policy during the energy crisis years, and has provided expert testimony in a variety of regulatory and legislative proceedings, as well as in civil litigation.<br><br>Decision D.98-04-059 states, on pgs. 33-34, "Participation must be productive in the sense that the costs of participation should bear a reasonable relationship to the benefits realized through such participation. … At a minimum, when the benefits are intangible, the customer should present information sufficient to justify a Commission finding that the overall benefits of a customer's participation will exceed a customer's costs." This proceeding is concerned with cost recovery for extended operations at DCPP, and with the use of the VPF funds that will be collected in the course of those extended operations. The cost reductions and environmental benefits of extended operations at DCPP overwhelm the cost of our participation. | |

| | **CPUC Discussion** |
|---|---|
| **b. Reasonableness of hours claimed:**<br><br>The GPI made Significant Contributions to Decision D.24-12-033 by providing a response to the Application, detailed Testimonies and Briefs, participated in Hearings and Oral Argument, and provided comments on the PD. Attachment 3 provides a detailed breakdown of the hours that were expended in making our Contributions. The hourly rates and costs claimed are reasonable and consistent with awards to other intervenors with comparable experience and expertise. The Commission should grant the GPI's claim in its entirety. | After the adjustments made to this claim, the remainder of the claimed hours are reasonable. *See* Part III.D. |
| **c. Allocation of hours by issue:**<br><br>1. RA Attributes and GHG-Free Energy 50%<br>2. Volumetric Performance Fees Spending Plan 45%<br>3. Regulatory Process for Reporting VPF 5% | Noted. However, GPI's submitted timesheet did provide the issue that each task addresses as required by Rule 17.4(b)(4)[3] and the Intervenor Compensation Program Guide at 25-26. |

**B. Specific Claim:***

| **CLAIMED** | | | | | | **CPUC AWARD** | | |
|---|---|---|---|---|---|---|---|---|
| **ATTORNEY, EXPERT, AND ADVOCATE FEES** | | | | | | | | |
| **Item** | **Year** | **Hours** | **Rate $** | **Basis for Rate*** | **Total $** | **Hours** | **Rate $** | **Total $** |
| G. Morris | 2024 | 121.5 | 505 | See comment 1 | 61,358[4] | 57.00 [2, 3] | $475.00 [1] | $27,075.00 |
| | | | | | ***Subtotal: $61,358[5]*** | | | ***Subtotal: $27,075.00*** |
| | | | | | | | | |
| **INTERVENOR COMPENSATION CLAIM PREPARATION **** | | | | | | | | |
| **Item** | **Year** | **Hours** | **Rate $** | **Basis for Rate*** | **Total $** | **Hours** | **Rate** | **Total $** |

[3] All rule references are to California Code of Regulations Title 20, Division 1, Chapter 1 unless indicated otherwise.

[4] Morris' correct total fee is $61,357.50.

[5] GPI's correct total Attorney, Expert, and Advocate fees is $61,357.50.

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| G. Morris | 2025 | 13.0[6] | 252.5 | ½ 2024 rate | 3,283[7] | 8.00 [4] | $242.50 [1] | $1,940.00 |
| | | | | | ***Subtotal: $3,283[8]*** | | | ***Subtotal: $1,940.00*** |
| | | | | | ***TOTAL REQUEST: $64,640[9]*** | | | ***TOTAL AWARD: $29,015.00*** |

*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. Intervenor's 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.

**Travel and Reasonable Claim preparation time are typically compensated at ½ of preparer's normal hourly rate

### *C.* Attachments Documenting Specific Claim and Comments on Part III:[10]

| Attachment or Comment # | Description/Comment |
|---|---|
| Attachment 1 | Certificate of Service |
| Attachment 2 | Allocation of effort by issue, list of pleadings |
| Attachment 3 | Breakdown of hourly efforts by issue category |
| Comment 1 | The Commission has adopted a 4.07 percent adjustment for rates in the Market Rate Study for converting the 2023 to 2024 values. This value can be found on the Escalation tab of the Hourly Rate Chart spreadsheet on the Commission's web site. We apply the 4.07 percent escalator to the approved 2023 hourly rate for Dr. Morris, which is $485/hr (D.24-04-036), and round to the nearest 5 percent for 2024 per established Commission practice to produce a rate of $505/hr. |

### D. CPUC Comments, Disallowances, and Adjustments

On September 16, 2025, a ruling was issued requesting GPI to submit additional information for various claims because the Commission had identified several issues within the claims, including: omission of required information, unclear or inconsistent details, invoices that did not align with submitted timesheets or hours claimed, invoices that included work unrelated to the claim at issue, making it difficult to determine which rates / hours apply to the specific claim,

[6] GPI's submitted timesheets showed 16.00 hours for Morris' work preparing this Intervenor Compensation claim.

[7] Morris' correct total Intervenor Compensation Claim Preparation is $3,4282.50.

[8] GPI's correct total Intervenor Compensation Claim Preparation is $3,4282.50.

[9] GPI's correct total request is $64,639.00.

[10] Attachments are not included in the final decision.

invoices billed to other entities that did not identify GPI or the consultant, and other inconsistencies that hindered the Commission's ability to evaluate and resolve the claims.

GPI was provided with an opportunity to submit supplemental information, including resumes for all individuals for whom compensation is sought, invoices reflecting the actual billed rates for each consultant (broken down by claim), and consultant agreements for those retained on a contingency basis, where payment of consulting fees is deferred and contingent upon the receipt of an IComp award.

GPI filed its response for supplement information for this proceeding on October 27, 2025. In its response, GPI confirmed the following:

1. GPI is a program of the Pacific Institute and is not a separate or independent entity and does not conduct business outside of or apart from the Pacific Institute.
2. GPI is a registered fictitious business name of the Pacific Institute and is the renewable energy program of the Pacific Institute.[11] (However, the Commission notes that this fictious business name expired in 2018).
3. Gregg Morris' agreement with the Pacific Institute is that when intervenor compensation payments are made to GPI, the Pacific Institute retains their overhead charge and pays the rest to Morris via Future Resources Associates, his dba company.
4. The remaining award is used to pay the carrying costs of participation in Commission proceedings, the cost of the risk that not all hours in a given claim will be approved for payment, and the salary of Morris.
5. GPI states that Morris works entirely on a contingency basis and does not issue monthly invoices.

We make the following adjustments below based on the information at hand and an assessment of GPI's contribution to the decision.

| Item | Reason |
|---|---|
| [1] Morris' 2024 and 2025 Hourly Rates | Although GPI continues to identify Morris as an employee of GPI, serving as its director, supplemental information provides conflicting information and confirms that Morris is dba Future Resources Associates, working on a contingency basis for the Pacific Institute, meaning that Morris has agreed to defer his consulting fee contingent upon receipt of this intervenor compensation award.<br><br>Given this contingency, we utilize the reasonable rates established by Resolution ALJ-393 based on Morris' experience as an Advocate - Executive Director - Level V. |

[11] Public records found at Alameda County Clerk Recorder Office's reflect that fictious business name Green Power Institute, was active from 6/11/2013 to 6/11/2018 and is currently expired.

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| | Given Morris' experience, we approve an hourly rate of $475 for 2024, and $485.00 for 2025. We apply one-half of Morris' adopted 2025 rate of $485.00 for an Intervenor Compensation Claim Preparation rate of $242.50. |
| [2] Failure to Substantially Contribute to the Decision-Making Process | 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." The courts have addressed the requirement of substantial contribution in, for example, TURN v. CPUC 166 Cal.App. 4th 522 (2008), stating at 11:<br><br>"[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…."<br><br>In evaluating whether GPI made a substantial contribution here, 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.<br><br>GPI claims 52.50 hours for their work on the following documents:<br><br>• "Response of the Green Power Institute to the Application of PG&E" (Response) - 18.00 hours<br>• "Direct Testimony of the Green Power Institute on the Application of PG&E" (Direct Testimony) - 18.50 hours<br>• "Rebuttal Testimony of the Green Power Institute on the Application of PG&E" (Rebuttal Testimony) - 16.00 hours<br><br>GPI fails to provide justification as to how these efforts substantially contributed to the decision-making process. The first mention of GPI's Direct or Rebuttal testimonies comes in Part II.A.1, where they lump it together with their briefs in a direct quote from their Comments on the PD. GPI's only other mention of these filings come in Part III.A.b where they state they "made Significant Contributions to Decision D.24-12-033 by a providing a response to the Application, detailed Testimonies and Briefs, participated in Hearings and Oral Argument, and provided comments on the PD." GPI merely references back to its own comments which does not establish that those comments were considered, adopted, or relied upon, either in whole or in part. The decision does not acknowledge that those comments were considered, adopted, or relied upon, either in whole or in part. |

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| | Because GPI's efforts were not sufficiently contributory, we reduce 52.50 hours for the reasons explained, as it appropriately acknowledges the value of GPI's contributions. |
| [3] Excessiveness | The length of a document does not always indicate its depth, substance, and impact. The reductions made here are not based on the length of the document, but due to inefficiencies and the excessive time spent producing or reviewing it. Accordingly, we reduce 12.00 hours Morris' work for being excessive for the reasons stated below.<br><br><u>Scoping Memo (1.50 hours reduced)</u><br>GPI claimed 2.00 hours for Morris' work on July 16, 2024, with a timesheet description of "Review scoping memo and ruling, related docs." We find this excessive given Morris' extensive experience work as an intervenor at the Commission compared with of the length of the Scoping Memo. The Commission also cannot determine the reasonableness of GPI's request for the second half of this timesheet entry based on the vague nature of what the "related docs" Morris was reviewing. We therefore find that is reasonable to award GPI 0.50 hours for Morris' time reviewing the Scoping Memo and reduce the remaining 1.50 hours GPI claimed.<br><br><u>Reply Brief (6.50 hours reduced)</u><br>GPI claimed 17.00 hours for Morris' work on their "Reply Brief of the Green Power Institute on the Application of PG&E" (Reply Brief). This work included reviewing other parties' opening briefs and the PG&E Application and drafting GPI's Reply Brief. We find the 17.00 hours GPI claimed to be excessive for the five and one-quarter pages of substantive work product produced. The length of a document does not always indicate its depth, substance, and impact. The reductions made here are not based on the length of the document, but due to inefficiencies and the excessive time spent producing it. Accordingly, we reduce 6.50 hours from Morris' claimed time.<br><br><u>Opening Comments on the Proposed Decision (4.00 hours reduced)</u><br>GPI claimed 9.00 hours for Morris' work on their "Comments of the Green Power Institute on the Proposed Decision of ALJ Atamturk" (Opening Comments on the PD). This work included reviewing the PD and drafting the Opening Comments on the PD. We find the 9.00 hours GPI claimed to be excessive for the two and one-half pages of substantive work product produced. The length of a document does not always indicate its depth, substance, and impact. The reductions made here are not based on the length of the document, but due to inefficiencies and the excessive time spent producing it. Accordingly, we reduce 4.00 hours from Morris' claimed time. |
| [4] Intervenor Compensation Claim Preparation Reduction | GPI submitted timesheets show 16.00 hours of work for preparing this request for intervenor compensation. This amounts to two eight-hour days of work. However, GPI failed to comply with program guidelines as noted in Part III.A.c, the majority of GPI's claimed contributions in Part II.A were copied and pasted from D.24-12-033 and their pleadings, there are basic math errors in Part III.B, |

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| | and the number of hours GPI claimed to prepare this request in Part III.B does not match the number of hours submitted in their timesheet. Additionally, we note that there were several issues with the claim, including omission of required information, unclear or inconsistent details, and other inconsistencies that hindered the Commission's ability to evaluate and resolve the claim.<br><br>Morris is an experienced intervenor and we find the 16.00 hours claimed to prepare this request for compensation to be excessive. We therefore find it reasonable to reduce Morris' Intervenor Compensation Preparation time by 50%, or 8.00 hours, and award Morris' remaining 8.00 hours claimed. |
| [5] Intervenor Responsibility for Transparency and Accuracy in Compensation Requests | 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.<br><br>Intervenor compensation is funded by ratepayers, and the Commission takes seriously any effort to mislead or obscure the financial basis for a claim. 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 denial of compensation but may also subject the intervenor to penalties.<br><br>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. |

## 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))**

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| **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 |

If not:

| Party | Comment | CPUC Discussion |
|---|---|---|
| | | |
| | | |

## FINDINGS OF FACT

1. Green Power Institute has made a substantial contribution in some aspects to D.24-12-033.

2. The requested hourly rates for Green Power Institute'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 $29,015.00.

## CONCLUSION OF LAW

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

## ORDER

1. Green Power Institute is awarded $29,015.00.

2. Within 30 days of the effective date of this decision, Pacific Gas and Electric Company shall pay Green Power Institute 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 April 16, 2025, the 75$^{th}$ day after the filing of Green Power Institute's request, and continuing until full payment is made.

3. The comment period for today's decision is not waived.

4. Application 24-03-018 is closed.

This decision is effective today.

Dated _____________, at San Francisco, California.

## APPENDIX

## Compensation Decision Summary Information

| Compensation Decision: | | Modifies Decision? | No |
|---|---|---|---|
| Contribution Decision(s): | D2412033 | | |
| 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 |
|---|---|---|---|---|---|
| Green Power Institute | Jan. 31, 2025 | $64,640 | $29,015.00 | 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 |
|---|---|---|---|---|---|
| Gregg | Morris | Consultant/ Expert[12] | 505 | 2024 | $475.00 |
| Gregg[13] | Morris | Consultant/ Expert[14] | 505 | 2025 | $485.00 |

**(END OF APPENDIX)**

[12] Morris is a consultant that is classified as an Advocate – Executive Director – Level V as described in Part III.D, Item [1].

[13] The Commission added the row for Morris' 2025 hourly fee information.

[14] Morris is a consultant that is classified as an Advocate – Executive Director – Level V as described in Part III.D, Item [1].