STATE OF CALIFORNIA GAVIN NEWSOM, *Governor*

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

FILED
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August 26, 2026

Agenda ID #24476
Quasi-legislative

TO PARTIES OF RECORD IN RULEMAKING 18-12-005:

This is the proposed decision of Commissioner John Reynolds. 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 October 8, 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:nd3
Attachment

Decision **PROPOSED DECISION OF COMMISSIONER JOHN REYNOLDS**
(Mailed 8/26/2026)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Examine Electric Utility De-Energization of Power Lines in Dangerous Conditions.	Rulemaking 18-12-005

DECISION GRANTING COMPENSATION TO SMALL BUSINESS UTILITY ADVOCATES FOR SUBSTANTIAL CONTRIBUTION TO DECISION 24-12-005 AND DENYING COMPENSATION FOR RESOLUTION WSEB-1 AND OTHER MATTERS

Intervenor: Small Business Utility Advocates	**For contribution to: Decision (D.) 24-12-005 and Wildfire Safety and Enforcement Branch Resolution WSEB-1**
Claimed: $51,367.00[8]	**Awarded:** $8,780.00
Assigned Commissioner: John Reynolds[1]	**Assigned ALJs:** Regina DeAngelis and Valerie Kao

PART I: PROCEDURAL ISSUES

A. Brief description of Decision:	D.24-12-005 resolved matters pending in the docket, established procedures for ongoing reporting, and closed the proceeding. Wildfire Safety and Enforcement Branch Resolution-1 (Resolution WSEB-1) adopted September 21, 2023, established a citation program

[1]R.18-12-005 was reassigned from former Commissioner, President Alice Reynolds, to President John Reynolds as of May 19, 2026.

	addressing investor-owned utility (IOU) compliance with requirements for de-energization events.

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:	February 19, 2019	Verified
2. Other specified date for NOI:	N/A	
3. Date NOI filed:	March 21, 2019	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.18-11-005	Verified
6. Date of ALJ ruling:	June 24, 2019	Verified
7. Based on another CPUC determination (specify):		
8. Has the Intervenor demonstrated customer status or eligible government entity status?		Yes, see Part I.C.1., below, for discussion on this topic.
Showing of "significant financial hardship" (§ 1802(h) or § 1803.1(b)):		
9. Based on ALJ ruling issued in proceeding number:	A.18-11-005	Verified
10. Date of ALJ ruling:	June 24, 2019	Verified
11. Based on another CPUC determination (specify):	*See also* comment below.	Noted
12. Has the Intervenor demonstrated significant financial hardship?		Yes, see Part I.C.1., below, for discussion on this topic.

[2] All statutory references are to Public Utilities Code (Pub. Util. Code) unless indicated otherwise.

	Intervenor	CPUC Verification
Timely request for compensation (§ 1804(c)):		
13. Identify Final Decision:	D.24-12-005 for which the application for rehearing was by D.25-04-019 denied.	Noted. However, SBUA did not provide relevant dates for Resolution WSEB-1.
14. Date of issuance of Final Order or Decision:	April 4, 2025	Verified. However, SBUA did not provide relevant dates for Resolution WSEB-1. The date of issuance of the final order regarding Resolution WSEB-1 is September 22, 2023.
15. File date of compensation request:	June 3, 2025	Verified
16. Was the request for compensation timely?		Timeliness of SBUA request verified for D.25-12-005 (rehearing denied in D.25-04-019). Timeliness not verified for Resolution WSEB-1. SBUA's Request does not address the timeliness of Resolution WSEB-1. Resolution WSEB-1 was issued on September 22, 2023 and this request for intervenor compensation was filed on June 3, 2025. Therefore, SBUA's request for compensation regarding Resolution WSEB-1

	Intervenor	CPUC Verification
		is not timely under Section 1804(c).

C. Additional Comments on Part I:

#	Intervenor's Comment(s)	CPUC Discussion
8,12	SBUA also received a ruling on its customer status and showing of significant financial hardship more recently, last year, in A.23-10-001 on June 3, 2024.	SBUA relied upon the Commission's prior ruling dated June 24, 2019 in A.18-11-005, which created a rebuttable presumption of eligibility in this proceeding. SBUA also relied upon a ruling dated June 3, 2024 in A.23-10-001. In reviewing documents related to customer status, SBUA's outside attorneys and consultants sometimes identify themselves as part of SBUA and at other times as working for outside companies, such as E&E Law. When signing pleading, filing documents, or otherwise representing themselves before the Commission, SBUA's outside attorneys and consultants, including those with E&E Law, shall identify themselves as associated with a consulting company or otherwise and are representing SBUA in the proceeding in the capacity as an outside consultant/attorney. This practice is consistent with other participants in Commission proceedings.
13	Rule 17.3 permits an intervenor to request compensation within 60 days of an order denying a rehearing on "an issue" on which the intervenor believes it made a substantial contribution. *See, e.g.*, D.24-04-033, Apr. 6, 2023, at 3-4. On April 3, 2025, the Commission issued D.25-04-019, which denied the Application for Rehearing (AFR) filed by the Center for Accessible Technology (CforAT) regarding the Commission's final decision in this proceeding,	SBUA's request was timely under Rule 17.3 related to D.24-12-005 but not Resolution WSEB-1.

#	Intervenor's Comment(s)	CPUC Discussion
	D.24-12-005. SBUA supported several of the key positions raised in CforAT's AFR. For example, both parties urged the Commission not to close the docket without designating a meaningful venue for stakeholder engagement with ongoing utility compliance filings. *See, e.g.,* Center for Accessible Technology's Application for Rehearing of D.24-12-005, Jan. 8, 2025, at 11-15 (concerns over stakeholder input and ongoing reports without an open proceeding); Small Business Utility Advocates' Reply Comments on the Proposed Decision Resolving Miscellaneous Matters and Closing Proceeding, Nov. 25, 2024 (SBUA Reply Comments on PD) at 2 (CforAT raised the same concern as SBUA about opportunities for stakeholders to continue to engage with the ongoing reports on a closed proceeding). Had the Commission granted CforAT's request for rehearing, the outcome would have significantly altered the treatment of several issues to which SBUA contributed, particularly continued stakeholder participation and the operational execution of PSPS events. Accordingly, SBUA's request is timely and warranted under Rule 17.3.	

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
1. Ensure Continued Procedures for Intervenor Review and Participation SBUA explained in opening and reply comments on the Proposed Decision that, in the event that the proceeding is closed, means must be provided to continue to enable public comments on IOU public safety power shutoff (PSPS) reports. Small Business Utility Advocates' Opening Comments on the Decision Resolving Miscellaneous Matters and Closing Proceeding, Nov. 20, 2024 (SBUA Opening Comments on PD) at 1-2; SBUA Reply Comments on PD at 1-2. "At a minimum, the Proposed Decision should be revised to address the logistics how party status, filings and comments will be managed." SBUA Opening Comments on PD at 2. In opening comments on the Proposed Decision, SBUA also criticized the delegation of authority to staff to terminate filing requirements. *Id*. at 2-3. SBUA recommended: "The Proposed Decision should be revised to eliminate this delegation or clarify that upon staff initiating termination of any of the reports required by	In response to comments by SBUA and other parties, the Proposed Decision was revised to "Confirm that parties may continue to file comments to the IOUs' compliance filings (including PSPS post-event reports and annual pre-season and post-season reports), as provided by D.19-05-042, D.21-06-014 and D.21-06-034, in this proceeding after it is closed." D.24-12-005 at 19-20; *see also id.* at 21. The Decision cites to SBUA's opening comments and the primary source for the addition to the Proposed Decision to: "Confirm that any process for terminating any of the filing requirements ordered in this proceeding will include notice and an opportunity to comment on the proposed termination of the filing requirement." *Id.* at 20.	Noted

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
Resolution ESRB-8 or any of the relevant decisions, the Commission would provide opportunity for notice and comment prior to issuing a proposed ruling and final ruling." *Id*. at 3.		
2. Robust Citation Program for Enforcing PSPS Reporting Requirements SBUA submitted opening comments on draft Resolution WSEB-1 to the Executive Director. SBUA noted its long-standing experience in the proceeding and the special vulnerability of small business to economic harms from PSPS events. SBUA observed that IOUs have failed to comply with the Post-Event Report Template and existing Commission decisions and resolutions by neglecting to include in PSPS post-event reports a "detailed description of the quantitative and qualitative factors it considered" to conclude that fire ignition risk outweighed de-energization risk to the public and "identif[ied] and quantif[ied] customer, resident, and the general public risks and harms from de-energization[.]" Comments of Small Business Utility Advocates on Resolution WSEB-1, Aug. 29, 2023, at 2, attached hereto as <u>Attachment 4</u>.	WSEB-1 summarized and discussed SBUA's comments. WSEB-1 at 17. While the Commission declined to revise the resolution in response to SBUA comments, it stated: "We recognize and respect the importance of Staff ensuring the thoroughness of mandatory reporting, but we need not clarify the necessary diligence associated with every Staff function in implementing the citation program." *Id.* SBUA's comments and the Commission's discussion of them reinforce the Commission's rejection of Pacific Gas & Electric Co. and Southern California Edison Co.'s contentions that the citation program should not generally issue fines or penalties for "administrative violations imposing no immediate health or safety risk [,]" concluding "[t]he citation program need not distinguish between administrative and safety related violations." *Id*. at 15. The Commission has held that providing a unique perspective, as is the case here, can constitute a substantial contribution by intervenors. *See* D.08-04-004 at 5-6.	SBUA's request for compensation regarding Resolution WSEB-1 (PSPS Citation Program) is untimely under Section 1804(c).

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
SBUA pointed out that IOUs also have not meaningfully identified and discussed lessons learned from PSPS events. *Id*. SBUA recommended that the resolution be revised to clarify that staff will "ensure that post-event reports reflect the seriousness and quality of analysis befitting the circumstances and the capabilities of the regulated monopolies." *Id*. SBUA also requested that resolution include recognition that citations may also be issued on the basis of complaints from the public and that citations or notices of citation be served on the R.18-12-005 service list. *Id*. at 3.		
3. Other Activity Related to PSPS Compliance SBUA provided comments on SCE's October 14, 2021 post-PSPS event report. SBUA also provided comments on PG&E's reports issued on October 16, 2021 post-PSPS event report. Both comments are attached hereto as <u>Attachment 5</u>. SBUA also submitted data requests on October 21, 2021 to evaluate PG&E's new PSPS risk-balancing methodology used in 2021 post-event reports. In addition, SBUA continued to participate in workshops, offering comments during those	The filing of comments on PSPS post-event reports serves a critical oversight function and helps build a record to support the Safety and Enforcement Division's (SED) compliance review, as directed in the Phase 3 Decision. D.21-06-034 at 24-25. SBUA's comments on PSPS event reports, along with those of other parties, formed the foundation of the SED Report that became central to Investigation 19-11-013. The Commission has previously recognized the value of such participation by awarding intervenor compensation to SBUA and others for their contributions through post-event report comments. *See, e.g.,* D.21-08-017 at 9, 12;	Regarding SBUA's work related to post-PSPS event reporting and PSPS generally, SBUA did not establish a substantial contribution. *See* Part III.D CPUC Comments, Disallowances and Adjustments [1].

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
sessions, and analyzed utility compliance filings, progress reports, PSPS event reports, and the implementation of Commission guidelines. SBUA, for example, attended the Commission's Fast Trip workshop in response to the Assigned Commissioner's February 23, 2023 Ruling, which acknowledged the need for further examination of the large IOUs' fast trip programs, Fast Curve Settings (FCS), and their impacts on public safety.	D.22-09-022 at 15; D.24-03-031 at 8.[3] The previous Phase 3 decision in this proceeding directed that "[i]n the next phase of this proceeding, the Commission will develop a compendium of the Commission's guidelines and rules regarding PSPS events and address other related matters, as needed." D.21-06-034 at 2. As explained in the final decision, the scope of the proceeding remained broad and open ended, with several parties making proposals for how the Commission should proceed. *See* D.24-12-005 at 5, 7. Consequently, SBUA attended workshops and hearings, continuing to engage in the proceeding with the expectation that this participation would be necessary for effective contribution to the Commission's further PSPS policymaking, which SBUA has been involved in since the opening of the proceeding in 2018. SBUA could not have anticipated in 2022 and 2023 that the proceeding would be closed in 2024 without broader policy changes or Commission action on some of those workshops and hearings. SBUA submits that its focused, continued attendance at presentations and hearings constitutes "reasonable costs of preparation" within the meaning of Public Utilities Code section 1803	

[3] Related to PSPS compliance, in D.24-03-031 (awarding compensation to SBUA for its contributions to the Phase 3 in R.18-12-005 and part of the proceeding that addressed the Order to Show Cause decisions), the Commission disallowed hours on work incurred after issuance of the underlying decisions. D.24-03-031 at 19-20. SBUA submits that it is timely to claim those previously disallowed hours here.

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
	and that compensating this participation in connection with the substantial contributions described in this request fulfills the statutory purpose that the intervenor program "be administered in a manner that encourages the effective and efficient participation of all groups that have a stake in the public utility regulation process." Pub. Util. Code § 1801.3(b).	

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: Center for Accessible Technology, Joint Local Governments, and Rural County Representatives.		Noted
d. Intervenor's claim of non-duplication: PSPS management is an enormous problem effecting all customer classes; it is reasonable for SBUA to continue to participate to ensure that the needs of small business customers are met. On several issues, SBUA took unique positions, which in some cases were later supported by other parties in their reply comments. In other instances, SBUA complimented other parties' positions by providing a customer perspective.		Noted

PART III: REASONABLENESS OF REQUESTED COMPENSATION

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

	CPUC Discussion
a. Intervenor's claim of cost reasonableness: SBUA seeks compensation for contributing to the final decision and WSEB-1 by actively participating in this proceeding by attending the prehearing conference on January 28, 2022, reviewing compliance filings, commenting on post-PSPS events, attending workshops, attending utility safety update hearings and pre-season briefings, filing opening comments on WSEB-1 on August 29, 2023 and filing opening comments on the proposed decision on November 20, 2024 and reply comments on the proposed decision on November 25, 2024. SBUA's involvement significantly improved the record and outcome of the proceeding by, among other contributions identified in the decision and WSEB-1 as described in Part II above, reinforcing the importance enforcing reporting compliance, clarifying continued opportunity of parties to file comments on IOU PSPS-related filings even after closing of the proceeding and that termination of reporting requirements will only occur with notice and comment. SBUA's participation was focused, and this compensation request seeks an award of $51,367.00 for approximately 74.05 hours, not including compensation-related time. This amount is reasonable given the importance of the issues addressed in this proceeding and the sustained effort required to remain engaged. SBUA's continued involvement ensured that the concerns of an underrepresented class of ratepayers, small businesses, were meaningfully represented in the proceeding and the Commission's deliberations. Accordingly, the Commission should find that SBUA's efforts added value to this rulemaking and approve this request for compensation.	The Commission does not address SBUA's participation regarding Resolution WSEB-1 because its request for compensation was not filed on a timely basis under Section 1804(c).
b. Reasonableness of hours claimed: SBUA relied on an experienced team of two attorneys and one expert to support its advocacy related to this claim. More than three years elapsed between the Commission's last substantive decision in this docket for which SBUA sought compensation, D.21-06-034,	After the adjustments made to this claim, the remainder of the claimed hours are reasonable. *See* Part III.D CPUC

	CPUC Discussion
issued in June 2021, and the issuance of D.24-12-005 in December 2024. During that time, SBUA streamlined its involvement but remained engaged through workshops, compliance reviews, and review of IOU filings in anticipation of further Commission action, dedicating a reasonable number of hours to maintain its participation in the proceeding. Mid/senior-level attorney Ariel Strauss, who has represented SBUA in multiple de-energization-related proceedings, was responsible for the majority of legal drafting and attending Fast Trip related hearings and workshops. SBUA's General Counsel, James Birkelund, provided high-level strategic direction, leveraging his expertise to refine SBUA's litigation positions while managing work efforts. As part of this role, Mr. Birkelund analyzed utility compliance filings, post-event reports, and other regulatory materials to assess where and how SBUA would engage. Both attorneys served on a contingency basis through E&E Law Corp. (E&E Law) at prevailing market rates. *See* Attachment 6 (attorney-client agreement, filed under seal). The Commission has previously approved this outside counsel arrangement. *See, e.g.,* D.25-05-023; D.25-05-021; D.25-03-029; D.25-04-012; and D.25-02-025. SBUA's expert, Ted Howard, an in-house energy policy specialist with over 30 years of experience, dedicated a more limited number of hours to support SBUA's participation in a PSPS-focused webinar and strategy development related to PSPS issues. SBUA submits that it made significant contributions during the final stages of this proceeding, and all of the hours claimed were reasonably expended and appropriate given the level of effort required to continue participating until D.24-12-005 closed the proceeding.	Comments, Disallowances, and Adjustments.
c. Allocation of hours by issue: SBUA has assigned the following issue codes: 1. Ensure Continued Procedures for Intervenor Review and Participation (8.95 hours; 12.1%) 2. Robust Citation Program for Enforcing PSPS Reporting Requirements (4.85 hours; 6.5%)	Noted

	CPUC Discussion
3. Other Activity Related to PSPS Compliance (44.25 hours; 59.8%) 4. Hearings, Workshops, Webinars (13.05 hours; 17.6%) 5. General Participation (2.95 hours; 4.0%)	

B. Specific Claim:*

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	**Year**	**Hours**	**Rate $**	**Basis for Rate***	**Total $**	**Hours**	**Rate $**	**Total $**
Ariel Strauss	2021	9.2	$450.00	D.23-02-016	$4,140.00	0.00 [1]	$450.00 [4]	$0.00
Ariel Strauss	2022	1.8	$465.00	D.23-11-118	$837.00	1.30 [1]	$465.00 [4]	$604.50
Ariel Strauss	2023	9.1	$510.00	D.24-08-056	$4,641.00	0.00 [1, 2]	$510.00 [4]	$0.00
Ariel Strauss	2024	4.7	$530.00	D.25-03-021	$2,491.00	4.50 [1]	$530.00 [4]	$2,385.00
Ted Howard	2023	4.55	$460.00	D.24-03-070	$2,093.00	0.00 [1]	$460.00	$0.00
James Birkelund	2021	3.6	$650.00	D.22-08-046	$2,340.00	0.00 [1]	$650.00 [5]	$0.00
James Birkelund	2022	17.85[4]	$705.00	D.23-02-016	$12,584.25	1.60 [1]	$705.00 [5]	$1,128.00
James Birkelund	2023	19.75[4]	$770.00	D.24-08-056	$15,207.50	1.25 [1, 2]	$770.00 [5]	$962.50

[4] This is corrected here. Per SBUA's time records from E&E Law, Birkelund's claimed 2022 hours total 17.35. The correct 2022 total dollar amount equals $12,231.75.

This is corrected here. Per SBUA's time records from E&E Law, Birkelund's claimed 2023 hours total 19.00. The correct 2023 total dollar amount equals $14,630.00.

This is corrected here. Per SBUA's time records from E&E Law, Birkelund's claimed 2024 hours total 4.75. The correct 2024 total dollar amount equals $3,800.00.

CLAIMED						CPUC AWARD		
James Birkelund	2024	4.5[4]	$800.00	D.25-03-021	$3,600.00	3.25 [1]	$800.00 [5]	$2,600.00
					Subtotal: $47,933.75[5]			***Subtotal: $7,680.00***
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	**Year**	**Hours**	**Rate $**	**Basis for Rate***	**Total $**	**Hours**	**Rate $**	**Total $**
James Birkelund	2025	4.25	$415.00	50% of 2025 rate of $830 (2024 rate escalated by 3.46%)	$1,763.75	0.00 [3]	$415.00 [5]	$0.00
Ariel Strauss	2025	6.3	$275.00	50% of 2025 rate of $550 (2024 rate escalated by 3.46%)	$1,669.50[6]	4.00 [3]	$275.00 [4]	$1,100.00
					Subtotal: $3,433.25[7]			***Subtotal: $1,100.00***
					TOTAL REQUEST: $51,367.00[8]			***TOTAL AWARD: $8,780.00***

*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

[5] This is corrected here. Per SBUA's time records from E&E Law and information provided here in Part III.B, the subtotal request amount for Attorney, Expert, and Advocate fees equals $47,203.75.

[6] This is corrected here. Per SBUA's time records from E&E Law and information provided here in Part III.B, Strauss' total dollar amount request for Intervenor Compensation Claim Preparation equals $1,732.50.

[7] This is corrected here. Per SBUA's time records from E&E Law and information provided here in Part III.B, SBUA's correct subtotal request amount for Intervenor Compensation Claim Preparation equals $3,496.25.

[8] This is corrected here. Per SBUA's time records from E&E Law and information provided here in Part III.B, SBUA's total request amount equals $50,700.00.

CLAIMED			CPUC AWARD
ATTORNEY INFORMATION			
Attorney	**Date Admitted to CA BAR**[9]	**Member Number**	**Actions Affecting Eligibility (Yes/No?) If "Yes", attach explanation**
James M. Birkelund	March 2000	206328	No
Ariel S. Strauss	March 2012	282230	No

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

Attachment or Comment #	Description/Comment
Attachment 1	Certificate of Service (*see* attachment under separate cover)
Attachment 2	Time Sheet Records with Allocation of Hours by Issue (from E&E Law)
Attachment 3	Wildfire Safety and Enforcement Branch Resolution WSEB-1
Attachment 4	Comments of SBUA on Resolution WSEB-1
Attachment 5	SBUA Comments on Post-PSPS Event Reports (SBUA filed comments on SCE's October 14, 2021 post-PSPS event report and PG&E's reports issued on October 16, 2021 post-PSPS event report)
Attachments 6	Attorney-Client Agreement between SBUA and E&E Law (filed under seal)

D. CPUC Comments, Disallowances, and Adjustments

Item	Reason
[1] Reduction as SBUA only establishes "substantial contribution," in part.	Pub. Util. Code § 1802(j) provides that substantial contribution means the intervenor "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 addressed the requirement of substantial contribution in, for example, TURN v. CPUC 166 Cal.App. 4th 522 (2008), stating at 11: "[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

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

[10] SBUA's attachments are not included in the final decision.

Item	Reason
	that, in the judgment of the commission, the customer's presentation has substantially assisted the commission in the making of its order or decision…." Based on an analysis of the hours/timesheet entries claimed for work on D.24-12-005, the Commission finds SBUA made a substantial contribution to D.24-12-005. The Commission finds substantial contribution regarding the work/hours claimed related to SBUA's opening and reply comments on D.24-12-005 about the issues of keeping the proceeding open to maintain opportunities for stakeholder comments on the topic of PSPS and opposing the delegation of certain authority to staff to terminate the described utility filing requirements. In these respects, SBUA's participation assisted in the making of the decisions adopted in D.24-12-005. For this reason, the Commission finds that SBUA provided substantial contribution for the hours claimed related to those issues, as follows: "Ensure Continued Procedures for Intervenor Review and Participation (8.95 hours; 12.1%)" and "General Participation (2.95 hours; 4.0%)." The Commission finds SBUA did not establish substantial contribution regarding work/hours claimed related to PSPS topics more generally. SBUA claims compensation for submitting comments on SCE's and PG&E's post-event reports (comments on SCE's October 14, 2021 post-PSPS event report and PG&E's reports issued on October 16, 2021. See, SBUA's Claim at Attachment 5.), the October 21, 2021 data request to PG&E, and participating in workshops and hearings. The Commission finds SBUA's comments substantively vague, consisting of a few pages each with little to no analysis. The Commission does not have access to the data request and SBUA did not provide this document to substantiate this Claim. Moreover, in the context of the proceeding, SBUA's two short substantively vague comments on the utilities' post-event reports reflected a low level of substantive participation that in this context does not constitute substantial contribution. SBUA states these hours reflect substantial contribution to the proceeding because SBUA expected the Commission to continue to address more issues, including broader policy changes, rather than close the proceeding in D.24-12-005. According to SBUA, this assumption was reasonable based on a sentence in the *Summary Section* of D.24-12-005, stating: "In the next phase of this proceeding, the Commission will develop a compendium of the Commission's guidelines and rules regarding PSPS events and address other related

Item	Reason
	matters, as needed." SBUA provides no further rationale for finding substantial contribution for this general PSPS work. The Commission does not find SBUA's argument in support of finding substantial contribution under Section 1801 *et seq*. for its general PSPS work persuasive. SBUA's position seeks to expand the well-established test for substantial contribution to include "reasonable assumptions" regarding maintaining proceedings open so that billed hours can be viewed favorably. The Commission does not award compensation for mere participation or preparation in a proceeding, regardless of expectations or assumptions, without a finding that the intervenor substantially assisted the Commission in the making of its order or decision. For the reasons set forth above, the hours related to post-event reports, the data requests, and general meetings do not provide substantial contribution and are denied. The Commission finds that the hours that SBUA claims pertaining to general PSPS work, as follows: "Other Activity Related to PSPS Compliance (44.25 hours; 59.8%)" and "Hearings, Workshops, Webinars (13.05 hours; 17.6%)." SBUA's Claim is reduced accordingly.
[2] Claim for intervenor compensation regarding Resolution WSEB-1 not timely under Section 1804(c)	Section 1804(c) sets forth the timeline for filing a timely request for intervenor compensation: "Following issuance of a final order or decision by the commission in the hearing or proceeding, a customer who, or eligible local government entity that, has been found, pursuant to subdivision (b), to be eligible for an award of compensation may file within 60 days a request for an award." The Commission recently applied this statutory provision in D.25-06-035, a rehearing decision, to confirm the denial of intervenor compensation based on failure to file a timely request in accordance with Section 1804(c). The Commission issued Resolution WSEB-1 on September 22, 2023. SBUA filed this request for intervenor compensation on June 3, 2025, a filing date beyond the 60-day statutory timeline set forth in Section 1804(c). Therefore, based on the absence of timeliness, no compensation is awarded to SBUA regarding Resolution WSEB-1. SBUA's hours related to this Resolution under "Robust Citation Program for Enforcing PSPS Reporting Requirements (4.85 hours; 6.5%)," are denied and the request is reduced accordingly.
[3] Reduction to Work on Claim for	The Commission awards intervenor compensation to intervenors for reasonable and efficient participation that contributes to the

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Intervenor Compensation – Inefficiency in Preparing the SBUA's Claim	development of the record and aids in decision-making. Two of SBUA's consultants at E&E Law recorded hours/costs for preparing SBUA's intervenor compensation claim. A review of E&E Law's time entries for preparation of this intervenor compensation claim reflects inefficiency. Together, consultants Strauss and Birkelund spent approximately 10 hours to prepare SBUA's intervenor compensation claim and NOI, with consultant Strauss recording 6.3 hours and consultant Birkelund recording 4.25 hours to edit the work of consultant Strauss. The Commission reduces these hours for the following reasons. Consultant Strauss has prepared numerous intervenor compensation claims over the years. Regarding this claim, the majority of the substantive portion of the claim involved the same text that was copied/pasted several times to complete the claim. Based on the copy/paste format of this intervenor compensation claim, it is reasonable to reduce the 6.3 hours of consultant Strauss that SBUA requests, at approximately $275 per hour, to 4 hours. SBUA requests compensation for a second consultant from E&E Law, Birkelund, for 4.25 hours to "edit" the work of consultant Strauss. SBUA requests approximately $415 per hour for consultant Birkelund's work editing the work of consultant Strauss. Having prepared numerous intervenor compensation claims and NOIs, Strauss holds a high level of expertise in preparing intervenor compensation claims. As such, it is reasonable to expect that edits to his work would be minimal or unnecessary. As such, it is reasonable to find that the 4.25 hours requested by SBUA for E&E Law consultant Birkelund to edit the intervenor compensation claim and NOI prepared by consultant Strauss reflect inefficiencies and are reduced to zero. • Strauss: 4 hours awarded (6.3 hours requested) • Birkelund: zero hours awarded (4.25 hours requested)
[4] Ariel Strauss 2021, 2022, 2023, 2024 & 2025 Hourly Rates	SBUA confirms that Strauss is a consultant. Pursuant to the Commission's 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

Item	Reason
	experience level.[11] Per the Intervenor Compensation 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.[12] SBUA has confirmed that per the terms of their contract, Strauss has been hired on a contingency rate basis, which in this context means that Strauss agrees to defer any consulting fee contingent upon receipt of this Intervenor Compensation award. Given this contingency arrangement, the Commission utilizes the rates established by Resolution ALJ-393 based on Strauss' experience. Given the 2021 Attorney - III rate range is $309.76 to $519.48 with a median of $413.88, we find the 2021 hourly rate of $450.00 to be reasonable and we apply it here. Given the 2022 Attorney - III rate range is $323.46 to $533.18 with a median of $427.58, we find the 2022 hourly rate of $465.00 to be reasonable and we apply it here. Given the 2023 Attorney - III rate range is $342.53 to $552.25 with a median of $446.65, we find the 2023 hourly rate of $510.00 to be reasonable and we apply it here. Given the 2024 Attorney - III rate range is $360.71 to $570.43 with a median of $464.83, we find the 2024 hourly rate of $530.00 to be reasonable and we apply it here. Given the 2025 Attorney - III rate range is $376.79 to $586.51 with a median of $480.91, we find the 2025 hourly rate of $550.00 to be reasonable and we apply it here. We take one half the requested rate for a 2025 intervenor compensation claim preparation rate of $275.00 and we adopt it here. The award determined herein for Strauss's contribution shall be paid by SBUA for Strauss 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.

[11] D.07-01-009, D.08-04-010, and Resolution ALJ-235.

[12] Pub. Util. Code § 1804(d).

Item	Reason
[5] James Birkelund 2021, 2022, 2023, 2024 & 2025 Hourly Rates	SBUA confirms that Birkelund is a consultant. Pursuant to the Commission's 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 level.[13] Per the Intervenor Compensation 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.[14] SBUA confirms that per the terms of their contract, Birkelund has been hired on a contingency rate basis, which in this context means that Birkelund agrees to defer any consulting fee contingent upon receipt of this Intervenor Compensation award. Given this contingency arrangement, we utilize the rates established by Resolution ALJ-393 based on Birkelund's experience. Given the 2021 Legal Director - III rate range is \$396.85 to \$673.25 with a median of \$529.19, we find the 2021 hourly rate of \$650.00 to be reasonable and we apply it here. Given the 2022 Legal Director - IV rate range is \$489.85 to \$803.97 with a median of \$643.51, we find the 2022 hourly rate of \$705.00 to be reasonable and we apply it here. Given the 2023 Legal Director - IV rate range is \$518.55 to \$832.67 with a median of \$672.21, we find the 2023 hourly rate of \$770.00 to be reasonable and we apply it here. Given the 2024 Legal Director - IV rate range is \$545.91 to \$860.03 with a median of \$699.57, we find the 2024 hourly rate of \$800.00 to be reasonable and we apply it here. Given the 2025 Legal Director - IV rate range is \$570.12 to \$884.24 with a median of \$723.78, we find the 2025 hourly rate of \$830.00 to be reasonable and we apply it here. We take one half the requested rate for a 2025 intervenor compensation claim preparation rate of \$415.00 and we adopt it here. The award determined herein for Birkelund's contribution in this proceeding shall be paid by SBUA 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

[13] D.07-01-009, D.08-04-010, and Resolution ALJ-235.

[14] Pub. Util. Code § 1804(d).

Item	Reason
	terms between the consultant and intervenor, as they are established in accordance with the Commission's policy on consultant compensation.
[6] Intervenor Responsibility for Transparency and Accuracy in Compensation Requests	Intervenors 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. 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 denial of compensation but may also subject the intervenor to penalties. The Commission has 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))

A. Opposition: Did any party oppose the Claim?	No
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. SBUA made a substantial contribution to D.24-12-005.

2. SBUA made a substantial contribution by assisting in the making of the decisions in D.24-12-005 regarding the work/hours claimed related to SBUA's opening and reply comments to D.24-12-005 about the issues of keeping the proceeding open to maintain opportunities for stakeholder comments on the topic of PSPS and opposing the delegation of certain authority to staff to terminate the described utility filing requirements.

3. SBUA provided substantial contribution for the hours claimed related to the issues described by SBUA, as follows: "Ensure Continued Procedures for Intervenor Review and Participation (8.95 hours; 12.1%)" and "General Participation (2.95 hours; 4.0%)."

4. SBUA's work related to general PSPS issues, including comments on SCE's October 14, 2021 post-PSPS event report, comments on PG&E's post-PSPS report issued on October 16, 2021, the October 21, 2021 data request to PG&E, and participating in workshops, consisted of substantively vague participation and documents of a few pages with little to no analysis by SBUA.

5. In the context of this proceeding, SBUA's two short substantively vague comments on the utilities' post-event reports reflect a low level of substantive engagement and this does not constitute substantial contribution.

6. SBUA's work and hours claimed pertaining to general PSPS work, as follows, did not provide substantial contribution: "Other Activity Related to PSPS Compliance (44.25 hours; 59.8%)" and "Hearings, Workshops, Webinars (13.05 hours; 17.6%)."

7. Because consultant Strauss has prepared numerous intervenor compensation claims over the years and the majority of the substantive portion of this claim involved the same text copied/pasted several times to complete the claim, the amount of time Strauss spent on this claim is excessive.

8. Having prepared numerous intervenor compensation claims and NOIs, Strauss holds a high level of expertise in preparing such claims.

9. Regarding this intervenor compensation claim, SBUA requests approximately 4.25 hours for consultant Birkelund to edit the work of consultant Strauss to prepare the claim, which is excessive

10. SBUA failed to file its request for intervenor compensation according to the 60-day timeline in Section 1804(c) with respect to Resolution WSEB-1 because SBUA filed its request for compensation on June 3, 2025 and the issuance date of Resolution WSEB-1 is September 22, 2023. This work is found under "Robust Citation Program for Enforcing PSPS Reporting Requirements (4.85 hours; 6.5%)."

11. The requested hourly rates for SBUA's representatives, as adjusted herein, 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.

12. The requested costs and expenses by SBUA, as adjusted and reduced herein, are reasonable and commensurate with the work performed.

13. The total reasonable compensation is $8,780.00.

CONCLUSIONS OF LAW

1. The Claim, with the disallowances and adjustments set forth above, satisfies the requirements of Pub. Util. Code § 1801 through § 1812.

2. It is reasonable to find substantial contribution and award compensation for the hours claimed by SBUA related to the issues described by SBUA, as follows: "Ensure Continued Procedures for Intervenor Review and Participation (8.95 hours; 12.1%)" and "General Participation (2.95 hours; 4.0%)."

3. It is reasonable to disallow the hours claimed by SBUA pertaining to general PSPS work, as follows, because this work did not provide substantial contribution: "Other Activity Related to PSPS Compliance (44.25 hours; 59.8%)" and "Hearings, Workshops, Webinars (13.05 hours; 17.6%)."

4. Because SBUA failed to file its request for intervenor compensation in accordance with the 60-day timeline in Section 1804(c) with respect to Resolution WSEB-1, it is reasonable to deny compensation related to Resolution WSEB-1 under "Robust Citation Program for Enforcing PSPS Reporting Requirements (4.85 hours; 6.5%)."

5. Based on the copy/paste format of this intervenor compensation claim, it is reasonable to reduce the 6.3 requested hours for consultant Strauss to 4 hours to prepare SBUA's claim for intervenor compensation.

6. Based on the high level of expertise held by consultant Strauss, an attorney, in preparing intervenor compensation claims, it is reasonable to reduce to zero SBUA's request for approximately 4.25 hours for consultant Birkelund's to edit Strauss' work, when such edits should be minimal or unnecessary.

ORDER

1. Small Business Utility Advocates is awarded $8,780.00.

2. Within 30 days of the effective date of this decision, Pacific Gas and Electric Company, San Diego Gas & Electric Company, and Southern California Edison Company shall pay

Small Business Utility Advocates their respective shares of the award, based on their California-jurisdictional electric revenues for the 2023 calendar year, to reflect the year in which the proceeding was primarily litigated. If such data are unavailable, the most recent electric revenue data shall be used. Payment of the award shall include compound interest at the rate earned on prime, three-month non-financial commercial paper as reported in Federal Reserve Statistical Release H.15, beginning August 17, 2025, the 75th day after the filing of Small Business Utility Advocates' request, and continuing until full payment is made.

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

This decision is effective today.

Dated ____________________, at Sacramento, California.

APPENDIX

Compensation Decision Summary Information

Compensation Decision:		Modifies Decision?	No
Contribution Decision(s):	D2412005, Resolution WSEB-1		
Proceeding(s):	R1812005		
Author:	ALJ DeAngelis, ALJ Kao		
Payer(s):	Pacific Gas and Electric Company, Southern California Edison Company, San Diego Gas & Electric Company, Liberty Utilities (CalPeco Electric), Bear Valley Electric Service, a division of Golden State Water Company, and Pacific Power, a division of PacifiCorp		

Intervenor Information

Intervenor	Date Claim Filed	Amount Requested	Amount Awarded	Multiplier?	Reason Change/ Disallowance
Small Business Utility Advocates	June 3, 2025	$51,367.00[8]	$8,780.00	N/A	*See* Part III.D, CPUC Comments, Disallowances and Lack of Timeliness.

Hourly Fee Information

First Name	Last Name	Attorney, Expert, or Advocate	Hourly Fee Requested	Year Hourly Fee Requested	Hourly Fee Adopted
Ariel	Strauss	Consultant	$450	2021	$450.00
Ariel	Strauss	Consultant	$465	2022	$465.00
Ariel	Strauss	Consultant	$510	2023	$510.00
Ariel	Strauss	Consultant	$530	2024	$530.00
Ariel	Strauss	Consultant	$550	2025	$550.00
Ted	Howard	Expert	$460	2023	$460.00
James	Birkelund	Consultant	$650	2021	$650.00
James	Birkelund	Consultant	$705	2022	$705.00
James	Birkelund	Consultant	$770	2023	$770.00
James	Birkelund	Consultant	$800	2024	$800.00
James	Birkelund	Consultant	$830	2025	$830.00

(END OF APPENDIX)