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

FILED
09/03/26
02:32 PM
A2505011

September 3, 2026

Agenda ID #24502
Ratesetting

TO PARTIES OF RECORD IN APPLICATION 25-05-011 et al.:

This is the proposed decision of Administrative Law Judge Elizabeth Fox. 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: smt

Attachment

Decision **PROPOSED DECISION OF ALJ FOX** (Mailed 9/3/2026)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Pacific Gas and Electric Company for adoption of Electric Revenue Requirements and Rates Associated with its 2026 Energy Resource Recovery Account (ERRA) and Generation Non-Bypassable Charges Forecast and Greenhouse Gas Forecast Revenue Return and Reconciliation.	Application 25-05-011 (Filed May 15, 2025)
Expedited Application of Pacific Gas and Electric Company Pursuant to the Commission's Approved Energy Resource Recovery Account (ERRA) Trigger Mechanism.	Application 25-09-015 (Filed September 30, 2025)

DECISION GRANTING COMPENSATION TO SMALL BUSINESS UTILITY ADVOCATES FOR SUBSTANTIAL CONTRIBUTION TO DECISION 25-12-027

Intervenor: Small Business Utility Advocates	**For contribution to Decision** (D.) 25-12-027
Claimed: $39,231.00[1]	**Awarded:** $13,355.00
Assigned Commissioner: Matthew Baker[2]	**Assigned ALJ:** Elizabeth Fox

PART I: PROCEDURAL ISSUES

A. Brief description of Decision:	Decision (D.) 25-12-027 approved the 2026 Energy Resource Recovery Account (ERRA) and related forecasted energy costs and the 2026 electric sales forecast for Pacific Gas and Electric Company (PG&E). The decision also adopts PG&E's 2026 forecast revenue requirements for greenhouse gas and climate-related costs.

[1] SBUA's correct total request is $38.893.00 as described in the footnotes of Part III.B.

[2] Commissioner Matthew Baker was assigned to Application (A.) 25-05-011 and A.25-09-015 on March 17, 2026.

B. Intervenor must satisfy intervenor compensation requirements set forth in Pub. Util. Code §§ 1801-1812[3]:

	Intervenor	CPUC Verification
Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):		
1. Date of prehearing conference:	07/08/2025	Verified
2. Other specified date for NOI:		
3. Date NOI filed:	08/07/2025	Verified
4. Was the NOI timely filed?		Yes
Showing of eligible customer status (§ 1802(b)) or eligible local government entity status (§§ 1802(d), 1802.4):		
5. Based on ALJ ruling issued in proceeding number:	A.23-10-001	Verified
6. Date of ALJ ruling:	06/03/2024	Verified
7. Based on another CPUC determination (specify):		
8. Has the Intervenor demonstrated customer status or eligible government entity status?		Yes
Showing of "significant financial hardship" (§1802(h) or §1803.1(b)):		
9. Based on ALJ ruling issued in proceeding number:	A.23-10-001	Verified
10. Date of ALJ ruling:	06/03/2024	Verified
11. Based on another CPUC determination (specify):		
12. Has the Intervenor demonstrated significant financial hardship?		Yes
Timely request for compensation (§ 1804(c)):		
13. Identify Final Decision:	D.25-12-027	Verified
14. Date of issuance of Final Order or Decision:	12/23/2025	Verified
15. File date of compensation request:	02/23/2026	Verified
16. Was the request for compensation timely?		Yes

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

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. Accurately Forecasting New Data Center Loads SBUA reasonably and appropriately interrogated and commented on PG&E's forecasting of new data center loads, which are expected to be a major driver of utility spending, and potentially revenue. SBUA retained an expert on this topic with experience on PG&E's 2025 application and out-of-state utility commission data center policies. (*See* SBUA-01, Attachment 1.) SBUA criticized PG&E's assumed 70% conversion rate, 60% capacity utilization rate and 80% load factor based on non-comparable, external data, rather than PG&E's own historical data. (SBUA-01 at 13, 15-17; SBUA Opening Brief at 5-6; SBUA Reply Brief at 3; Opening Comments on PD at 4.) SBUA criticized PG&E as providing insufficient basis for treating data centers as an incremental load when such loads may actually be increasing rapidly; rather PG&E should remove historical data center loads from the total recorded sales used in the econometric forecast models and applying post- regression forecast adjustments. (SBUA-01 at 14; SBUA Opening Brief at 5; SBUA Opening Comments on PD at 4.) SBUA also recommended protecting customers from high peak demand through data center backup power and from the cost of infrastructure upgrades without increasing energy sales by requiring data centers to make firm purchase commitments. (SBUA-01 at 17-19;	The Decision recognized SBUA as the only party to comment on this issue for bundled customers. The Decision summarized some of SBUA's positions. (Decision at 44.) While the Decision does not direct PG&E to adopt the modeling revisions recommended by SBUA, the Commission's approval of PG&E's demand forecast is predicated on PG&E's Fall Update, which itself was revised in response to SBUA's testimony: "Upon review of PG&E's Fall Update and responses to the two data center rulings, we are persuaded that PG&E's 2026 demand forecasts are reasonable." (Id.) The Decision states "[i]n the Fall Update, PG&E revised its forecasting methodology [fn] and included data center demand in its Unmitigated Retail Sales and Unmitigated Retail Peak forecasts." (Id. at 40.) PG&E stated in its Fall Update: While a Fall Update is not standard for load modifier forecasts, new data on the data center interconnection application queue in addition to uncertainty associated with the nascent field of data center forecasting [fn] led PG&E to update the data center forecast for the 2026 load forecast. *The Fall Update also addresses some questions raised in Intervenor Testimony served September 2, 2025.*	We verify SBUA's citations are correct with the following exceptions: 1. SBUA did not file a Reply Brief. SBUA served a Reply Brief at 5:07 PM on the due date. SBUA also submitted a filing to the e-file system that was rejected for non-compliance due to its late tendering at 5:00 PM and incorrect proceeding caption. SBUA did not respond to the Docket Office's rejection of its filing, therefore the Reply Brief was not filed. 2. SBUA stated without a citation that we cannot verify that "PG&E acknowledges that SBUA did contribute to improvements in its methodology endorsed by the Decision." We find that SBUA's contributions to

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
SBUA Opening Brief at 7-8.) SBUA also propounded significant discovery on these data center issues and entered this evidence into the record. (*See*, SBUA-02 at DR01, Q10, Q18-Q19; DR02 Q6-Q19; SBUA-03 at Q1-Q11.) In data responses, PG&E stated: "PG&E has not yet formed an intention on what data center forecasting assumptions it will use for the load forecast presented in the 2027 ERRA." (SBUA-03, Q.6.) This indicates that PG&E did not intend to remedy the limitations identified by SBUA either in its Fall Update or in the 2027 application, in the absence of SBUA's participation. In response to SBUA's arguments, PG&E agreed for 2027 to discontinue using the California Energy Commission (CEC)-based application conversion factor and instead use a load forecast that includes "only those projects which have an agreement to place the data center project in service by year-end 2026." PG&E also acknowledges that this approach "avoids a number of potential problems with the use of an application factor[.]" (PG&E Opening Brief at 48.) PG&E also adjusted its methodology in the Fall Update, to include historical data rather than CEC and Silicon Valley Energy factors. SBUA was justified in expending time to analyze this issue and achieved a significant outcome. PG&E acknowledged that it would be "preferable to examine PG&E's historical list of completed data center projects and the historical list of withdrawn projects over a comparable	(PG&E Fall Update, PGE-06, Oct. 15, 2025, p. 7 (emphasis added).) The intervenor questions referenced are the issues raised by SBUA in testimony as described in the adjacent column. PG&E acknowledges that SBUA did contribute to improvements in its methodology endorsed by the Decision. The Decision also recounts SBUA's objection to CalCCA's request to memorialize or endorse its claimed agreement with PG&E and then declines to do so "given that the two parties do not appear to concur on what that agreement entails." (Decision at 65-66.)	the data center forecasting issue were limited and were not adopted in whole or in part by D.25-12-027. *See* Part III.D, Item [4].

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
timeframe" but that it does not have such information. (Fall Update at 9.) PG&E did not explain why it did not gather this information in previous years. Even though the ALJ's September 9, 2025, ruling directing PG&E to answer questions regarding data center was initiated independently of SBUA's testimony (*see* Decision at p.66), the fact that the ALJ found it necessary to require PG&E to expand its testimony in exactly the same ways that SBUA's expert previously identified PG&E's testimony as being incomplete clearly demonstrates the propriety of SBUA raising objections to these aspects of PG&E's testimony in intervenor testimony served on September 2, 2025. The statute directs that the intervenor compensation 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).) It also provides that where "participation has resulted in a substantial contribution, even if the decision adopts that customer's contention or recommendations only in part, the commission may award the customer compensation for all *reasonable* advocate's fees[.]" (Id. §1802(d) (emphasis added).) Where an intervenor timely submits testimony to remedy deficiencies in an application, it is unreasonable and discourages participation to then decline to grant compensation for all associated activities because the ALJ		

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
independently subsequently issued a ruling directing the utility to remedy deficiencies, which was not have been anticipated or relied upon to occur at the point in time when the intervenor prepared testimony. SBUA objected to California Community Choice Association's (CalCCA) request "that the Proposed Decision be modified to memorialize a data response 'confirm[ing] that PG&E and CalCCA agree data center load located in CCA service territory (and not on a site currently served by an electric service provider) will default to CCA service.'" (SBUA Reply Comments on PD at 1-2.) Such a default arrangement would deprive bundled customers of additional data center sales revenue while potentially burdening them with system upgrade costs.		
2. Improving Forecasting of COVID-19 Energy Consumption Shifts A criticized PG&E's continuing to use the same methodology from 2022 to evaluate post-COVID-19 pandemic work-from-home trends, lack of consideration of any outside studies on this dynamic or consultation with economic, real estate or other experts to validate its assumptions, with the result that PG&E may be failing to incorrectly forecasting the level of commercial activity in the residential sector. (SBUA-01 at 6-11; SBUA Opening Brief at 2-3; SBUA Reply Brief at 3; SBUA Opening Comments on PD at 3-4; SBUA-02, DR01, Q1-Q5, DR02, Q1-Q2.) SBUA appropriately investigated this issue	The Decision addresses SBUA's concerns in its discussion of post-COVID demand forecasts and ultimately finds PG&E's methodology reasonable. (Decision at 40-41.) The Commission did not adopt SBUA's recommendation that PG&E further refine its modeling approach.	We verify that SBUA's citations are correct with the exception that SBUA did not formally file a Reply Brief. We find that SBUA's contributions to the decision-making process on the post-COVID demand forecast issue were limited and were not adopted in whole or in part by in D.25-12-027. *See* Part III.D, Item [4].

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
and criticized PG&E not adopting more refined methods or taking advantage of available non-utility sector sources of data to validate its forecasting. ough the Commission declined to adopt SBUA's forecasting recommendations, SBUA's testimony and briefing required PG&E to explain and defend its methodological choices and prompted discussion in the record regarding PG&E's post-COVID modeling assumptions. Under Commission precedent, an intervenor need not prevail on every issue to make a substantial contribution. (*See* D.09-04-027 at 4.)		
3. Addressing Deficiencies in Use of the Bass Diffusion Model for Behind the Meter Solar and Fuel Cell Adoption SBUA's expert investigated PG&E's use of the Bass Diffusion Model (BDM) to inform its forecast for the adoption of behind the meter solar and fuel cells, explaining that PG&E did not provide any supporting data and that BDMs can readily generate highly variable and unsupported outcomes based on "rather arbitrary parameters." (SBUA-01 at 19-21.) Given the lack of transparency, SBUA engaged in discovery to understand how PG&E was using the BDM but without satisfactory explanation. (SBUA-02, DR01, Q.6, Q.7, DR02 Q.3-Q.5; SBUA-03, Q.12-Q.14; SBUA Opening Brief at 8; SBUA Reply Brief at 2; SBUA Opening Comments on PD at 2-3.) SBUA's investigation and commentary on this tool was	In response to SBUA's filings, the Decision states: We acknowledge SBUA's concerns about PG&E's use of the Bass Diffusion Model. Nonetheless, there is insufficient support for SBUA's assertions that the model "can result in highly arbitrary outcomes" or that it lacks transparency. Therefore, we decline to adopt SBUA's recommendation that the Commission direct PG&E to discontinue use of its Bass Diffusion Model. (Decision at 42; *see also* pp. 40-41, 64, 66.) SBUA submits that its interrogation of the BDM was reasonable and appropriate in light of the lack of transparency of the tool and potential for misapplication and that SBUA's material contributed to a more developed and benefit record for the Commission.	We verify SBUA's citations are correct with the exception that SBUA did not formally file a Reply Brief. We find that SBUA's contributions to the decision-making process on the PG&E's use of the Bass Diffusion Model were limited and were not adopted in whole or in part by in D.25-12-027. *See* Part III.D, Item [4].

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
reasonable and beneficial for a robust record.		

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?	No.	Noted
c. If so, provide name of other parties: Direct Access Customer Coalition (DACC) and CalCCA were the only other intervenors. These parties focused on different issues.		Noted
d. Intervenor's claim of non-duplication: The Decision demonstrates that other parties did not present similar positions.		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 participated in the proceeding by attending the prehearing conference, submitting opening testimony, undertaking discovery, obtaining written responses in lieu of cross examination, attempting to obtain settlement with PG&E, filing opening and reply briefs, and submitting opening and reply comments on the proposed decision. SBUA focused distinctively on new data center load forecasting, ongoing post-COVID-19 behavior shifts impacting commercial load forecasting and PG&E's use of the Bass diffusion model to inform its forecast of fuel cells and behind the meter solar adoption. SBUA's involvement significantly improved the record and outcome of the proceedings by identifying serious questions regarding post-COVID-19 energy consumption trends and PG&E's method of forecasting fuel cell and behind the meter solar adoption and contributing to PG&E updating its approach to modeling new data center loads both in the Fall Update and in PG&E's Opening Brief committing to do so in the next ERRA application.	Noted

	CPUC Discussion
Given SBUA's participation in PG&E's 2025 ERRA proceeding, SBUA was in communication with PG&E from the outset of this proceeding, aiding SBUA to conduct discovery and giving rise to the possibility of reaching settlement. SBUA reasonably explored settlement consistent with Commission policy encouraging settlement. However, ultimately, SBUA was unable to reach a settlement with PG&E. SBUA's participation was focused and the compensation request seeks an award of $39,231.00 for approximately 77.9 hours of work, excluding compensation related time. This amount is reasonable in light of the importance of correctly forecasting future loads and ensuring fair allocating of system costs across rate classes. SBUA's contribution was substantial and justified SBUA's hours on behalf of an underrepresented class of hundreds of thousands of small business ratepayers served by PG&E. For these reasons, the Commission should find that SBUA's efforts have been valuable and approve the request for fees.	
b. Reasonableness of hours claimed: SBUA relied on a strategic team of attorneys and experts for its advocacy related to this compensation request. These hourly amounts are reasonable given the highly technical demands of this proceeding and time required to participate. SBUA assigned primary responsibility for the proceeding to mid/senior-level attorney, Ariel Strauss who has represented SBUA in many energy-related proceedings and who handled review, analysis, briefing, and comments on the proposed decision. James F. Wilson of Wilson of Energy Economics led SBUA's technical analysis. A nationally recognized authority with over 35 years of utility experience, Mr. Wilson identified gaps in PG&E's analysis, drafted testimony, and advanced SBUA's positions. Mr. Wilson has been compensated in connection with A.24-05-009 (the 2025 PG&E ERRA application) and other proceedings. He performed work for this application on a deferral basis, and his invoices for services are included as Attachment #3. SBUA's General Counsel, James Birkelund, provided high-level strategic direction and critical feedback, leveraging his expertise to refine SBUA's litigation positions while managing work efforts. His oversight ensured that SBUA's involvement was focused, impactful, and aligned with the organization's mission to advocate for small business interests. Mr. Birkelund and Mr. Strauss are employed by E&E Law Corp. (E&E Law), which represents SBUA in this matter on a contingency basis at prevailing market rates. *See* Attachment #4 (Statement of Work detailing contractual terms). The Commission has previously approved this outside consultant relationship and its associated attorney-client agreement. *See, e.g.*, D.25-12-038, D.25-05-023, D.25-05-021, D.25-04-012,	After the adjustments made to this claim, the remainder of the claimed hours are reasonable. *See* Part III.D.

	CPUC Discussion
D.25-03-029, and D.25-02-025. The coordinated approach between professionals enabled SBUA to submit high quality work product while maintaining a cost-effective and efficient legal strategy. SBUA also has weekly strategy meetings with outside counsel and in-house employees regarding litigation cases. SBUA submits that it made significant contributions to the proceeding and all of the recorded hours claimed were justifiably and efficiently expended given the level of effort required to participate in this case.	
c. Allocation of hours by issue: Allocation of hours: 1. Improving Accuracy of New Data Center Load Forecasting— 36.5 hrs. or 46.9% 2. Improving Consideration of Post-COVID-19 Energy Consumption Trends— 16.6 hrs. or 21.3% 3. Addressing Deficiencies in BDM for Adoption of BTM Solar and Fuel Cells— 9.65 hrs. or 12.4% 4. Attempt Settlement— 7.8 hrs. or 10.0% 5. Attend Hearings & Other Mandatory Conferences— 3.4 hrs. or 4.4% 6. General Participation— 3.95 hrs. or 5.1% Categories 1-3 all fall within Issue 4 ("Should the Commission adopt PG&E's 2026 electric sales forecast?") of the October 29, 2025, Assigned Commissioner's Scoping Memo and Ruling. SBUA asserts that the categories above are well defined to allow SBUA to accurately assign hours to various tasks in its time entries. Should the Commission wish to see different information on this point or some other breakdown of SBUA's hourly work, SBUA requests that we be so informed and provided an opportunity to supplement this request accordingly.	Noted, however SBUA's submitted timesheets show 35.5 hours worked on Issue 1: Improving Accuracy of New Data Center Load Forecasting. This change makes the percent of hours per issue as follows: 1. 46.2% 2. 21.6% 3. 12.5% 4. 10.1% 5. 4.4% 6. 5.1%

B. Specific Claim:*

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate $	Basis for Rate*	Total $	Hours	Rate $	Total $
Ariel Strauss	2025	24.6[4]	$550	D.25-03-021 setting rate for	$13,530.00[5]	7.90 [4, 5]	$550.00 [1, 7]	$4,345.00

[4] SBUA's submitted timesheet show the correct 2025 hours for Strauss is 24.4.

[5] The correct total for Strauss' 2025 work is $13,420.00.

CLAIMED						CPUC AWARD		
				2024, escalated by 3.46% for 2025				
James F. Wilson	2025	43	$345	D.25-09-028	$14,835.00	11.50 [4, 5]	$345.00 [2, 7]	$3,967.50
James Birkelund	2025	9.5	$830	D.25-07-036	$7,885.00	3.50 [4, 5]	$830.00 [3, 7]	$2,905.00
					Subtotal: $36,250.00[6]			***Subtotal: $11,217.50***
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	**Year**	**Hours**	**Rate $**	**Basis for Rate***	**Total $**	**Hours**	**Rate $**	**Total $**
James Birkelund	2025	0.5	$415	50% of 2025 rate	$207.50	0.50	$415.00 [3, 7]	$207.50
Ariel Strauss	2025	0.8	$225	50% of 2025 rate	$180.00	0.80	$275.00 [1, 7]	$220.00
Ariel Strauss	2026	9.1[7]	$285	50% of 2026 Rate ($570), reflecting a 3.35% escalation over 2025 rate	$2,593.50[8]	6.00 [6]	$285.00 [1, 7]	$1,710.00
					Subtotal: $2,981.00[9]			***Subtotal: $2,137.50***
					TOTAL REQUEST: $39,231.00[10]			***TOTAL AWARD: $13,355.00***

*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

[6] SBUA's correct Attorney, Expert, and Advocate fees is $36,140.00.

[7] The correct total hours for Strauss' 2026 intervenor compensation claim preparation work are 8.3.

[8] The correct total request for Strauss' 2026 intervenor compensation claim preparation work is $2,365.50.

[9] SBUA's correct intervenor compensation claim preparation subtotal is $2,753.00.

[10] SBUA's correct total request is $38,893.00.

CLAIMED			CPUC AWARD
ATTORNEY INFORMATION			
Attorney	**Date Admitted to CA BAR**[11]	**Member Number**	**Actions Affecting Eligibility (Yes/No?) If "Yes", attach explanation**
Ariel S. Strauss	March 2012	282230	No
James M. Birkelund	March 2000	206328	No

C. Attachments Documenting Specific Claim and Comments on Part III:[12]

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
Attachment 3	Invoices for Wilson Energy Economics
Attachment 4	Statement of Work for E&E Law

D. CPUC Comments, Disallowances, and Adjustments

Item	Reason
[1] Strauss' 2025 and 2026 Hourly Rates	SBUA has confirmed that Strauss is a consultant. Pursuant to Commission policy, the rate requested by an intervenor must not exceed the rate billed to that intervenor by any outside consultant it hires, even if the consultant's billed rate is below the floor for a given experience level.[13] Per the IComp Program Guide at 24, the Commission may audit the records and books of the intervenors to the extent necessary to verify the basis for the award.[14] SBUA has confirmed that per the terms of their contract, Strauss has been hired on a contingency rate basis, meaning that Strauss has agreed to defer its consulting fee contingent upon receipt of this Intervenor Compensation award. Given this contingency, we utilize the reasonable rates established by Resolution ALJ-393 based on Strauss experience as a Legal – Attorney – Level III in 2025 and Legal – Attorney – Level IV in 2026. Given that the rate range for Legal – Attorney – Level III is $376.79 to $586.51, we find the requested 2025 hourly rate of $550.00 to be reasonable and we adopt it here. We apply one-half of Strauss' 2025 hourly rate for an intervenor compensation claim preparation rate of $275.00.

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

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

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

[14] § 1804(d).

Item	Reason
	Given that the rate range for Legal – Attorney – Level IV is $481.68 to $719.16, we find the requested 2026 hourly rate of $570.00 to be reasonable and we adopt it here. We apply one-half of Strauss' 2026 hourly rate for an intervenor compensation claim preparation rate of $285.00. The award determined herein for Strauss' contribution in this proceeding shall be paid in full to 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, and the understanding that the consultant has not billed or collected compensation for the work performed until the final award is given.
[2] Wilson's 2025 Hourly Rate	SBUA has confirmed that Wilson is a consultant. Pursuant to Commission policy, the rate requested by an intervenor must not exceed the rate billed to that intervenor by any outside consultant it hires, even if the consultant's billed rate is below the floor for a given experience level.[15] Per the IComp Program Guide at 24, the Commission may audit the records and books of the intervenors to the extent necessary to verify the basis for the award.[16] SBUA has confirmed that it paid Wilson $345.00 per hour for work in this proceeding. We find this rate reasonable given Wilson's experience, and approve this rate here. The award determined herein for Wilson's contribution in this proceeding shall be paid in full to Wilson, 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.
[3] Birkelund's 2025 Hourly Rate	SBUA has confirmed that Birkelund is a consultant. Pursuant to Commission policy, the rate requested by an intervenor must not exceed the rate billed to that intervenor by any outside consultant it hires, even if the consultant's billed rate is below the floor for a given experience level.[17] Per the IComp Program Guide at 24, the Commission may audit the records and books of the intervenors to the extent necessary to verify the basis for the award.[18] SBUA has confirmed that per the terms of their contract, Birkelund has been hired on a contingency rate basis, meaning that Birkelund has agreed to defer its consulting fee contingent upon receipt of this Intervenor Compensation award. Given this contingency, we utilize the reasonable rates established by Resolution ALJ-393 based on Birkelund experience as a Legal – Legal Director – Level IV.

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

[16] § 1804(d).

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

[18] § 1804(d).

Item	Reason
	Given that the 2025 rate range for Legal – Legal Director – Level IV is $570.12 to $884.24, we find the requested 2025 hourly rate of $830.00 to be reasonable and we adopt it here. The award determined herein for Birkelund's contribution in this proceeding shall be paid in full to Birkelund, and no portion of this part of the award shall be kept by SBUA. Additionally, the rates approved here are specific to work in this proceeding and the contract terms between the consultant and intervenor, as they are established in accordance with the Commission's policy on consultant compensation, and the understanding that the consultant has not billed or collected compensation for the work performed until the final award is given.
[4] Limited Contribution	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: "[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…." In evaluating whether SBUA made a contribution here, we also evaluate whether the hours claimed were commensurate with the contributions claimed by the intervenor. Making a substantial contribution in and of itself does not entitle an intervenor to all its claimed fees and costs. Compensation is granted for efficient, meaningful contributions. **<u>Issue 1: Accurately Forecasting New Data Center Loads</u>** SBUA's main claimed contribution on Issue 1 was that its briefs, testimony, and data requests resulted in (PG&E modifying its data center modeling forecast in its Fall Update. We find that claim is unsubstantiated. SBUA referred to PG&E stating in its Fall Update that it addressed some questions from SBUA on data center forecasts. SBUA claimed that PG&E was referencing "the issues raised by SBUA in testimony." However, SBUA does not provide a reference in the Fall Update that references SBUA's testimony and our review cannot find one either. Additionally, PG&E made it clear in its Rebuttal Testimony that it did not agree with SBUA's critiques of its data center forecasting model and that it did not adopt any of SBUA's suggested changes to its Energy Resource Recovery Account

Item	Reason
	(ERRA) forecast.[19] SBUA also claimed a contribution towards PG&E's 2027 ERRA load forecast on data centers. However, this work is outside the scope of the proceeding.[20] **Issue 2: Improving Forecasting of COVID-19 Energy Consumption Shifts** SBUA's summarized its claimed contribution on this issue in Part II.A.2 by stating its "testimony and briefing required PG&E to explain and defend its methodological choices and prompted discussion in the record regarding PG&E's post-COVID modeling assumptions." However, D.25-12-027 found that "SBUA did not provide substantive material for the record of this proceeding that persuaded us to require modifications to PG&E's post-COVID demand forecasts."[21] We therefore find that SBUA contributions to the decision-making process on the post-COVID demand forecast issue were limited and not adopted in whole or in part by in D.25-12-027. **Issue 3: Addressing Deficiencies in Use of the Bass Diffusion Model (BDM) for Behind the Meter Solar and Fuel Cell Adoption** SBUA's summarized its claimed contribution on this issue in Part II.A.2 by stating "its interrogation of the BDM was reasonable and appropriate in light of the lack of transparency of the tool and potential for misapplication and that SBUA's material contributed to a more developed and benefit record for the Commission." SBUA also recommended that PG&E discontinue the use of the BDM. However, as SBUA noted, D.25-12-027 did not adopt in whole or in part its recommendation to discontinue the use of the BDM. We find that SBUA's contributions on this issue were limited. **Reductions** To reasonably align SBUA's limited substantial contribution to its limited substantive participation, we reduce 46.50 hours, or roughly 75%, from SBUA's 61.75 claimed hours on the three above issues. The awarded amount appropriately acknowledges the value of SBUA's contributions. This reduction breaks down as follows: • Strauss: 12.5 hours • Wilson: 29.5 hours • Birkelund: 4.5 hours
[5] Excessive General Participation	Per the Intervenor Compensation Program Guide at 26, timesheet records should not excessively categorize work under "General Participation." Normally intervenors may use the General Participation category for preliminary preparation and analysis required to gain general knowledge of a proceeding, however, this should not be a significant portion of the representative's time. Most professional work can be, and must be tied to specific, substantive issues in the proceeding.

[19] *See* Pacific Gas and Electric Company Rebuttal Testimony (PG&E-04) at 2-1, line 4 to 2-9, line 20, October 7, 2025.

[20] The issues to be determined by A.25-05-011 included: "Should the Commission adopt PG&E's request to approve *2026* ERRA Forecast revenue requirements for *2026* ratesetting purposes." Assigned Commissioner's Scoping Memo and Ruling at 2, July 31, 2025 (emphasis added).

[21] D.25-12-027 at 42.

Item	Reason
	In this case, the timesheet records show that SBUA dedicated 15.15 hours, or approximately 20% of its total claimed time to general participation. While SBUA only labeled one issue in Part III.A.c as "General Participation," we find the issues labeled "Attempt Settlement" and "Attend Hearings & Other Mandatory Conferences" must also be categorized as general participation because they are not "tied to specific, substantive issues in the proceeding."[22] Accordingly, we reduce 7.50 hours, or just under 50% of the general participation hours because SBUA failed to adequately link this time to specific issues and has not demonstrated how these efforts contributed meaningfully to the Commission's decision-making process. This reduction breaks down as follows: • Strauss: 4.0 hours • Wilson: 2.0 hours • Birkelund: 1.5 hours
[6] Inefficient and Excessive Intervenor Claim Preparation	SBUA's submitted timesheets show Strauss worked 8.3 hours in 2026 to prepare this intervenor compensation request. While the claim was organized and generally compliant with Commission requirements, we find the preparation hours excessive given the scope of issues and overall scale of the request. SBUA and Strauss have significant experience practicing before the Commission and preparing similar claims, and we would expect greater efficiency in compiling this request. Additionally, SBUA did not provide a rationale explaining why this particular claim—smaller in scale than some of their previous submissions—required this level of effort. Accordingly, we reduce the Strauss' claimed hours by 2.3 hours, awarding 6.0 hours for preparing this claim. This adjustment better reflects the complexity and scale of the request.
[7] 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. 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 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.

[22] *See* Intervenor Compensation Program Guide at 26.

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. Small Business Utility Advocates has made a substantial contribution in some aspects to D.25-12-027.

2. SBUA's claimed hours are reduced for purposes of compensation to reasonably reflect the hours commensurate with the work produced.

3. The requested hourly rates for Small Business Utility Advocates' representatives are comparable to market rates paid to experts and advocates having comparable training and experience and offering similar services and/or reflect the actual rates billed to, and paid by the intervenor, for consultant services rendered.

4. The claimed costs and expenses, as adjusted herein, are reasonable and commensurate with the work performed.

5. The total of reasonable compensation is $13,355.00.

CONCLUSION OF LAW

1. In evaluating whether SBUA made a substantial contribution, the Commission evaluates whether the hours claimed by SBUA were commensurate with the substantial contributions.
2. 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.

3. The Claim, with the adjustments set forth above, satisfies the requirements of Pub. Util. Code §§1801-1812.

ORDER

1. Small Business Utility Advocates is awarded $13,355.00.

2. Within 30 days of the effective date of this decision, Pacific Gas and Electric Company shall pay Small Business Utility Advocates the total award. Payment of the award shall include compound interest at the rate earned on prime, three-month non-financial commercial paper as reported in Federal Reserve Statistical Release H.15, beginning May 9, 2026, 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):	D2512027		
Proceeding(s):	A2505011, A2509015		
Author:	ALJ Elizabeth Fox		
Payer(s):	Pacific Gas and Electric Company		

Intervenor Information

Intervenor	Date Claim Filed	Amount Requested	Amount Awarded	Multiplier?	Reason Change/Disallowance
Small Business Utility Advocates	02/23/2026	$39,231.00[23]	$13,355.00	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
James	Wilson	Expert	$345	2025	$345.00
Ariel	Strauss	Attorney	$550	2025	$550.00
Ariel	Strauss	Attorney	$570	2026	$570.00
James	Birkelund	General Counsel	$830	2025	$830.00

(END OF APPENDIX)

[23] SBUA's correct total request is $38.893.00 as described in the footnotes of Part III.B.