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**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

Petition to Adopt, Amend, or
Repeal a Regulation Pursuant to
Pub. Util. Code §1708.5

Petition P.23-06-018

**APPLICATION FOR REHEARING OF D.26-09-020
BY THE GREEN POWER INSTITUTE**

October 8, 2026

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Pursuant to Public Utilities Code section 1731(b)(1) and Rules 16.1, 16.2, and 16.3 of the Commission's Rules of Practice and Procedure, in the **Petition to Adopt, Amend, or Repeal a Regulation Pursuant to Pub. Util. Code § 1708.5**, P.23-06-018, the Green Power Institute, the renewable energy program of the Pacific Institute for Studies in Development, Environment, and Security (GPI), provides this *Application for Rehearing of D.26-09-020 by the Green Power Institute*. A declaration of GPI's Director, Dr. Gregg Morris, is submitted with this application as Attachment A (Morris Declaration). Decision 26-09-020 was adopted on September 3, 2026, and issued on September 9, 2026. This Application is timely filed.

Introduction

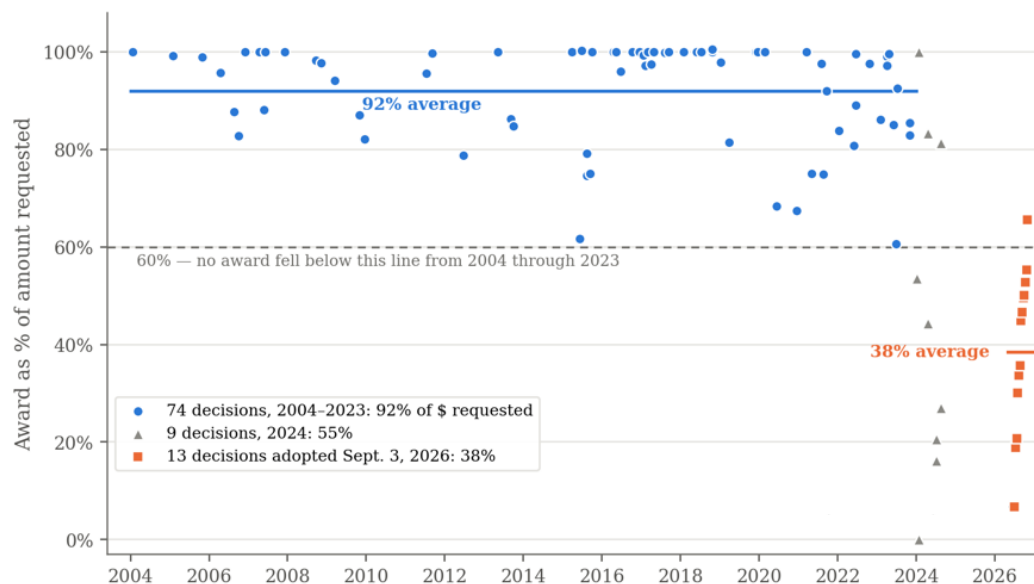
On January 19, 2024, GPI filed a claim for intervenor compensation in P.23-06-018 seeking \$32,253 for substantial contributions to Decision 23-12-010. On July 8, 2026, the Commission issued a proposed decision that awarded GPI \$6,670, 21 percent of the amount requested. GPI filed comments on the PD on July 17, 2026, and amended comments on the PD on August 7, 2026. Rev.1 of the PD was issued on August 31, 2026. Rev. 1 did not make any substantive changes to the PD. The Commission approved Rev. 1 at its meeting on September 3, 2026 (D.26-09-020).

Decision 26-09-020 makes fundamental legal errors in its interpretation of California Public Utilities Code Sections 1801-1812 with respect to its analysis of our claim for intervenor compensation. D.26-09-020 also sharply deviates from Commission precedent in its application of the intervenor compensation statutes and rules to our claim. Many of these errors are repeated in the other 12 GPI IComp claims that were adopted on Sept. 3, a clear abuse of discretion in the processing of GPI's IComp claims. In this Application for Rehearing we detail the basis for our claims of legal error, and respectfully request that we be granted an oral argument to present and clarify our case.

The Decision evaluates GPI's claim under standards the Commission applies to no other intervenor, and did not apply to GPI in the twenty years of its practice before 2024, while simultaneously denying that anything has changed in its methodology. The Decision is inconsistent with past Decisions on our intervenor compensation claims, and fails to follow long established Commission precedent.

The below figure shows that for twenty years, under many Administrative Law Judges and several Commission presidents, GPI's awards clustered near the full amount requested (92 percent average), and none fell below 60 percent. The break begins in 2024 and culminates in the thirteen decisions of September 3, 2026, twelve of which fall below 60 percent, including this one. GPI's practitioners, timekeeping, claim form, and manner of advocacy did not change across that line. It is the Commission's treatment of GPI's claims that has changed.

GPI intervenor compensation awards as a percentage of the amount requested, 2004–2026 (source: Morris Declaration, Exhibit 1):



Each point is one Commission decision on a GPI compensation claim, by decision date; averages are dollar-weighted. The thirteen Sept. 3, 2026 decisions are spread horizontally for legibility. Source: Commission decisions; Morris Declaration, Exhibit 1.

We note that on July 8, 2026, after a two-year period during which no GPI claims were adjudicated and GPI was forced to suspend our operations at the Commission, thirteen PDs including this one were issued for the oldest 13 of GPI's then 17 pending claims.

The 13 claims were filed over the course of a greater than two-year period; nevertheless all 13 of the PDs were issued on the same day, and no explanation has been given as to why. This factor alone has seriously hampered our ability to respond adequately to each of the individual PDs and subsequent final Decisions, all of which were similarly adopted on the same day. GPI goes on record as protesting this unprecedented treatment, and hopes that it can be taken into account when considering our Application for Rehearing.

The universal theme running through the 13 Decisions appears to be an effort to deduct the maximum amounts possible from our claims, even if it means sidestepping or ignoring established Commission practices and precedent. GPI is filing Applications for Rehearing for all 13 of the IComp Decisions adopted at the Commission's September 3, 2026, meeting. Each Application includes a request for oral argument. We will be comfortable if the Commission chooses to consolidate the requests for Oral Argument in some way so as to limit the number of oral arguments to hold. We are available to advise on groupings should the Commission wish to hear our thoughts.

Legal Errors

D.26-09-020 makes several fundamental legal errors in its treatment of our claim in P.23-06-018. These errors include switching classification of practitioners with respect to the Commission's rate study without cause or explanation, misapplication of the rules for qualification of what constitutes a Substantial Contribution, and disallowance of hours for doing exactly what an intervenor should do in responding to a Petition.

Misapplication of Established Standards

GPI's practitioners, its timekeeping, the form of its filings, and the character of its advocacy have not changed during the 23 years of its practice before the Commission. What has changed, inexplicably, in 2024 was the Commission's treatment of GPI's IComp claims. If the Commission's standards have not changed, then the Decision misapplies them; if they have changed, the Decision applies a new standard without acknowledging it, without explaining it, and without notice to the intervenors whose

work it governs. Either way is legal error, and the Commission must grant rehearing to correct it.

The Commission's assertion that nothing has changed with respect to how it analyzes IComp claims is directly contradicted by the record of this proceeding, and an unacknowledged and unexplained departure from settled practice is legal error. The Decision asserts: "The Commission confirms that the process for evaluating IComp claims has not changed, nor have the rules governing the IComp program (D.26-09-020, pg. 14)." That assertion is belied by the treatment that our IComp claim has received in D.26-09-020, as detailed in the discussion below.

The thirteen decisions adopted on Sept. 3 share another feature that bears on whether the Commission's standards have changed. Although authored by at least nine different Administrative Law Judges in proceedings with different records they share substantial identical text, including the "unproductive" and "largely duplicative" characterizations, the recitation of the significance of the September 16, 2025, supplemental-information ruling, and the reduction of claim-preparation hours. Identical language applied to dissimilar claims is not the product of thirteen independent applications of an unchanged standard to thirteen records. It is the product of a common template, applied to GPI's claims as a group, that did not exist when GPI's 74 claims were decided before 2024, and absolutely should not exist in 2026.

The Decision does neither of the things the law requires. It does not acknowledge a change, because it denies that one has occurred. It therefore does not explain the changes. In addition, it does not address the reliance interests that twenty years of consistent awards created. This Decision produces a result irreconcilable with the agency's settled practice, while denying that the practice has changed, and its deductions are not supported by its findings. Rehearing should be granted so that the Commission may either apply the standards reflected in its prior decisions or state and justify the new ones and why they are being applied only to GPI.

Compensation Rates for Individual Practitioners

Decision 22-06-041, on page 13 item 4, states: “Adopting \$450 rate for Morris for 2021. With over 35 years of experience as a Public Policy and Regulatory Affairs Expert, Morris according to the Market Rate Study Resolution ALJ-393 qualifies for a rate in the median range for a Regulatory Affairs Specialist V.” Decisions 23-11-036 and 24-04-036 escalate the rate to \$465 for 2022 and \$485 for 2023 using the Commission’s own escalation factors. GPI’s claim in P.23-06-018 has hours for Dr. Morris for 2023.

The PD asserted that Dr. Morris had previously identified himself as an employee of GPI, a false assertion that we debunked in our comments on the PD. Rev. 1 of the PD corrected the false assertion, but failed to follow through on correcting the treatment of Dr. Morris’ approved rates in acknowledgment of the false assertion in the PD. D.26-09-020 states: “GPI identifies Morris as the director of GPI. Supplemental information confirms ... that Morris has agreed to defer his 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 Morris' experience as an Advocate – Executive Director – Level V.” Dr. Morris, accurately identified for more than 20 years as the Director of GPI, has previously been recognized as qualifying for Regulatory Affairs Specialist V (D.22-06-041 – see above). D.26-09-020 gives no more explanation for reassigning Dr. Morris from Regulatory Affairs Specialist to Advocate – Executive Director than the fact that he is the Director of GPI and works on a contingency basis. Dr. Morris is a fully active practitioner in Commission proceedings, and has been for more than 20 years. He is not simply a program administrator. In fact, he was the sole practitioner from GPI that worked on the immediate Petition. Moreover, working on a contingency basis has nothing to do with what classification a practitioner qualifies for. Dr. Morris’ circumstances have not changed in any way between 2021 and 2023 (actually between 2003 and 2023). Dr. Morris’ approved rate for 2023, based on D.22-06-041, D.23-11-036 and D.24-04-036, should be used in the settlement of our claim in P.23-06-018. The reclassification of Dr. Morris’s rate category in D.26-09-020 is unwarranted, unjustified, and incorrect. It needs to be rescinded.

Section 1806 directs that the computation of compensation “shall take into consideration the market rates paid to persons of comparable training and experience who offer similar services.” The Commission’s own determinations of Dr. Morris’s classification and rate in D.22-06-041, D.23-11-036, and D.24-04-036 are unrebutted evidence in the record of the rate paid to this practitioner for these services, and the Decision neither mentions them nor explains why they no longer apply. A rate determination that disregards unrebutted record evidence of the applicable market rate is an abuse of discretion under section 1806, and the remedy is recalculation on the record. [The Utility Reform Network v. Public Utilities Com. (2008) 166 Cal.App.4th 522, 537 (Commission “abused its discretion and failed to act in a manner consistent with section 1806’s directive” by setting a rate that ignored “the unrebutted evidence in the record”).]

In addressing our comments on the PD, the Decision states: “We note that the previously approved rates that GPI references to were approved for a different role. Given Morris’ clarification that he serves in the role of a director, this is the correct role to be used to establish his rates. Therefore, we make no changes to the decision (D.26-09-020, pg. 16).” This statement is false. GPI did not “clarify” that Dr. Morris is the Director of GPI. Dr. Morris has been the Director of GPI since its founding in 1995, and has always and consistently represented himself as the Director of GPI, in his work at the Commission as well as elsewhere. His role has not changed over the years, and he was and continues to be eminently qualified as a Public Policy and Regulatory Affairs Expert. The unwarranted and unfounded change in category in the Decision needs to be reversed.

Substantial Contribution

A finding of substantial contribution qualifies the claimant for compensation. What then remains to be done is the determination of which hours were reasonably devoted to the contributions found, not the degree to which the claimant has made a substantial contribution or whether the claimant is eligible at all. A contribution does not have to be adopted in a Decision to be a substantial contribution, it just has to enrich the record underlying the Decision. A contribution does not have to be cited in a Decision to be a substantial contribution. A party does not have to be the sole source of a position in order

to claim that position as a substantial contribution. Hours need not be traced individually to a specific adopted position – hours reasonably devoted to the issues that were litigated by the Commission in the course of formulating the Decision are compensable. Nearly all of the 13 Decisions make one or more of these errors. The 13 Decisions as a group consistently misapply California Public Utilities Code sections 1803(a), 1802(j), 1802.5, and many long-standing Commission precedents, in denying claimed hours in these Decisions. GPI does not contend that a finding of substantial contribution entitles a customer to every hour claimed. We contend that once a contribution is found, the Commission must conduct the issue-by-issue review that D.98-04-059 contemplates, and that any resulting reduction must be reasoned and tied to the record.

Section 1803(a) of the California Public Utilities Code requires the Commission to compensate a customer whose presentation makes a substantial contribution to a Commission order or decision, and Section 1802(j) defines a substantial contribution as one in which the order or decision adopts, in whole or in part, one or more of the customer’s factual contentions, legal contentions, or policy or procedural recommendations. Adoption of even one contention in part suffices. [See D.98-04-059, 79 Cal.P.U.C.2d 628, 653; D.02-03-033.]

A customer need not prevail to have contributed substantially. Compensation is proper even where the customer’s position is not adopted, so long as the participation assisted the Commission or enriched the record (§1802.5; D.89-03-063, 31 Cal.P.U.C.2d 402). The Commission reaffirmed this principle as recently as July 2026, holding that an intervenor may establish a substantial contribution “regardless of whether their positions are adopted (D.26-07-054, p. 18).” It has likewise found that intervenors “substantially contribute to the decision-making process because the Commission benefited from the legal and factual arguments” they made, even where the Commission declined to adopt the recommendation (D.19-10-019, pp. 3–6), and has explained that “awards of full compensation for partial or no adoption of the intervenor’s positions are premised on findings that the intervenor made a contribution to the stated issues” (D.21-06-020, pgs. 2–3). Where participation has resulted in a substantial contribution, even if the

Commission adopts the contention only in part, the Commission may award all reasonable fees incurred in preparing and presenting that contention (D.89-03-063).

Where a customer's contentions parallel those of other parties, the customer remains compensable if its participation "materially supplement[ed], complement[ed], or contribute[d]" to the presentation or to a fuller record. The question in that situation is not whether the Commission relied "exclusively" or "primarily" on the customer's showing, but whether the customer offered "distinct analyses" that provided significant additional value in assisting the Commission (§1802.5; D.05-06-054; D.08-11-028; D.23-04-058, pp. 10–11; D.26-07-054, p. 19).

On pages 12-13, D.26-09-020 makes three of the four errors listed in the first paragraph of this section – contending that specific citation is required in order to qualify it as a substantial contribution, that exclusivity in offering a particular position is required to qualify it as a substantial contribution, and that hours not directly related to a party's substantial contribution are not eligible for compensation. The Decision does determine that we made a substantial contribution to the Decision upon which our claim was based, and it was therefore required to evaluate GPI's hours on an issue by issue basis, compensating those reasonably devoted to contributions that assisted the Commission, and explaining, by reference to the record, any that it disallowed. Instead, it makes an across the board deduction of 80 percent of our claimed hours without explaining why.

The GPI IComp claim's description of our substantial contributions in this Petition divides the contributions into five areas. In the CPUC Discussion boxes adjacent to each of our proposed areas of contribution, the following response is repeated:

Noted, however the decision does not mention GPI other than the fact that they filed comments, which aligned with many other party positions including ... (a listing of parties follows in each case). [D.26-09-020, pgs. 4, 5, 6, and 7.]

In fact, the same statement can be applied to the comments of every other party that participated in this Petition, because this relatively short Decision (17 pages total) does not mention individually the contributions made by any party. That does not mean,

however, that no parties contributed to the Commission's Decision. Instead, it simply indicates that the short Decision does not discuss its reasoning or its basis in detail.

GPI's response to the Petition, which represented most of the effort claimed in the IComp request, was 19 pages long, and presented highly technical scientific information that demonstrated that the scientific information presented in the Petition was seriously flawed. GPI was the only party that supplied this kind of technical or scientific information in this docket, and this information informed the decision making in this Petition, even if it wasn't explicitly discussed in the Decision. The amount of time devoted to putting this material together was entirely justified. Deduction of 80 percent of our hours is arbitrary and capricious and entirely unjustified.

The treatment that GPI has received in all of the PDs issued on July 8 is so extreme and counter to established Commission practice and precedent that two intervenors, The Utility Reform Network (TURN) and the Center for Accessible Technology (CforAT), jointly filed comments on July 28, 2026, in R.19-09-009 in support of our claim in that proceeding, and a third intervenor, the Clean Coalition, filed reply comments in support of our comments on the PD, also in R.19-09-009. All three complain that improper standards were being imposed. TURN and CforAT explain that they "very rarely comment on matters related to requests for Intervenor Compensation submitted by other intervenors," and do so "only in limited circumstances, such as where the proposed decision would seem to implicate the Commission's implementation of the Intervenor Compensation Program more broadly (TURN/CforAT Comments pg. 1)." These comments and reply comments pertain to the Decision in R.19-09-009 directly, and indirectly to all 13 of the July 8 PDs.

Role of Parties in Responding to Petitions

D.26-09-020 complains that most of our claimed time was devoted to responding to the petition's scientific case for repealing an existing regulation or opening a new proceeding to reexamine the regulation, and that the scientific basis for the petition was not directly addressed in the Decision denying the petition. Therefore, D.26-09-020 reasons, our

scientific case refuting the scientific case in the petition did not make a substantial contribution to the Decision. On the contrary, we assert that our response to the petition convinced the Commission that there was no urgency in reassessing the regulation because a solid scientific case was presented that showed that the regulation is founded on a sound basis as is, and that opening a new proceeding was unnecessary. That is unquestionably a substantial contribution.

It is the proper job of parties who want to participate in a petition that is before the Commission to file a response to the petition, addressing the issues that are presented in the petition. It is not the job of the responding intervenor to determine which parts of the petition will be incorporated into the ultimate decision on the petition, and address only those parts in their response. It has been longstanding precedent at the Commission to compensate all hours efficiently devoted to addressing the issues in a petition regardless of whether those issues are carried through to the ultimate Decision on the petition. D.26-09-020 violates this precedent.

Deferral of Issue

Petition 23-06-018 presents a detailed scientific case for concern that biomass and biogas resources do not meet the Commission's standards for designation as carbon neutral. In response to the petition GPI presented the scientific case for why biomass and biogas resources do indeed meet the standards for designation as carbon neutral, arguing that a new proceeding to study the matter was not needed because the carbon-neutral designation is based on settled science. D.23-12-010 denies the Petition to open a new rulemaking, and instructs the petitioners that if they want to pursue their issues further, they should take them up in the IRP proceeding, R.20-05-003 at the time, in effect deferring the issue to the IRP proceeding if the proponents wanted to pursue it.

The decision to defer the issue is itself based on a consideration of the record underlying that issue. GPI's comments were not directly addressed because of the decision to defer the issue, but that absolutely does **not** mean that they were not considered. On the contrary, it was determined to defer the issue precisely because of what was in the record

about the issue and in consideration of other Commission efforts already in process. GPI unquestionably made a substantial contribution to the record underlying the Commission's decision to defer the issue, and the substantial contribution should be given the recognition it deserves.

IComp Preparation Hours

D.26-09-020 reduces IComp claim-preparation time from the 8.00 hours claimed to 4.00 hours. Preparation of this claim required review of the final decision against GPI pleadings and participation, preparation of the detailed contribution showings in Part II of the claims, and assembly of the timesheet attachments. The quantities of hours claimed, billed at one-half rate per Commission practice, is modest for the tasks. The further reductions are precisely the kind of across-the-board, conclusory reductions that must instead be tied to the record and reasoned (*New Cingular Wireless PCS, LLC v. Public Utilities Com.* (2016) 246 Cal.App.4th 784, 819).

The Decision contends: "We find the hours submitted by GPI to be unreasonable and excessive given the scope of issues and overall scale of the request (D.26-09-020, pg. 13)." In fact, the effort required to prepare a claim is driven by the scope of the proceeding and by what the Commission's claim form requires, not by the size of the request.

We note further that all but one of the 13 Decisions issued adopted on September 3 include deductions of 33-50 percent or more for IComp claim preparation hours using virtually identical language. It appears that this particular deduction was ordered from above without consideration of the merits for each individual claim, which is highly inappropriate. The recital is not tied to anything in the preparation record of the particular claim. Uniform language applied across dissimilar claims is not a finding on this claim. It is the kind of unexplained, across-the-board treatment that is arbitrary and capricious. The 8 hours claimed for IComp preparation should be restored.

Request for Oral Argument

GPI respectfully requests, pursuant to Rule 16.3, an oral argument be held in the course of addressing our Application for Rehearing in this proceeding, P.23-06-018. We believe that an oral argument will materially assist the Commission in resolving this IComp claim, and will demonstrate that D.26-09-020 raises issues of major significance for the Commission and its administration of the statutorily mandated intervenor compensation program. An oral argument is indicated to illustrate the fact that D.26-09-020 departs sharply from established Commission practice in evaluating intervenor compensation claims, and that if the errors made in D.26-09-020 become the new norm for the evaluation of IComp claims the entire IComp program will be stripped of its utility and effectiveness.

Decision Departs from Existing Commission Precedent

Rule 16.3(a)(1) of the Commission's Rules of Practice and Procedure identifies a decision that "departs from existing Commission precedent without adequate explanation" as raising an issue of major significance warranting oral argument. It produces a result irreconcilable with twenty years of consistent awards to GPI while simultaneously denying that anything in its methodology has changed; it finds a substantial contribution yet declines to evaluate GPI's claim issue by issue, applying longstanding precedent, as D.98-04-059 contemplates.

D.26-09-020 departs sharply from established Commission precedent in several areas, including misapplication of the rules for qualification of what constitutes a Substantial Contribution, interpreting the deferral of an issue as an indication of no substantial contribution having been made, and failure to recognize that it is the duty for parties responding to petitions to respond to those parts of the petition that are of interest to them, regardless of whether the Decision on the petition directly addresses those issues. The Decision also errs by switching the classification of practitioner Dr. Morris with respect to the Commission's rate study without cause or explanation, when the previous classification has been properly accepted by the Commission and there have been no changes in status for the practitioner. If the changes to established Commission protocols

that are included in D.26-09-020 were to be applied across the board in the intervenor compensation program it would devastate the program. Unexplained departures of this kind – over time, between similarly situated intervenors in the same proceeding, and within the Decision itself – are the core of what the courts treat as arbitrary and capricious agency action, and they should be resolved by the Commission before they are presented to a reviewing court.

Decision is Contrary to Commission Goals for the Intervenor Compensation Program

The intervenor compensation program exists because the Legislature concluded that the Commission’s proceedings benefit from the participation of customers who cannot afford to participate without compensation, and it directed that the 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 (§§ 1801, 1801.3(b)).” An award that returns only 21 percent of the reasonable cost of participation does not encourage participation – it ends it.

The application also presents legal issues of exceptional public importance (Rule 16.3(a)(3)). Whether the Commission may change the standards by which it evaluates intervenor participation without announcing the change, and whether intervenors may be denied compensation for good-faith advocacy of legal positions the Commission ultimately rejects, bear directly on the Legislature’s direction in section 1801.3(b). If the standards applied in D.26-09-020 were applied across the intervenor compensation program generally, the program would be stripped of much of its effectiveness, and it would be the opposite of the encouragement that the intervenor compensation statute requires of the Commission. Intervenors cannot sustain participation in Commission proceedings on awards of 21 percent of the reasonable cost, after years of uncompensated participation. The significance of those questions is reflected in the fact that TURN and the Center for Accessible Technology, which by their own account very rarely comment on other intervenors’ compensation requests, did so for a GPI PD in a parallel proceeding because the proposed decision “would seem to implicate the Commission’s implementation of the Intervenor Compensation Program more broadly (Comments of

The Utility Reform Network and Center for Accessible Technology on the Proposed Decision in R.19-09-009, July 28, 2026, pg. 1).” Their comments apply equally to this Decision as they do to the Decision in R.19-09-009.

Conclusion

For the foregoing reasons, the Commission must grant this application for rehearing of D.26-09-020 and:

1. Acknowledge whether the standards by which the Commission evaluates intervenor compensation claims have changed and, if so, state and explain the change; and apply to GPI’s claim the standards reflected in the Commission’s decisions on GPI’s prior claims;
2. Conform Parts II and III of the Decision to Finding of Fact 1, by applying to each of the issues the standard for substantial contribution that the Decision confirms in Part IV;
3. Evaluate GPI’s claimed hours issue by issue and, at a minimum, award the reasonable hours of all practitioners allocated to the issues on which the Decision adopted GPI’s positions;
4. Find that GPI’s participation on issues in which the Decision fails to adopt GPI’s positions nevertheless assisted the Commission in resolving contested legal and policy questions that the Resolutions addressed in their findings and conclusions, and award reasonable hours accordingly;
5. Find that GPI’s participation on issues which the Decision defers to other efforts nevertheless assisted the Commission in its decision to defer, and award reasonable hours accordingly;
6. Apply to Dr. Morris the classification adopted in D.22-06-041 and the resulting rates previously approved for 2021-2023; and
7. State the method by which the Commission evaluates intervenor compensation claims, apply that method uniformly to GPI’s claim and to the claims of similarly situated intervenors, and derive any reduction from the hours claimed and the record, so that the award is traceable and reviewable.

The Decision has some pointed remarks about deficiencies in GPI's IComp claims, deficiencies that are nowhere identified or described in any of the Sept. 3 Decisions. The derogatory language is virtually identical to most or all of the other 13 Decisions adopted on Sept. 3, which means that the remarks are not specific to this Decision, D.26-09-020. In fact, the recital is not tied to anything in the preparation record of this particular claim. Uniform language applied across dissimilar claims is not a finding on this claim. It is the kind of unexplained, across-the-board treatment that is arbitrary and capricious. It should be removed from the Decision. So should Item [4] of Part III.D (pg. 13), which warns that "misstatements may still be actionable" under Rule 1.1 and that "[d]ishonest or misleading claims" may be penalized. The Decision identifies no misstatement or misleading claim in this claim. A warning of that kind, placed in a decision on GPI's claim without any finding to support it, is prejudicial and should be withdrawn.

It is worth pointing out that by statute the PD should have been issued by 4/3/24, so in fact it was issued 27 months late. If the Decision had some legitimate suggestions and directions for GPI's future efforts at the Commission, delaying it by more than two years is highly irresponsible.

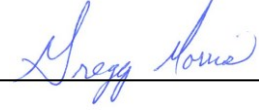
The Decision cuts GPI's request by 79 percent. It does so by applying to GPI's claim standards it applied to no comparable intervenor without acknowledging or explaining the difference. The result is arbitrary and capricious.

Applying longstanding established evaluation standards to our claim would produce a very different result. The Commission should accept our Application for Rehearing, and issue a Decision that properly and fairly adjudicates our January 19, 2024, IComp claim in P.23-06-018.

GPI further requests oral argument on this application pursuant to Rule 16.3.

Dated October 8, 2026

Respectfully Submitted,



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