

Decision \_\_\_\_\_

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

Order Instituting Rulemaking on the Commission's Own Motion to Require Interconnected Voice Over Internet Protocol Service Providers to Contribute to the Support of California's Public Purpose Programs.

Rulemaking 11-01-008  
(Filed January 13, 2011)

**DECISION GRANTING COMPENSATION TO THE CENTER FOR ACCESSIBLE TECHNOLOGY FOR SUBSTANTIAL CONTRIBUTION TO DECISION 13-02-022**

<b>Claimant: Center for Accessible Technology (CforAT) for itself and its predecessor, Disability Rights Advocates (DisabRA)</b>	<b>For contribution to Decision (D.) 13-02-022</b>
<b>Claimed (\$): \$13,670.88</b>	<b>Awarded (\$): \$12,566.88 (reduced 8.0%)</b>
<b>Assigned Commissioner: Michael R. Peevey</b>	<b>Assigned ALJ: Kelly A. Hymes</b>

**PART I: PROCEDURAL ISSUES****A. Brief Description of Decision:**

Rulemaking to add California providers of interconnected Voice over Internet Protocol (VoIP) service to the category of voice service providers who are required to fund California's universal service programs closed as moot following legislative action.

**B. Claimant must satisfy intervenor compensation requirements set forth in Public Utilities Code §§ 1801-1812:**

	<b>Claimant</b>	<b>CPUC Verified</b>
<b>Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):</b>		
1. Date of Prehearing Conference:	N/A	No PHC Held
2. Other Specified Date for NOI:	None set	Correct
3. Date NOI Filed:	<u>DisabRA</u> : Pursuant to Rule 17.1, DisabRA's NOI was filed on April 6,	Correct

	2011, within 30 days after the first responsive pleading in this proceeding. <u>CforAT</u> : At the time NOIs were due, CforAT was not a party in this proceeding. CforAT filed its NOI on October 4, 2011, at the same time it filed its Motion for Party Status requesting to join the proceeding as the successor to DisabRA.	Correct
4. Was the NOI timely filed?		Yes
<b>Showing of customer or customer-related status (§ 1802(b)):</b>		
5. Based on ALJ ruling issued in proceeding number:	<u>DisabRA</u> : Rulemaking (R.) 11-01-008 <u>CforAT</u> : CforAT's Motion for Party Status and request to act as the successor to DisabRA in this proceeding was granted via an email from then-assigned ALJ Walwyn on November 3, 2011. No formal ruling was issued, and no ruling was issued on CforAT's NOI. CforAT has demonstrated customer status in multiple other proceedings, including an ALJ Ruling in A.10-03-014, issued on October 31, 2011.	Correct Correct
6. Date of ALJ ruling:	<u>DisabRA</u> : June 10, 2011 <u>CforAT</u> : October 31, 2011	Correct Correct
7. Based on another CPUC determination (specify):	<u>DisabRA</u> : N/A <u>CforAT</u> : See above.	Correct Correct
8. Has the Claimant demonstrated customer or customer-related status?		Yes
<b>Showing of "significant financial hardship" (§ 1802(g)):</b>		
9. Based on ALJ ruling issued in proceeding number:	<u>DisabRA</u> : R.11-01-008 <u>CforAT</u> : No formal ruling has been issued on CforAT's showing of significant financial hardship in this proceeding. CforAT has established in other proceedings that participation before the California Public Utilities Commission (Commission or CPUC) would be a significant financial hardship without the availability of intervenor compensation, including an ALJ Ruling in A.10-03-014, issued on October 31, 2011.	Correct Correct, confirmed.

10. Date of ALJ ruling:	<u>DisabRA</u> : June 10, 2011 <u>CforAT</u> : October 31, 2011	Correct Correct
11. Based on another CPUC determination (specify):	<u>DisabRA</u> : N/A <u>CforAT</u> : See above.	Correct
12. Has the Claimant demonstrated significant financial hardship?		Yes
<b>Timely request for compensation (§ 1804(c)):</b>		
13. Identify Final Decision:	D.13-02-022	Correct
14. Date of Issuance of Final Order or Decision:	March 5, 2013	Correct
15. File date of compensation request:	May 3, 2013	Correct
16. Was the request for compensation timely?		Yes

**C. Additional Comments on Part I:**

#	Claimant	CPUC	Comment
	CforAT/DisabRA		As noted above, CforAT moved for party status on October 4, 2011 as the successor to DisabRA, and asked to adopt DisabRA's prior pleadings as its own. This motion was granted via email on November 3, 2011. Because CforAT is serving as the successor to DisabRA, this request refers to work performed by both organizations.

**PART II: SUBSTANTIAL CONTRIBUTION**

A. In the fields below, describe in a concise manner Claimant's contribution to the final decision (*see* § 1802(i), § 1803(a) & D.98-04-059).

Contribution	Specific References to Claimant's Presentations and to Decision	Showing Accepted by CPUC
<p><b>General discussion on appropriateness of providing intervenor compensation in this proceeding:</b></p> <p>As recently noted by the Commission in its decision dismissing its pending investigation into the proposed merger between AT&amp;T and T-Mobile, "The Commission's authority to make decisions even after a particular issue . . . becomes moot is based on our independent</p>		Yes

<p>obligation to enforce the law regardless of whether an outside complainant brings forward a claim. In this sense, we are not simply a court, which only adjudicates controversies that outside parties bring to it, with no law enforcement obligations.” D.12-08-025 at 9. The same decision noted that parties acted in good faith to build a record in that proceeding, and that the dismissal, based on a determination that external events had rendered the Commission proceeding moot, should not preclude any otherwise eligible party from seeking compensation. (<i>Id.</i> at 9-11.)</p> <p>This recent decision is consistent with longstanding Commission authority and prior practice. In D.02-08-061, the Commission found The Utility Reform Network (TURN) eligible for intervenor compensation for its work on an application by Southern California Edison Company (Edison) seeking approval of new rates, despite the fact that the underlying decision dismissing the proceeding (D.02-01-031) did not “discuss or resolve the substantive issues that TURN addressed in the proceeding. In fact, the decision was issued before any intervenor had an opportunity to address the substantive issues in this proceeding through testimony or briefs. It cannot be asserted that TURN’s work on substantive issues substantially assisted the Commission in making its procedural decision.” (<i>Id.</i> at 6.)</p> <p>In granting TURN’s request, the Commission stated:</p> <p style="padding-left: 40px;">The circumstances that led to our dismissing Edison’s application are largely associated with the California electricity crisis that began in 2000. Those circumstances could not have been foreseen or affected by TURN or any other party at the time that TURN commenced its participation in this proceeding. Until it was reasonably certain that processing of Edison’s application would be discontinued, it</p>		
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<p>was reasonable and appropriate for an intervenor such as TURN, having a long-established track record of effective participation in revenue allocation and rate design proceedings such as this, to commit resources and engage consultants to review the application, participate in the prehearing conference, conduct discovery, and begin preparation of testimony, all with a reasonable expectation that successful participation would eventually entitle it to receive an award of compensation. (<i>Id.</i> at 7).</p> <p>Similarly, in D.04-03-031 the Commission considered an intervenor compensation request submitted by TURN for work done in a proceeding that had been rendered moot by subsequent legislation. The Commission applied the test from D.02-08-061, noting that:</p> <p style="padding-left: 40px;">The reasoning in D.02-08-061 supports an award of intervenor compensation here. TURN is correct that when this application was filed and the parties were preparing their testimony in the first half of 2000, it would have been speculation to assume that Pub. Util. Code § 377 would be amended... Similarly, based on its participation in electric restructuring proceedings including A.96-08-001, it was quite appropriate for TURN to participate in this proceeding...(D.04-03-031 at 10).</p> <p>These decisions establish that granting intervenor compensation in proceedings rendered moot by outside circumstances falls well with the range of standard CPUC practice. This standard should be applied here; together CforAT/DisabRA have a long-established track record of effective participation in Commission proceedings and they participated in good faith in this proceeding with no basis to assume that the Commission’s inquiry would not result in a</p>		
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<p>substantive decision.</p>		
<p><b>The Commission’s prior precedent allowing an award of compensation in proceedings where Commission action is rendered moot by external circumstances should be applied here.</b></p> <p>Here, as in Investigation (I.) 11-06-009 and the other proceedings cited above, intervenors, including CforAT/DisabRA, appropriately spent time developing a record, consistent with the issues raised by the Commission in the initial OIR, in order to assist policymakers in addressing an issue of considerable significance.</p> <p>While the stated objective of the proceeding was defined fairly narrowly as an effort “to ensure that the California universal service programs are supported in a competitively and technologically neutral manner, and that contributions to the programs are sufficient to preserve and advance universal service” (OIR at 2), the issues on which the OIR requested comment were broader than the limited objective might suggest, and included the following:</p> <ul style="list-style-type: none"> <li>- Whether the definition of “telephone corporation” found in PU Code §234 includes interconnected VoIP service providers (OIR at 27).</li> <li>- Whether it is necessary to find that interconnected VoIP service providers are “telephone corporations” in order to assess PPP fees (OIR at 28).</li> <li>- Whether the Commission’s proposal for setting a standard for reporting and remitting PPP fees by mirroring the FCC standards is appropriate (OIR at 30).</li> <li>- Whether the Commission should require explicit identification of surcharges on the bills of VoIP customers (OIR at 30).</li> <li>- Whether VoIP providers should collect and remit surcharges for state PPP programs that</li> </ul>		<p>Yes</p>

<p>differ from federal universal service programs (OIR at 30).</p> <ul style="list-style-type: none"> <li>- Whether VoIP providers should register with the Commission, consistent w/ registration requirements for wireless providers (OIR at 32).</li> <li>- Whether the proposed VoIP registration form (App. A to OIR) is appropriate (OIR at 32).</li> </ul> <p>In order to assist the Commission in addressing the issues raised in the OIR, it was appropriate of the parties to address all of these questions in order to develop a record.</p>		
<p>DisabRA/CforAT properly responded to issues raised in the OIR. In comments on the OIR and reply comments (filed in conjunction with TURN), DisabRA addressed the following issues, consistent with requests for party input in the OIR:</p> <ul style="list-style-type: none"> <li>- The policy goals that justify collecting public purpose surcharges from VoIP providers;</li> <li>- The Commission's authority to require VoIP carriers to contribute to the state's public purpose programs; and</li> <li>- Implementation issues, including identification of surcharges on bills and the need for VoIP providers to remit surcharges for all state programs.</li> </ul>	<p><i>See generally</i> DisabRA's Comments and Response to OIR (Opening Comments), filed on March 7, 2011 and Reply Comments of TURN and DisabRA on the OIR (Reply Comments), filed on March 22, 2011.</p> <ul style="list-style-type: none"> <li>- Opening Comments at 1-2; Reply Comments at 2-4.</li> <li>- Opening Comments at 2; Reply Comments at 4-12.</li> <li>- Opening Comments at 2-4 (responding to inquiries set forth in the OIR at 30).</li> </ul>	Yes
<p>DisabRA properly responded (in conjunction with TURN) in support of Consumer Protection and Safety Division's (CPSD now Safety and Enforcement Division (SED)) Motion to expand the scope of the proceeding to address issues regarding consumer protection. This action supported efforts to address important policy issues in an efficient manner, as DisabRA and</p>	<p>Joint Response of Disability Rights Advocates and The Utility Reform Network to Motion of the Consumer Protection and Safety Division for Modification of the Scope of Rulemaking to Include Consumer Protection filed on April 4, 2011, at 5-6.</p>	

<p>TURN argued:</p> <p>Although CPSD’s motion appears at first blush to introduce an entirely new set of topics into R.11-01-008, many common legal questions are raised by both the original OIR, regarding whether VOIP providers should have to contribute to California’s Public Purpose Programs, and the issues raised by CPSD about the applicability of consumer protection provisions to these carriers. Both address the issue of whether VOIP providers are “telephone corporations” for purposes of California Public Utilities Code Section 234. Relatedly, both address questions of the Commission’s jurisdiction over VOIP providers and whether any federal laws or regulations would prohibit the exercise of such jurisdiction. Because so many of the legal issues raised by CPSD’s motion are already deeply implicated in R.11-01-008 as currently constituted, the Commission would most efficiently utilize its own and the parties’ resources by considering CPSD’s issues within this proceeding, thus minimizing the need for duplicative briefing of jurisdiction and preemption issues.</p>		
<p>While the Commission found that the overall objective of the proceeding was rendered moot by legislative action, the issues raised in this proceeding were of significant importance to policymakers. The Commission should continue its longstanding practice of encouraging participation in its proceedings in response to important policy issues by providing for compensation, even when a proceeding is rendered moot based on activity outside of the control of the parties or Commission.</p>	<p>D.13-02-022 at 2, noting: The limited objective in the Rulemaking was to ensure that the California universal service programs are supported in a competitively and technologically neutral manner and that contributions to the programs are sufficient to preserve and advance universal service.</p> <p>This was of significant concern at the time the proceeding was initiated and has grown more so by the passage of time due to the</p>	<p>Yes</p>



	dramatic expansion of the telecommunication services being provided using VoIP technology...	
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**B. Duplication of Effort (§§ 1801.3(f) & 1802.5):**

	<b>Claimant</b>	<b>CPUC Verified</b>
<b>a. Was the Office of Ratepayer Advocates (ORA)<sup>1</sup> a party to the proceeding?</b>	<b>Yes</b>	<b>Correct</b>
<b>b. Were there other parties to the proceeding with positions similar to yours?</b>	<b>Yes</b>	<b>Correct</b>
<p><b>c. If so, provide name of other parties: TURN</b></p> <p>Other participating parties include the various telecommunications providers and associations and SED, to a limited extent.</p>		<b>Correct</b>
<p><b>d. Describe how you coordinated with ORA and other parties to avoid duplication or how your participation supplemented, complemented, or contributed to that of another party:</b></p> <p>CforAT/DisabRA coordinated closely with TURN, jointly submitting all substantive filings except for its Opening Comments. SED’s participation was limited to its motion to expand the scope; CforAT/DisabRA responded to the motion in conjunction with TURN.</p> <p>With regard to representation of the disability community, as noted above, when CforAT sought party status, it requested and received permission to adopt DisabRA’s prior filings as its own so that it would not duplicate the work previously contributed by DisabRA. DisabRA ceased to participate as an active party when CforAT obtained party status. CforAT was represented by Melissa Kasnitz, who had previously led all work in this proceeding for DisabRA before she moved her Commission practice to CforAT. Because the actual advocates representing the interests of the disability community did not change, notwithstanding the formal substitution of parties, there was no inefficiency or duplication of effort between DisabRA and CforAT</p>		<b>In comparing parties’ efforts shown in this and other claims, we find that duplication was avoided to the extent possible.</b>

<sup>1</sup> The Division of Ratepayer Advocates was renamed the Office of Ratepayer Advocates effective September 26, 2013, pursuant to Senate Bill No. 96 (Budget Act of 2013), which was approved by the Governor on September 26, 2013.

**PART III: REASONABLENESS OF REQUESTED COMPENSATION**

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

<p><b>a. Concise explanation as to how the cost of Claimant’s participation bears a reasonable relationship with benefits realized through participation:</b></p>	<p><b>CPUC Verified</b></p>
<p>DisabRA/CforAT directly responded to inquiries raised in the OIR on issues recognized to be of significant importance to policymakers, and responded in good faith to a motion by SED regarding modifications to the scope of the proceeding to address closely-related issues in an efficient manner. While there was no substantive decision on the merits of the rulemaking, the modest costs incurred by CforAT/DisabRA to assist in developing a record benefited the Commission as it considered important issues that would affect the viability of California’s universal service public purpose programs.</p>	<p>We find that organizations should be compensated for eligible work despite a proceeding rendered moot based on external activities. CforAT accurately presents several examples where the Commission has granted an intervenor compensation for its work despite either no discussion of that work in a decision or the proceeding rendered moot.</p>
<p><b>b. Reasonableness of Hours Claimed.</b></p> <p>The combined time of CforAT/DisabRA is very modest (well below the time estimates set forth in the two NOIs) and represents appropriate efforts to develop the record of the proceeding in response to the OIR and to raise closely-related issues in an efficient manner.</p>	<p>We find that the hours claimed in 2011 and 2013 are reasonable. Hours claimed in 2010 and 2012 are disallowed, as explained below.</p>
<p><b>c. Allocation of Hours by Issue</b></p> <p>In its NOI, DisabRA identified the issues on which it intended to participate by noting questions concerning the Commission’s jurisdiction and the need for a broad and consistent base of contributions to the public purpose programs on which many people with disabilities rely. DisabRA also noted that it would participate modestly on issues regarding implementation of a new system for collecting PPP surcharges from VoIP providers. Finally, DisabRA noted that it would be addressing issues regarding the scope of the proceeding, as raised in the SED motion. When CforAT sought party status as the successor to DisabRA, it indicated in its NOI its intent to address the same issues, which can broadly be identified as “Jurisdiction,” “Policy,” “Implementation,” and “Scope.”</p> <p>All issues other than Scope were jointly addressed in DisabRA’s Opening and Reply Comments. The Response to SED’s motion (DisabRA) focused exclusively on Scope, and then all issues including Scope were touched upon in comments on the PD (CforAT). Thus, the only separate issues noted on the time records of both DisabRA and CforAT are Scope and Mix, as well as General Participation.</p> <p>Overall, DisabRA’s recorded time can be allocated as follows:</p>	<p>CforAT has properly allocated its time by major issue as required by Rule 17.4.3(e).<sup>2</sup></p>

<sup>2</sup> See D.98-04-059 and D.85-08-012.

<p>Mix: 47% (14.4 hours out of 30.9 total)                  Scope: 34% (10.5 hours out of 30.9 total)                  General Participation: 14% (4.4 hours out of 30.9 total)</p> <p>While separate entries cannot easily be subdivided by issue, the overall time breakdown for entries labeled “Mix” can be allocated as follows:</p> <p>Jurisdiction: 50%                  Policy: 30%                  Implementation: 20%</p> <p>All time spent by DisabRA on Scope is separately allocated.</p> <p>Overall, CforAT’s recorded time can be allocated as follows:</p> <p>Mix: 53% (2.4 hours out of 4.5 total)                  General Participation: 47% (2.1 hours out of 4.5 total)</p> <p>As with DisabRA’s time, CforAT’s entries designated “Mix” cannot easily be subdivided, but the overall time breakdown for such entries can be allocated as follows:</p> <p>Jurisdiction: 15%                  Policy: 15%                  Implementation: 35%                  Scope: 35%</p>	
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**B. Specific Claim:\***

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate	Basis for Rate*	Total \$	Hours	Rate	Total \$
Melissa W. Kasnitz (DisabRA)	2010	.7	\$420	D.11-01-022	\$294	0	\$420	\$0 <sup>(A)</sup>
Karla Gilbride	2010	.9	\$200	D.11-01-022	\$180	0	\$200	\$0 <sup>(A)</sup>
Melissa W. Kasnitz (DisabRA)	2011	15.5	\$420	D.12-03-051	\$6,510	15.5	\$420	\$6510
Karla Gilbride	2011	12	\$210	D.12-03-051	\$2,520	12	\$210	\$2520
Melissa W. Kasnitz (CforAT)	2012	1.5	\$420	D.13-02-014	\$630	0	\$430 <sup>3</sup>	\$0 <sup>(B)</sup>
Melissa W.	2013	3.0	\$440	See below. Note that	\$1,320	3	\$440 <sup>4</sup>	\$1320

<sup>3</sup> Approved in D.13-12-026.

<sup>4</sup> Approved in D.13-12-026.

Kasnitz (CforAT)				no substantive work took place in this proceeding in 2012.				
<b>Subtotal:</b>					<b>\$11,454</b>	<b>Subtotal:</b>		<b>\$10,350</b>
<b>OTHER FEES</b>								
Describe here what OTHER HOURLY FEES you are Claiming (paralegal, travel **, etc.):								
<b>Item</b>	<b>Year</b>	<b>Hours</b>	<b>Rate</b>	<b>Basis for Rate*</b>	<b>Total \$</b>	<b>Hours</b>	<b>Rate</b>	<b>Total \$</b>
Paralegal (DisabRA)	2011	1.8	\$110	D.12-03-052	\$198	1.8	\$110	\$198
<b>Subtotal:</b>					<b>\$198</b>	<b>Subtotal:</b>		<b>\$198</b>
<b>INTERVENOR COMPENSATION CLAIM PREPARATION **</b>								
<b>Item</b>	<b>Year</b>	<b>Hours</b>	<b>Rate</b>	<b>Basis for Rate*</b>	<b>Total \$</b>	<b>Hours</b>	<b>Rate</b>	<b>Total \$</b>
Melissa W. Kasnitz (DisabRA)	2011 (NOI)	1.0	\$210	½ standard rate	\$210	1	\$210	\$210
Karla Gilbride (DisabRA)	2011 (NOI)	1.4	\$105	½ standard rate	\$147	1.4	\$105	\$147
Melissa W. Kasnitz (CforAT)	2011 (NOI)	1.5	\$210	½ standard rate	\$315	1.5	\$210	\$315
Melissa W. Kasnitz (CforAT)	2013	6.0	\$220	½ requested rate	\$1,320	6	\$220	\$1320
<b>Subtotal:</b>					<b>\$1,992</b>	<b>Subtotal:</b>		<b>\$1,992</b>
<b>COSTS</b>								
<b>#</b>	<b>Item</b>	<b>Detail</b>			<b>Amount</b>	<b>Amount</b>		
	Postage (DisabRA)	DisabRA's costs for mailing hard copies of service documents to ALJ and Assigned Commissioner			\$4.88	\$4.88		
	Print/copy costs (DisabRA)	In-house printing and copying costs for documents that were relevant to issues of concern for DisabRA's constituency.			\$22.00	\$22.00		
<b>Subtotal:</b>					<b>\$26.88</b>	<b>Subtotal:</b>		<b>\$26.88</b>
<b>TOTAL REQUEST \$:</b>					<b>\$13,670.88</b>	<b>TOTAL AWARD \$:</b>		<b>\$12,566.88</b>

\*We remind all intervenors that Commission staff may audit their records related to the award and that intervenors must make and retain adequate accounting and other documentation to support all claims for intervenor compensation. Claimant'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 typically compensated at ½ of preparer's normal hourly rate.

Attorney	Date Admitted to CA BAR <sup>5</sup>	Member Number	Actions Affecting Eligibility (Yes/No?) If "Yes", attach explanation
Melissa Kasnitz	December 24, 1992	162679	No; please note from January 1, 1993 until January 25, 1995 and January 1, 1996 until February 19, 1997 Kasnitz was an inactive member of the California State Bar.
Karla Gilbride	July 17, 2009	264118	No.

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

Attachment or Comment #	Description/Comment
1	Certificate of Service
2	DisabRA 2010 Detailed Time Records on merits
3	DisabRA 2011 Detailed Time Records on merits
4	CforAT 2011 Detailed Time Records on merits
5	CforAT 2013 Detailed Time Records on merits (Note that no substantive work in this proceeding took place in 2012)
6	DisabRA Detailed Records on time spent on compensation issues
7	CforAT Detailed Records of time spent on compensation issues
Comment 1	<b>Justification of Melissa Kasnitz' 2013 rate:</b> In D.13-04-008, the Commission adopted a 2012 rate of \$430 for Melissa Kasnitz. In Resolution ALJ-287, the Commission adopted a 2% COLA for intervenor rates for 2013. Applying the 2% COLA to Ms. Kasnitz' 2012 rate, and rounding to the next even number, Ms. Kasnitz's rate for 2013 should be set at \$440 per hour.

### D. CPUC Disallowances & Adjustments:

#	Reason
A	We disallow compensation for work performed during 2010. Public Utilities Code Section 1801 states that the purpose of this article is to provide compensation for reasonable advocate's fees...of participation or intervention in any proceeding of the commission. Furthermore, Section 1801.3(a) states that the provisions of this article apply to all formal proceedings of the Commission. The Commission did not formally initiate R.11-01-008 until January 2011. Therefore, no work on the proceeding could have taken place in 2010.
B	We disallow compensation for work performed during 2012. CforAT provided no description of the 1.5 hours claimed. Furthermore, as stated above by CforAT, "no substantive work took place in this proceeding in 2012."

<sup>5</sup> This information may be obtained at: <http://www.calbar.ca.gov/>.

**PART IV: OPPOSITIONS AND COMMENTS**

**A. Opposition: Did any party oppose the Claim?**

No
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**B. Comment Period: Was the 30-day comment period waived (*see* Rule 14.6(2)(6))?**

Yes
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**FINDINGS OF FACT**

1. Center for Accessible Technology has made a substantial contribution to Decision 13-02-022.
2. The requested hourly rates for Center for Accessible Technology’s representatives, as adjusted herein, are comparable to market rates paid to experts and advocates having comparable training and experience and offering similar services.
3. The claimed costs and expenses, as adjusted herein, are reasonable and commensurate with the work performed.
4. The total of reasonable compensation is \$12,566.88.

**CONCLUSION OF LAW**

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

**ORDER**

1. Center for Accessible Technology is awarded \$12,566.88.
2. Within 30 days of the effective date of this decision, the Commission’s Fiscal Office shall disburse the awarded compensation from the Commission’s Intervenor Compensation Fund. Payment of the award shall include interest at the rate earned on prime, three-month non-financial commercial paper as reported in Federal Reserve Statistical Release H.15, beginning July 17, 2013, the 75th day after the filing of Center for Accessible Technology’s request, and continuing until full payment is made.
3. The comment period for today’s decision is waived.
4. This decision is effective today.

Dated \_\_\_\_\_, at San Francisco, California.

## APPENDIX

## Compensation Decision Summary Information

<b>Compensation Decision:</b>		<b>Modifies Decision?</b>	No
<b>Contribution Decision(s):</b>	D1302022		
<b>Proceeding(s):</b>	R1101008		
<b>Author:</b>	ALJ Kelly A. Hymes		
<b>Payer(s):</b>	Commission's Intervenor Compensation Program Fund		

## Intervenor Information

<b>Intervenor</b>	<b>Claim Date</b>	<b>Amount Requested</b>	<b>Amount Awarded</b>	<b>Multiplier?</b>	<b>Reason Change/Disallowance</b>
Center for Accessible Technology (CforAT)	5/3/2013	\$13,670.88	\$12,566.88	No	N/A

## Advocate Information

<b>First Name</b>	<b>Last Name</b>	<b>Type</b>	<b>Intervenor</b>	<b>Hourly Fee Requested</b>	<b>Year Hourly Fee Requested</b>	<b>Hourly Fee Adopted</b>
Melissa	Kasnitz	Attorney	CforAT	\$420	2010	\$420
Melissa	Kasnitz	Attorney	CforAT	\$420	2011	\$420
Melissa	Kasnitz	Attorney	CforAT	\$420	2012	\$430
Melissa	Kasnitz	Attorney	CforAT	\$440	2013	\$440
Karla	Gilbride	Attorney	CforAT	\$200	2010	\$200
Karla	Gilbride	Attorney	CforAT	\$210	2011	\$210
		Paralegal	CforAT	\$110	2011	\$110

(END OF APPENDIX)