

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Investigation on the Commission's Own Motion Into the Planned Purchase and Acquisition by AT&T Inc. of T-Mobile USA, Inc., and its Effect on California Ratepayers and the California Economy	Investigation 11-06-009 (Filed June 9, 2011)
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**DECISION AWARDING COMPENSATION TO CENTER FOR ACCESSIBLE
TECHNOLOGY FOR SUBSTANTIAL CONTRIBUTION TO
DECISION 12-08-025**

Claimant: Center for Accessible Technology (CforAT)	For contribution to Decision (D.)12-08-025
Claimed: \$23,014.17	Awarded: \$20,286.42 (reduced 12%)
Assigned Commissioner: Catherine J.K. Sandoval	Assigned ALJ: Jessica T. Hecht

PART I: PROCEDURAL ISSUES

A. Brief Description of Decision:	The Final Decision grants the motion to dismiss the investigation into the proposed purchase and acquisition of T-Mobile USA, Inc. by AT&T as moot because the respondents abandoned their planned merger and withdrew their related application at the FCC. The Final Decision also specifically provides the intervenors can file claims for compensation even though the Commission did not issue a final decision on the merits.
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B. Claimant must satisfy intervenor compensation requirements set forth in Public Utilities Code §§ 1801-1812:

Claimant		CPUC Verified
Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):		
1. Date of Prehearing Conference:	N/A	Correct
2. Other Specified Date for NOI:	September 6, 2011 (specified in Ordering Paragraph 18 of the OII)	Correct

PROPOSED DECISION

3. Date NOI Filed:	September 7, 2011, immediately following receipt of an email ruling that CforAT's then-pending Motion for Party Status was granted. See comment below. The final decision indicates that CforAT's NOI was timely filed. (Decision at p. 11).	Correct
4. Was the NOI timely filed?		Yes
Showing of customer or customer-related status (§ 1802(b)):		
5. Based on ALJ ruling issued in proceeding number:	No formal ruling has been issued on CforAT's NOI in this proceeding. CforAT has established its customer status in other proceedings; <i>see e.g.</i> ALJ Ruling in A.10-03-014.	A.10-03-014
6. Date of ALJ ruling:	ALJ Ruling in A.10-03-014, issued on October 31, 2011	10-31-11
8. Has the Claimant demonstrated customer or customer-related status?		Yes
Showing of "significant financial hardship" (§ 1802(g)):		
9. Based on ALJ ruling issued in proceeding number:	In this proceeding, the Final Decision notes that CforAT has a rebuttable presumption of significant financial hardship. Decision at pp. 11-12. A showing of significant financial hardship was found in A.10-03-014.	A.10-03-014

10. Date of ALJ ruling:	See ALJ Ruling in A.10-03-014, issued on October 31, 2011.	10-31-11
12. Has the Claimant demonstrated significant financial hardship?	A rebuttable presumption pursuant to §1804(b)(1) is applied to CforAT’s participation here, as a substantive finding on significant financial hardship (referenced above) was issued within a year of the commencement of this proceeding.	
Timely request for compensation (§ 1804(c)):		
13. Identify Final Decision:	D.12-08-025	Correct
14. Date of Issuance of Final Order or Decision:	8/29/12	Correct
15. File date of compensation request:	10/12/12	Correct
16. Was the request for compensation timely?	Yes	

PART II: SUBSTANTIAL CONTRIBUTION

A. Claimant’s description of its claimed contribution to the final decision:

Intervenor’s Claimed Contribution	Specific References to Claimant’s Presentations and to Decision	Showing Accepted by CPUC
<p>1. As noted in the final decision, the proponents of the merger that was the subject of this investigation moved to dismiss the proceeding following their decision to terminate their merger efforts. This followed several months of concentrated effort to move the merger forward, including work by intervening parties to assist the Commission in its effort to evaluate the proposed transaction.</p> <p>As part of the Commission’s review, it requested substantial information about the proposed transaction, and parties to the proceeding expended substantial</p>	Final Decision at pp. 9-11.	Correct

<p>effort to respond to these inquiries. Eventually, when the parties to the proposed merger decided to discontinue the transaction, based on circumstances outside the record of this proceeding, the efforts of the parties and the Commission became moot, and the proceeding was terminated without a determination on the merits regarding the proposed merger.</p>		
<p>2. While dismissing the proceeding as moot, the Commission properly noted that “parties spent considerable time developing a record related to respondents’ products, services, pricing, outreach, facilities and other issues.” This includes responding to issues that were directly raised by the Commission in the Administrative Law Judge’s Ruling Requesting Additional Information and Addressing Various Procedural Issues, issued on August 11, 2011 (August 11 ALJ Ruling).</p>	<p>Final Decision at p. 10, <i>see also</i> August 11 ALJ Ruling at pp. 6-10, setting forth 11 questions for parties to address.</p>	<p>Correct</p>
<p>3. Among the questions specifically raised by the Commission in the August 11 ALJ Ruling was the issue of potential mitigation measures that might ameliorate concerns about whether the proposed merger would serve the public interest. This issue of mitigation measures (specifically measures that might mitigate the impact of the potential merger on the disability community) was the focus of CforAT’s participation in the proceeding.</p>	<p>August 11 ALJ Ruling at 9-10 (Question 11, including subparts a-j); see also CforAT’s NOI, filed on September 7, 2011 indicating that CforAT intended to address the issue of mitigation, and CforAT’s substantive comments and supporting expert declaration, filed on August 22, 2011, addressing the need for mitigation regarding issues affecting the disability community.</p>	<p>Correct</p>
<p>4. Because CforAT’s substantive contributions were directly responsive to questions raised in the August 11 ALJ Ruling and assisted in building the record in this proceeding, CforAT’s participation was reasonable and should be compensated.</p>	<p>Compare Question 11 of August 11 ALJ Ruling, including subparts a-j, with issues addressed in CforAT’s substantive comments and supporting expert declaration, filed on August 22, 2011.</p>	<p>Correct</p>

B. Duplication of Effort (§§ 1801.3(f) & 1802.5):

Claimant		CPUC Verified
a. Was the Office of Ratepayer Advocates (ORA) a party to the proceeding?¹	Yes	Yes
b. Were there other parties to the proceeding with positions similar to yours?	Yes	Yes
c. If so, provide name of other parties: Parties who were opposed to the merger or who sought conditions and/or mitigation measures as part of any determination that the merger should be allowed to go forward included: The Utility Reform Network; the Greenlining Institute; the Latino Business Chamber of Greater Los Angeles, the National Asian American Coalition and the Black Economic Council (jointly); the Utility Consumers’ Action Network, and Phillip Moskal. Additional parties to the proceeding included the proponents of the proposed merger, AT&T and T-Mobile, as well as other carriers and associations representing the interests of carriers, and the Communication Workers of America, District 9.		Correct
d. Claimant’s description of how it coordinated with ORA and other parties to avoid duplication or how its participation supplemented, complemented, or contributed to that of another party: The Center for Accessible Technology was the only party to address concerns about the way in which the proposed merger might impact the uniquely vulnerable community of people with disabilities, and to address potential mitigation measures to address these concerns if the merger were to be allowed to proceed. CforAT did not seek to address issues where other parties had greater expertise.		We affirm that CforAT was the only party to address concerns specific to the disabled community and did not duplicate the efforts of other parties.

¹ 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: public resources), which was approved by the Governor on September 26, 2013.

PART III: REASONABLENESS OF REQUESTED COMPENSATION

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

<p>a. Claimant’s explanation as to how the cost of Claimant’s participation bore a reasonable relationship with benefits realized through claimant’s participation</p>	<p>CPUC Verified</p>
<p>The only substantive issue addressed by CforAT was mitigation (specifically, “mitigation to address potential harms to customers with disabilities that might flow from the proposed merger. In particular, CforAT is addressing issues concerning effective communication with disabled customers, service quality and reliability, accessibility of telecommunications equipment such as wireless handsets, and affordability” CforAT NOI at p. 3). This was directly responsive to Question 11, regarding potential mitigation measures, in the August 11 ALJ Ruling. While there was no substantive decision on the merits of the proposed merger, the modest costs incurred by CforAT to develop a record of appropriate mitigation measures to ensure that a vulnerable population which would have faced unique impacts had the merger moved forward, benefited the Commission as it prepared to consider the impact of the proposed merger on the citizens of California.</p>	<p>Accepted</p>
<p>b. Reasonableness of Hours Claimed.</p>	<p>CPUC Verified</p>
<p>The total amount of time claimed by CforAT is modest, and represents CforAT’s focused effort on an issue where it was uniquely placed to provide information specifically requested by the Commission regarding potential mitigation for a vulnerable community. In addition to this specific contribution, CforAT monitored the complex proceeding to evaluate where it could make additional contributions, while keeping time spent on this effort constrained.</p> <p>CforAT’s final request is well below the estimates set forth in its NOI, which anticipated that the organization would expend 60 hours of attorney time and 30 hours of expert time on this proceeding. Because no final decision on the merits was reached, CforAT spent only very modest amounts of time reviewing the proposed decision and comments, and did not make any substantive filings during that portion of the proceeding.</p>	<p>After some minor reductions, the remainder of CforAT’s request for compensation is reasonable and worthy of compensation.</p>
<p>c. Allocation of Hours by Issue</p>	<p>CPUC Verified</p>
<p>As noted above, the only substantive issue addressed by CforAT was mitigation. All time for spent by CforAT’s internal experts was spent on mitigation. For counsel, time was divided between mitigation and general participation (GP). Because of the need to review frequent filings, the portion of counsel’s time spent on general participation was relatively high; this was needed in order to follow the proceeding as it moved forward. CforAT’s counsel did not seek to conduct a detailed review of filings that did not directly impact issues of concern to the organization’s</p>	<p>CforAT has properly allocated its time by major issue as required by Rule 17.4.²</p>

² See D.98-04-059 and D.85-08-012.

<p>constituency, and thus spent relatively modest amounts of time reviewing documents considering the volume of material that was part of the record in this proceeding.</p> <p>A small number of counsel’s time entries cannot easily be separated into “Mitigation” or “GP.” These are noted as “Mix” and can be presumed to break into the separate issues in the same overall proportion as the individual entries.</p> <p>Total Merits Hours: 58.1 (100%)</p> <p>Mitigation Hours: 38.3 (66%)</p> <p>GP Hours: 15.6 (27%)</p> <p>Mixed Hours: 4.2 (7%)</p>	
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B. Specific Claim*:

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate \$	Rate Rationale	Total \$	Hours	Rate \$	Total \$
M. Kasnitz	2011	37.9	420	D.11-10-012	15,918.00	32.6	420	13,692.00
M. Kasnitz	2012	2.8	445	Adopted here	1,246.00	2.8	430	1,204.00
D. Belser	2011	14.9	225	D.13-02-014	3,352.50	14.9	225	3,352.50
J. Mires	2011	2.5	185	Adopted here	462.50	2.5	65	162.50
Subtotal: 20,979						Subtotal: \$18,411		
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
M. Kasnitz	2011	1.9	210	½ D.11-10-012 rate	399.00	1.4	210	294.00
M. Kasnitz	2012	7.3	222.50	½ rate adopted here	1,624.25	7.3	215	1,569.50
Subtotal: \$2,023.25						Subtotal: \$1,863.50		
COSTS								
Item	Detail				Amount \$	Amount \$		
Postage	Mail hard copies of substantive filings				11.92	11.92		
Subtotal: \$11.92						Subtotal: \$11.92		
TOTAL REQUEST: \$23,014.17						TOTAL AWARD: \$20,286.42		
<p>* 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</p>								

final decision making the award.			
** Reasonable Claim preparation time is compensated at ½ of preparer’s normal hourly rate.			
Attorney	Date Admitted to CA BAR	Member Number	Actions Affecting Eligibility (Yes/No?) If “Yes”, attach explanation
M. Kasnitz	December 24, 1992	162679	No; please note that from January 01, 1993 until January 25, 1995 and from January 01, 1996 until February 19, 1997, Kasnitz was an inactive member of the California State Bar.

C. Comments on Part III:

Comment #	CforAT Comments
1	<p>Requested 2012 Rate for Melissa W. Kasnitz</p> <p>In compensation requests pending in A.08-12-021 and R.10-02-005, Kasnitz sought an increase in her rate for 2012 from \$420 per hour to \$435 per hour (Kasnitz did not ask for any time to be compensated at 2012 rates in CforAT’s pending request in A.10-03-014). These requests were submitted before any action was taken on Resolution ALJ-281, issued on September 18, 2012, which adopted intervenor rates for 2012.</p> <p>Resolution ALJ-281 approved a 2.2% cost of living adjustment (COLA) for intervenor rates in 2012. Applying this increase to Kasnitz’s 2011 rate of \$420 per hour would set a 2012 rate of \$430 per hour (2.2% of \$420 is \$9.24, which is then rounded to a \$10/hr increase), which is well within the rate range specified for attorneys with 13+ years of experience.</p> <p>Kasnitz, graduated law school in 1992 and thus has 20 years of experience, including substantial experience practicing before the Commission, has used both available step increases for the 13+ year range. In her prior pending compensation requests that include time for 2011, however, Kasnitz has explained why a rate increase of \$15 per year is appropriate, separate from any determination by the Commission regarding the availability of a COLA.</p> <p>Specifically, in the pending compensation requests in A.08-12-021 and R.10-02-005, CforAT argued that:</p> <p style="padding-left: 40px;">This increase in Kasnitz’s rate for 2012 is justified. Kasnitz graduated law school in 1992; in 2012 she is an experienced practitioner with substantial expertise representing people with disabilities and with a history of effective representation at the Commission. Nevertheless, her rate has been unchanged since 2008, and</p>

	<p>since she first entered the most experienced rate range of commission intervenors in 2005, at 13 years of experience, she has received only minimal step increases. Thus, while Kasnitz has substantially more than the minimum level of experience in the 13+ year range, her rate does not reflect this experience. Of course, more junior practitioners have ongoing opportunities to seek increases as they rise in experience levels, and they have multiple opportunities to seek step increases in each experience range. All that this request seeks is a similar opportunity for the most experienced practitioners to obtain a modest rate increase.</p> <p>Kasnitz is aware that no cost of living increases have been authorized since 2008 (though no resolution has issued specifically for 2012). The increase sought here is different. If an experienced practitioner with 20 years of legal experience but no established rate before the Commission sought intervenor compensation for the first time, Resolution ALJ 267 indicates that the attorney would be eligible for a rate between \$300 and \$535 per hour. A rate of \$435, just above the midpoint of the rate range, would easily be found reasonable for such a practitioner.</p> <p>While there is no directly comparable practitioner to use as a model, CforAT points to Tom Long of TURN. According to the Commission's rate chart, available at http://www.cpuc.ca.gov/NR/ronlyres/991AE44F-B4CD-4133-A2C0-17BF4C0F849C/0/Intervenors_Hourly_Rates.pdf, Long's rate was set at \$300 in 2000 (established in D.01-08-011) as an attorney for TURN. Subsequent to that, Long left TURN and has not had a rate set as an intervenor since that time. In 2011, however, Long returned to TURN. In an NOI submitted in A.11-06-007 on June 6, 2011, Long indicated that he would be requesting a rate of \$510.*</p> <p>Kasnitz had a rate of \$300 in 2004, four years later than the same rate for Long. Based on her experience since that time, a rate of \$435 is reasonable, and CforAT respectfully requests that such rate be set for 2012.</p> <p>CforAT continues to believe that these same factors remain in place notwithstanding the new resolution providing for a COLA, and that Kasnitz is eligible to seek this additional increase consistent with the provision of Resolution ALJ-281 which allows practitioners to request increases greater than those generally adopted. ALJ-281 at pp. 5-6. Thus,</p> <p>Kasnitz seeks approval of a rate of \$445 per hour, which includes a \$10 increase based on the approved COLA and an additional \$15 increase based on the previously submitted analysis.</p> <p>* In fact, TURN has requested a 2011 rate for Long of \$520 per hour. See TURN's pending Intervenor Compensation Request in A.09-10-013, filed on February 17, 2012.</p>
	CPUC Comments
2	<i>See Part III-Section D for 2012 hourly rate for M. Kasnitz.</i>
	CforAT Comments
3	<p>Requested 2011 rate for Jon Mires:</p> <p>Jon Mires serves as CforAT's Web Access Specialist. In this proceeding, he spent a</p>

	<p>very limited amount of time briefly reviewing the accessibility of the websites of the carriers that were proposing to merge and reporting on his findings. This is the work he performs on a daily basis at CforAT.</p> <p>Since 2007, Mires has worked for CforAT providing web accessibility evaluations, trainings for groups and individuals, and consulting to web developers trying to implement web accessibility guidelines. He has a Bachelor's degree (2001) from Stanford University and a Master's degree (2006) from George Mason University. As a regular part of his work, he evaluates website accessibility and reports on accessibility barriers, including general overviews and detailed evaluations depending on the scope of a project at issue.</p> <p>When CforAT is engaged as a consultant to address web access, Mires' time is regularly billed at \$185 per hour, the rate requested here for the same work. As noted above in the discussion of Dmitri Belser's rate, this rate is incorporated into a blended rate for all of CforAT's staff. An hourly rate of \$185 is both the blended overall rate for CforAT and the individual rate for Jon Mires because Jon Mires does the substantial majority of all web access work, supplemented by Dmitri Belser who would charge at a higher separate rate, and by additional junior and support staff, who would charge at a lower separate rate. Examples of clients of CforAT who pay this rate include Anthem Healthcare, Groove 11 and Primitive Logic.</p> <p>The proposed rate of \$185 per hour, the actual rate paid by clients of CforAT, is also within the rate range set out for experts with 6years of experience in Resolution ALJ-267, which controls expert rates for 2011.</p>
	CPUC Comments
	<i>See Part III-Section D for 2011 hourly rate for J. Mires.</i>

C. CPUC Disallowances and Adjustments:

Adjustments/Adoptions	
<p>2012 hourly rate for M. Kasnitz</p>	<p>CforAT requests the hourly rate of \$445 for Kasnitz's 2012-2013 work. According to CforAT, the rate request equals Kasnitz's previously adopted rate of \$420 for her 2011 work in D.11-10-012, with the addition of the 2.2% cost-of-living increase authorized in Resolution ALJ-281, and an additional \$15 per hour based on an increased level of experience and skill for Kasnitz. D.08-04-010 limits step increases to no more than two annual increases of no more than 5% each year within any given level of experience for each individual. Kasnitz has been an attorney for over almost 21 years and her previously approved hourly rates for an attorney in the 13+ years of experience level have previously maximized these two 5% step increases. We do not approve the additional \$15 per hour increase for this reason, but we do apply the 2.2% COLA authorized in Resolution ALJ-281. The resultant hourly rate (rounded to the nearest \$5 increment) is \$430. We find this hourly rate to be reasonable and comparable to market rates paid to experts and advocates having comparable training and experience and offering similar services. We adopt an hourly rate of \$430 for</p>

	Kasnitz for 2012.
2011 hourly rate for J. Mires	<p>CforAT requests an hourly rate of \$185 for Jon Mires 2011 work in this proceeding. Mires has no previously adopted rates for work before the Commission. According to CforAT, Jon Mires serves as CforAT’s Web Access Specialist. Here, he spent a small amount of hours reviewing the accessibility of the websites of the carriers that were proposing to merge and reported on his findings. This is typically the work he performs on a daily basis at CforAT.</p> <p>Mires has been employed with CforAT since 2007 providing web accessibility evaluations, trainings for groups and individuals, and consulting with web developers trying to implement web accessibility guidelines. CforAT states that Mires acquired his Bachelor's degree in 2001 from Stanford University and a Master's degree from George Mason University in 2006. Mires regularly evaluates website accessibility and reports on accessibility barriers.</p> <p>When engaged as a consultant to address web access issues, CforAT submits that Mires’ time is billed at \$185. As such, this same hourly rate is sought for his work in this proceeding. According to CforAT, in this proceeding Mires performed the majority of all web access work. Examples of clients of CforAT who pay the prevailing rate for the service of Mires include Anthem Healthcare, Groove 11 and Primitive Logic.</p> <p>CforAT submits that the requested 2011 hourly rate of \$185 for Mires (the actual rate paid by clients of CforAT), is reasonable and within the rate range of (\$125-\$185) established for experts with 6 years of experience in Resolution ALJ-267.</p> <p><u>CPUC Response:</u> Mires has no previous work before the Commission for which he has received compensation. D.08-04-010 at 7 (<u>Rates for New Representatives</u>) states:</p> <p style="padding-left: 40px;">Intervenor representatives who previously have not appeared before the Commission must make a showing in the compensation request to justify the proposed hourly rate. The requested rate must be within the established range of rates for any given level of experience, and, consistent with the guidelines in D.05-11-031, must take into consideration the rates previously awarded other representatives with comparable training and experience, and performing similar services. (See § 1806.)³</p> <p>CforAT has failed to attach Mires resume or make the comparison outlined in D.08-04-010 or demonstrate that the requested hourly rate is similar to the rates awarded to other representatives with comparable training and experience and who have performed similar services before the Commission.</p> <p>We have reviewed Mires’ timesheets and examined the work he performed</p>

³ § 1806 states that any award for compensation shall take into consideration the market rates paid to persons of comparable training and experience who offer similar services.

	on behalf of CforAT. Unlike the substantive work performed by CforAT’s expert Belser (researching, drafting, editing testimony, and revising comments, etc.), Mires work (2.5 hrs. total), involved “a brief evaluation of ATT.com for accessibility, evaluating T-Mobile website for accessibility, and reporting to Belser the findings of brief website review.” We conclude that Mires’ work more closely resembles that of an “advocate” rather than an expert, and approve the hourly rate of \$65 for his 2011 work here. The rate adopted here and for similar reasons was applied to the “Joint Parties” compensation award in R.09-07-027. The compensation decision in R.09-07-027 declined to find that the “Joint Parties” participants performed substantive when compared to the work of “experts” practicing before the Commission.
Disallowances	
Disallowances for clerical tasks	We disallow Kasnitz’s time on 8/22/11 for “finalizing testimony, comments and CforAT’s motion for party status” as this work is a non-compensable clerical task subsumed in the fees paid to attorneys. Disallowances: Kasnitz (2011) 5.3 hrs.
Time spent on NOI matters	We disallow Kasnitz’s time of 9/7/11 for “finalizing CforAT’s NOI” for the same reason outlined above. Disallowances: Kasnitz (2011) .5 hr.

PART IV: OPPOITIONS AND COMMENTS

A. Opposition: Did any party oppose the Claim?	Yes
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If so:

Party	Reason for Opposition	CPUC Disposition
New Cingular Wireless PCS, LLC	Because D.12-08-025 dismissed this case based on withdrawal of the merger application at the FCC, and was not based on the contributions of CforAT, the statutory requirement for CforAT to make a “substantial contribution” was not met.	New Cingular Wireless PCS, LLC’s opposition is rejected. D.12-08-025 granted the authority to award intervenor compensation in this proceeding.

B. Comment Period: Was the 30-day comment period waived?	Yes
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FINDINGS OF FACT

1. CforAT has made a substantial contribution to Decision (D.)12-08-025.

2. The requested hourly rates for CforAT's representatives, adjusted herein, are comparable to market rates paid to experts and advocates having comparable training and experience and offering similar services.
3. After the adjustments made herein, the remaining hours and costs are reasonable, commensurate with the work performed, and warrant compensation.
4. The total of reasonable compensation is \$20,286.42.

CONCLUSION OF LAW

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

ORDER

1. CforAT is awarded \$20,286.42.
2. Within 30 days of the effective date of this decision, T-Mobile West LLC dba T-Mobile (U3056C) (T-Mobile) and New Cingular Wireless PCS, LLC (U3060C), AT&T Mobility Wireless Operations Holdings Inc. (U3021C), Santa Barbara Cellular Systems, Ltd. (U3015C) and AT&T Mobility Wireless Operations Holdings, LLC (U3014C) (collectively referred to as "AT&T Mobility") shall pay The Center for Accessible Technology their respective shares of the award, based on the pro rata share of their collective California-jurisdictional telecommunications revenues for the 2011 calendar year, to reflect the year in which the proceeding was primarily litigated. 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.15,⁴ beginning December 26, 2012 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.

⁴ See Resolution ALJ-294.

APPENDIX**Compensation Decision Summary Information**

Compensation Decision:		Modifies Decision? No
Contribution Decision:	D1208025	
Proceeding:	I1106009	
Author:	ALJ Jessica T. Hecht	
Payees:	T-Mobile West LLC dba T-Mobile (U3056C) (T-Mobile) and New Cingular Wireless PCS, LLC (U3060C), AT&T Mobility Wireless Operations Holdings Inc. (U3021C), Santa Barbara Cellular Systems, Ltd. (U3015C) and AT&T Mobility Wireless Operations Holdings, LLC (U3014C) (collectively referred to as "AT&T Mobility")	

Intervenor Information

Intervenor	Claim Date	Amount Requested	Amount Awarded	Multiplier?	Reason Change/Disallowance
Center for Accessible Technology	10-12-12	\$23,014.17	\$20,286.42	No	adjusted hourly rates; disallowance of clerical tasks

Advocate Information

First Name	Last Name	Type	Intervenor	Hourly Fee Requested	Year Hourly Fee Requested	Hourly Fee Adopted
Melissa	Kasnitz	Attorney	Center for Accessible Technology	\$420	2011	\$420
Melissa	Kasnitz	Attorney	Center for Accessible Technology	\$445	2012	\$430
Dmitri	Belser	Expert	Center for Accessible Technology	\$225	2011	\$225
Jon	Mires	Expert	Center for Accessible Technology	\$185	2011	\$ 65

(END OF APPENDIX)