

Decision 22-01-013 January 13, 2022

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Implement
Electric Utility Wildfire Mitigation Plans
Pursuant to Senate Bill 901 (2018)

Rulemaking 18-10-007

**DECISION GRANTING COMPENSATION TO THE UTILITY REFORM NETWORK
FOR SUBSTANTIAL CONTRIBUTION TO WILDFIRE SAFETY DIVISION
(WSD) -001, WSD-002, WSD-003, WSD-004**

Intervenor: The Utility Reform Network (TURN)	For contribution to Resolutions (Res.) Wildfire Safety Division (WSD) -001, WSD-002, WSD-003, WSD-004
Claimed: \$173,945.90	Awarded: \$174,142.50
Assigned Commissioner: Marybel Batjer	Assigned ALJ: Cathleen A. Fogel

PART I: PROCEDURAL ISSUES

A. Brief description of Decision:	The collective Resolutions lay out the guidelines for, review, and approve, with conditions, the 2020 Wildfire Mitigation Plans (WMP) that the utilities filed pursuant to Senate Bill (SB) 901. WSD-001 outlines the schedule for review of the WMP and provides other procedural direction for review of the 2020 WMP. WSD-002 is a “Guidance Resolution” that address issues and identifies deficiencies common to all of the 2020 WMPs. WSD-003 addresses the Pacific Gas and Electric (PG&E) 2020 WMP and WSD-004 Addresses the Southern California Edison (SCE) 2020 WMP.
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B. Intervenor must satisfy intervenor compensation requirements set forth in Pub. Util. Code §§ 1801-1812¹:

	Intervenor	CPUC Verification
Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):		
1. Date of Prehearing Conference:	11/14/18	Verified
2. Other specified date for NOI:	n/a	
3. Date NOI filed:	12/11/18	Verified
4. Was the NOI timely filed?		Yes
Showing of eligible customer status (§ 1802(b)) or eligible local government entity status (§§ 1802(d), 1802.4):		
5. Based on ALJ ruling issued in proceeding number:	I.15-08-019	Verified
6. Date of ALJ ruling:	11/8/17	Verified
7. Based on another CPUC determination (specify):		
8. Has the Intervenor demonstrated customer status or eligible government entity status?		Yes
Showing of “significant financial hardship” (§1802(h) or §1803.1(b)):		
9. Based on ALJ ruling issued in proceeding number:	I.15-08-019	Verified
10. Date of ALJ ruling:	11/8/17	Verified
11. Based on another CPUC determination (specify):		
12. Has the Intervenor demonstrated significant financial hardship?		Yes
Timely request for compensation (§ 1804(c)):		
13. Identify Final Decision:	Resolutions WSD-001, 002, 003, 004	Verified
14. Date of issuance of Final Order or Decision:	June 19, 2020.	Resolution WSD-001 was issued on January 16, 2020; Resolutions WSD-002, 003, and 004 were issued on June 19, 2020.

¹ All statutory references are to California Public Utilities Code unless indicated otherwise.

15. File date of compensation request:	August 17, 2020	Verified
16. Was the request for compensation timely?		Yes

PART II: SUBSTANTIAL CONTRIBUTION

Did the Intervenor substantially contribute to the final decision (see § 1802(j), § 1803(a), 1803.1(a) and D.98-04-059)Intervenor’s Claimed Contribution(s)	Specific References to Intervenor’s Claimed Contribution(s)	CPUC Discussion
1. TURN argued that §8386.3(a) requires a formal procedural vehicle for Commission ratification of the WMP approved by the WSD. WSD-001 laid out a process which requires the Commission to adopt resolutions approving the WMP.	TURN November 6 Workshop Comments at 13 WSD-001 at 3: “The Division shall present its decision regarding approval of the WMP to the Commission in a draft resolution which shall be served on the service list in R.18-10-007 and concurrently published on the Commission’s website.”	Verified
2. TURN encouraged WSD to maintain the expedited process for discovery used during the review of the 2019 WMP. WSD-001 adopted a three-day deadline for discovery for the 2020 and future WMP cycles.	TURN November 6 Workshop Comments at 14-15 WSD-001 at 4: “Electrical corporations must respond to all data and discovery requests within 3 business days of the request.” WSD-001 at 6: “The resolution adopts a discovery process for 2020 WMPs as set forth herein. That process will remain in effect for future WMP years unless changed by the Division.”	Verified
3. TURN recommended reliance on a Standard Data Request in order to ensure parties had timely access to key information including information related to costs. A Supplemental Data Request was included among the required elements of the 2020 WMP Submission.	TURN November 6 Workshop Comments at 15 December 16 Administrative Law Judge (ALJ) Ruling at 3: Adopts a “Supplemental Data Request, which outlines a broader set of data that the Commission is requesting from utilities and intends to formalize in requirements in the 2021 WMP process to evaluate utility plans, activities, and outcomes in greater detail.”	Verified

<p>4. TURN recommended metrics that assess both the overall effectiveness of the WMP and the effectiveness of individual mitigations. TURN participated in the Fall 2019 workshop on metrics and provided follow on comments on those workshops. The WSD adopted requirements for WMP submissions included metrics based on “workshops, party comments and metrics suggested in the Safety Model Assessment Proceeding (Application 15-05-002 et al).” As recommended by TURN, in addition to collecting other data points, the Metrics are designed to evaluate reduction in wildfire risk and utility progress.</p>	<p>TURN November 6 Workshop Comments at 1, 2 December 16 ALJ Ruling at 3: Adopting the “WMP Metrics, which evaluate each utility’s wildfire mitigation approach, progress, and results related to ongoing wildfire mitigation activities.” December 16 ALJ Ruling at 6: “[T]he attached document, titled WMP Metrics, lays out an initial set that was created based on workshops, party comments and metrics suggested in the Safety Model Assessment Proceeding (Application 15-05-002 et al).” December 16 ALJ Ruling at 6: “There are two sets of WMP Metrics: Progress Metrics designed to track reductions of wildfire risk exposure and Outcome Metrics that track performance against related outcomes. Apart from these metrics, utilities are expected to develop a set of “Program Targets” to track implementation of the self-defined set of initiatives in their WMPs.” TURN November 6 Workshop Comments at 13 WSD-001 at 3: “The Division shall present its decision regarding approval of the WMP to the Commission in a draft resolution which shall be served on the service list in R.18-10-007 and concurrently published on the Commission’s website.</p>	<p>Verified</p>
<p>5. TURN recommended that “a primary way to assess individual mitigation measures is to track ignitions and outages for the miles or segments of utility infrastructure where a mitigation measure has been deployed, compared with areas where it has not.” The templates adopted by the WSD for the WMP included miles where mitigation is deployed.</p>	<p>TURN November 6 Workshop Comments at 4. December 16 ALJ Ruling at Attachment 1, WMP Guidelines, See Tables 21-30</p>	<p>Verified</p>

<p>6. TURN recommended that any potential WSD approval be limited in nature, explaining that approval should not find that the utility has offered an optimal portfolio of mitigations or address cost recovery. WSD clarified that its approval does not approve any WMP costs. Further, while WSD assessed plan completeness and efficiency, it did not make a decision that the portfolios presented are optimal.</p>	<p>TURN Comments on WMP at 1, 3-5, 7-8</p> <p>WSD-002 at 17: “The WSD evaluated 2020 WMPs according to the following factors: i) Completeness: The WMP is complete and comprehensively responds to the WMP requirements; ii) Technical feasibility and effectiveness: Initiatives proposed in the WMP are technically feasible and are effective in addressing the risks that exist in the utility’s territory; iii) Resource use efficiency: Initiatives are an efficient use of utility resources; iv) Forward looking growth: The utility is targeting maturity growth.”</p> <p>WSD-003 at 2, WSD-004 at 3: “Nothing in this Resolution nor the WSD’s Action Statement should be construed as approval of any WMP-related costs.”</p>	<p>Verified</p>
<p>7. TURN argued that the WSD should not conclude that the Risk Spend Efficiency (RSE) showings are an adequate basis for approval of the WMP. The WSD acknowledged the power of the RSE as a tool to assess the proposed WMP initiatives. WSD found the RSE showings from the utility deficient and required PG&E and SCE to provide additional information on the RSE of mitigations in quarterly reports.</p>	<p>TURN Comments on WMP at 1, 7-12</p> <p>WSD-002 at 20: “2020 WMP submissions contain sparse and sporadic detail regarding the RSE of WMP initiatives.... utilities still display unrefined and limited abilities to produce such information. ...”</p> <p>WSD-003 at 24: “RSE is a tool to allocate resources toward actions that offer the greatest risk reduction. In accordance with the Settlement, electrical corporations are supposed to conduct this analysis at the asset level as a way to compare effectiveness of certain mitigations to alternatives. PG&E’s WMP lacks this alternatives analysis even though the Commission required it in its January 11, 2020 WMP Clarification Document, as PG&E acknowledges.”</p> <p>WSD-004 at 27: “SCE only calculated an RSE for a fraction of its initiatives.</p>	<p>Verified</p>

	<p>When SCE did calculate an RSE, SCE did not determine plausible alternatives. SCE did not provide a sufficient discussion of how it included resource constraints into its allocation approach. SCE also did not calculate the RSE for initiatives that indirectly reduce risks, such as equipment testing or ‘enablers.’”</p> <p>See also: WSD-004 at 28, 48.</p>	
<p>8. TURN highlighted the high RSE of Public Safety Power Shut Off as an example of the utility failure to properly calculate the RSE. The utilities’ PSPS RSEs did not account for the negative consequences of a PSPS on customers. The WSD concluded that the utilities cannot rely on RSE to justify PSPS. Any RSE calculation for PSPS must include the indirect consequences felt by customers.</p>	<p>TURN Comments on WMP at 9-10</p> <p>WSD-002 at 20: “Further, RSE is not an appropriate tool for justifying the use of PSPS. When calculating RSE for PSPS, electrical corporations generally assume 100 percent wildfire risk mitigation and very low implementation costs because societal costs and impact are not included. When calculated this way, PSPS will always rise to the top as a wildfire mitigation tool, but it will always fail to account for its true costs to customers. Therefore, electrical corporations shall not rely on RSE calculations as a tool to justify the use of PSPS.”</p> <p>See also: WSD-002 at 38, WSD-003 at 12, 55, WSD-004 at 43-44.</p>	<p>Verified</p>
<p>9. In order for the RSE to provide a helpful tool for comparing mitigations, TURN argued that it must be calculated for every proposed program. If granular, program level risk scores are not provided, the WSD cannot find that the utility has presented an optimal mix of programs. As TURN suggested, the WSD Resolutions highlighted the failure of the utilities to disaggregate programs for scoring purposes.</p>	<p>TURN Comments on WMP at 1, 10-13.</p> <p>WSD-002 at 23: “A common deficiency in 2020 WMPs relates to the practice of aggregating initiatives into broader programs and reporting of data and information at the program level, thus preventing the WSD from evaluating the efficacy of individual initiatives.”</p> <p>See also: WSD-002 at 24, WSD-003 at 12, 55, WSD-004 at 27.</p>	<p>Verified</p>

<p>10. TURN argued that the utility WMPs were insufficient to allow WSD to find that the utilities have properly targeted and prioritized mitigations at the highest risk segments. WSD found that SCE in particular failed to properly prioritize its mitigations.</p>	<p>TURN Comments on WMP at 11-13. WSD-004 at 28: “SCE provides little discussion of whether or how it uses wildfire risk modeling to prioritize initiatives. For SCE’s plan to be effective, strategic prioritization of initiatives geographically and by ignition driver to target the highest risk portions of SCE’s grid is crucial.”</p>	<p>Verified</p>
<p>11. TURN argued that many of the programs presented by the utilities as addressing wildfire risk appeared to be similar, if not identical, to existing, standard operations. TURN argued that the WSD shouldn’t treat these programs as a new wildfire program, especially for purposes of tracking costs in a memorandum account. The WSD warned the utilities to provide the data to demonstrate the efficiency of incremental programs. WSD also stated that the costs must be presented separately or the utilities risk entitlement to cost recovery.</p>	<p>TURN Comments on WMP at 1, 13-19 WSD-002 at 25: “Several electrical corporations state that their programs for inspecting and maintaining crossarms, poles, transformers, transmission towers and similar infrastructure, which also reduce wildfire risk, are embedded within standard maintenance programs litigated in GRCs. Consequently, it is difficult to determine whether and how these programs incrementally impact wildfire risk reduction or if related WMP initiatives are redundant and unnecessary. While utilities may not have historically considered the costs and effectiveness of such programs and initiatives, given that numerous WMP initiatives have apparent overlap or potential redundancy, it is imperative that utilities provide such data to validate the need for and effectiveness of additional programs. ... It is not clear how electrical corporations are tracking their WMP activities in memorandum accounts if they do not budget for them by type of initiative. The Commission will scrutinize electrical corporations’ memorandum accounts for WMP carefully, and if all costs are simply lumped together or included in general operations and maintenance accounts, electrical corporations risk failing to provide entitlement to cost recovery.”</p>	<p>Verified</p>

	<p>See also: WSD-002 at 26 (Deficiency Guidance-7); WSD-003 at 52.</p>	
<p>12. TURN argued that PG&E has proposed an “excessive” hazard tree removal program. PG&E is removing more trees than necessary which means other important work is being overlooked. The WSD Deficiency PGE-18 required the utility to provide additional detail on how its hazard tree program addresses the highest risk work first.</p>	<p>TURN Comments on WMP at 23-28. WSD-003 at 43: “PG&E does not describe in detail how its hazard tree analysis focuses on at-risk trees. PG&E does not describe in detail how its hazard tree analysis focuses on at-risk areas (based on wind conditions, outage history and the link) and specific species that pose a high risk (due not only to fast growth rate but other risk factors) to focus its current proposal. That is, PG&E’s hazard tree program should focus on at risk trees first, rather than on every tree within striking distance.... In its first quarterly report, PG&E shall detail: i) How it will ensure its hazard tree program prioritizes the highest risk areas and types of trees; and ii) How it accounts for hazard tree programs in its memorandum accounts.”</p>	<p>Verified</p>
<p>13. TURN proposed a statewide study on the best practices related to and efficiency of hazard tree removal and other trimming alternatives. The WSD directed SCE, PG&E and SDG&E to develop a consensus approach on vegetation clearances and how to measure the “impact[] on the probability of vegetation caused ignitions and outages.”</p>	<p>TURN Comments on WMP at 27-28; TURN Opening Comments on WMP Resolutions at 12.</p> <p>WSD-004 at 40: “As these vegetation management programs continue to grow in scope, SCE has yet to provide a detailed discussion or evidence of the effectiveness of increased vegetation clearances on decreasing utility near misses (i.e. outages) and ignitions.... SCE shall submit an RCP with a plan for the following: ...in accordance with PGE-26 and SDGE-13, to develop a consensus methodology for how to measure post-trim vegetation clearance distance impacts on the probability of vegetation caused ignitions and outages.”</p> <p>See also: WSD-003 at 57.</p>	<p>Verified</p>

<p>14. TURN argued the utilities should be required to capture and provide the data necessary to demonstrate that their proposed covered conductor deployment will address the highest risk circuits. The WSD found that neither PG&E nor SCE demonstrated that grid hardening efforts are sufficiently targeted at the highest risk segments.</p>	<p>TURN Comments on WMP at 29-30. WSD-003 at 33: “[W]e will require quarterly reporting on its grid hardening efforts to ensure it is meeting its targets. PG&E fails adequately to explain how it prioritizes various grid hardening projects or justify its use of more than one type of mitigation in the same location.... PG&E’s plans raise a general concern in that the process for identifying potential mitigation solutions at specific grid locations based upon need, cost and feasibility is generally not presented.” WSD-004 at 49-50: “Condition (SCE19, Class B): In its first quarterly report, SCE shall provide: i) further justification, including a RSE analysis of alternatives, for the costs associated with the covered conductor initiative, ii) an explanation of how SCE derived the ignition reduction potential of covered conductor, including with reference to its projected ignitions in Table 31 of its WMP, iii) a detailed explanation of why this initiative, as opposed to others, warrants such a large percentage of its spend given its ignition reduction potential, iv) justification and rationale for its planned ramping up of spend on covered conductor each year of the plan term, and v) a detailed description of relationship between spend and forecasted circuit miles approved in D.20-04-013 and that presented in SCE’s 2020 WMP”</p> <p>WSD-004 at 57: “Specific to SCE, The Utility Reform Network and Public Advocates Office highlight that SCE failed to fully justify their enhanced vegetation management program and underscore the importance of understanding the value that this program provides beyond minimum regulatory requirements. In response,</p>	<p>Verified</p>
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	<p>the WSD has modified Condition SCE 12 to reflect this deficiency and changed it to Class A from Class C. In addition, the WSD has modified Condition SCE 12 to remove the requirement for a study and to provide clarification that SCE must collaborate with PG&E and SDG&E to develop a consensus methodology for how to measure post-trim vegetation clearance distance impacts on the probability of vegetation caused ignitions and outages.”</p>	
<p>15. TURN advocated the additional testing of different pole hardening methods. The WSD required SCE to provide additional information on how SCE incorporated pole hardening alternatives in its risk assessment.</p>	<p>TURN Comments on WMP at 30-31 WSD-004 at 35: “SCE's WMP indicates that it plans to replace wood poles with fire resistant pole materials (i.e. composite, fire wrapping, etc.) in instances where covered conductor installation requires pole replacements. SCE fails to indicate whether the addition of fire-resistant poles was factored into its risk analysis used in assessing the benefit of covered conductors. . Condition (SCE-7, Class B): In its first quarterly report, SCE shall: i) describe in detail whether the replacement of wood poles with fire resistant pole materials was factored into its risk models for determining covered conductor effectiveness; ii) if so, how this factored into the analysis and accounted for in the model outputs; iii) if not, why; and iv) how it plans to account for this impact on risk, including timeframe for inclusion.”</p>	<p>Verified</p>

A. Duplication of Effort (§ 1801.3(f) and § 1802.5):

	Intervenor’s Assertion	CPUC Discussion
<p>a. Was the Public Advocate’s Office of the Public Utilities Commission (Cal Advocates) a party to the proceeding?²</p>	<p>Yes.</p>	<p>Verified</p>
<p>b. Were there other parties to the proceeding with</p>	<p>Yes.</p>	<p>Verified</p>

² The Office of Ratepayer Advocates was renamed the Public Advocate’s Office of the Public Utilities Commission pursuant to Senate Bill No. 894, which the Governor approved on June 27, 2018.

<p>positions similar to yours?</p>		
<p>c. If so, provide name of other parties:</p> <p>On certain issues, which differed by party, the following Parties sometimes had positions similar to TURN's: Abrams, California Environmental Justice Alliance, Energy Producers and Users Coalition, Green Power Institute, Mussey Grade Road Alliance, and Stein.</p>		<p>Noted</p>
<p>d. Intervenor's claim of non-duplication:</p> <p>The review of the Wildfire Mitigation Plans (WMP) is an extremely high-profile process affecting every regulated electric utility in California and therefore attracts the interest of a broad range of intervenors. Despite the short timeline for the review of the WMP, TURN attempted to coordinate with other intervenors as time permitted on various issues as indicated by several time entries in TURN's attached timesheets (coded "Coord"). TURN's extensive impact on the proceeding is reflected in the numerous and wide-ranging substantial contributions listed above. As a signatory of the Safety Model Assessment Proceeding settlement agreement adopted by the Commission in D.18-12-014, adopting a Risk-Based Decision-Making framework, and a long-time intervenor on risk issues, TURN brings unique experience and expertise on issues related to the Risk Spend Efficiency tool and wildfire risk more generally. TURN relied on this unique expertise as an active participant in the workshops held to present the Utility WMP and offered questions and feedback on issues related to risk. The fact that other parties shared TURN's perspective on various other issues did not result in TURN's undue duplication with those parties. A high-stakes proceeding of this nature attracts a range of parties, and some degree of overlap in positions is inevitable. In the specific case of the issues here, the range of interests represented by parties with positions overlapping with TURN's varied widely, from representatives of very large commercial customers to advocates for environmental justice to organizations and individuals focused on wildfire issues. TURN's independent perspective and the perspective of the other intervenors contributed to a broad-based record, developed in a remarkably short period of time, upon which the Wildfire Safety Division, and the Commission, could base their determinations.</p> <p>For all of these reasons, TURN submits that the Commission should find no undue duplication between TURN's participation and that of other parties.</p>		<p>Noted</p>

PART III: REASONABLENESS OF REQUESTED COMPENSATION

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

	CPUC Discussion
<p>a. Intervenor’s claim of cost reasonableness:</p> <p>TURN’s request for intervenor compensation seeks an award of approximately \$173,945.90 as the reasonable cost of our participation in this important and time sensitive proceeding. These costs are reasonable in light of the quality of TURN’s work, the issues that TURN addressed and the contributions of TURN to building the record and participating in workshops.</p> <p>TURN continued the advocacy it began in the 2019 WMP cycle and other proceedings on the requirements of SB 901 and AB 1054 and the proper implementation of risk-based decision-making. This proceeding does not address cost recovery directly, and many of TURN’s contributions were of a technical nature related to RSE and, as a result, it is difficult for TURN to identify with any precision the monetary benefit of TURN’s participation in the proceeding. The WMP presented by SCE and PG&E represent billions of dollars of new programs that will be reviewed for reasonableness in the PG&E and SCE General Rate Cases. The WSD Resolutions clarify, however, that it the utilities must demonstrate the incremental benefit of these programs and efficiency of proposed mitigations at reducing ignitions. PG&E and SCE are on notice of the scrutiny that will come in cost review and should exhibit the requisite discipline to ensure their investments benefit ratepayers. In the case that SCE and PG&E do not, the WSD provides a strong ground for adjusting WMP spending in reasonableness reviews. While the dollar impact of this increased financial discipline and spending scrutiny is unknown, TURN submits that our participation should result in substantial benefits to ratepayers.</p> <p>In sum, the Commission should conclude that TURN’s overall request is reasonable given the issues at stake and the adopted outcomes.</p>	<p>Noted</p>
<p>b. Reasonableness of hours claimed:</p> <p>TURN devoted approximately 426 attorney and expert hours to this proceeding.</p> <p>After Phase 2 was initiated in 2019, TURN participated in efforts to further refine metrics and the filing requirements for the 2020 WMP submissions. This included attending and participating in workshop panels on metrics</p>	<p>Noted. TURN has described instances and rationale to support meetings where more than one TURN representative was required to</p>

	CPUC Discussion
<p>and procedural requirements. TURN also prepared pleadings discussing the requirements for the 2020 WMP in response to a Workshop, an ALJ Ruling and WSD-001. In order to provide thoughtful feedback on the proposals and the 2019 WMP process, TURN relied on a team of advocates with experience both on the WMP themselves but also Commission work more generally.</p> <p>Once the 2020 WMP were filed, TURN participated in additional workshops, submitted discovery and drafted comments on the proposed WMP, all within the accelerated time frame identified in statute. Again, TURN composed a team of attorneys that each focused on identified issues consistent with their experience and expertise.</p> <p><u>TURN’s Attorneys and Experts:</u></p> <p>Work related to further developing the requirements for the 2020 WMP after the resolution of 2019 WMP was led by TURN Legal Director Thomas Long with varying levels of assistance from other attorneys who participated in the 2019 WMP, including General Counsel Robert Finkelstein, Staff Attorney Marcel Hawiger and Staff Attorney Katy Morsony. TURN Energy Analyst Eric Borden participated in the Fall 2019 workshop and helped to develop TURN’s positions on metrics.</p> <p>After the submission of the WMP, Mr. Hawiger and Ms. Morsony took the lead roles in analyzing and preparing and presenting TURN’s positions on the 2020 WMP. Mr. Borden also provided guidance in the assessment of the plans. Ms. Morsony is highly familiar with wildfire risk assessment and mitigation issues from her involvement in the S-MAP proceeding for TURN and on behalf of her prior employer, the Buchalter and formerly Alcantar & Kahl law firms. Given this experience, Ms. Morsony’s review focused on the implementation of and reliance on RSE by PG&E and SCE. Mr. Hawiger drew from his experience from his work in SCE’s Grid Safety and Resiliency Program application, A.18-09-002, and PG&E’s 2020 GRC, A.18-12-009 to focus on specific program implementation and details. Throughout the proceeding, Mr. Long offered review and feedback on the WMPs and Proposed Resolutions.</p> <p>In sum, TURN was able to take advantage of its advocates’ considerable past experience regarding the key issues to minimize the time needed to climb the learning curve in this case. In addition, TURN was able to avoid the expense of hiring one or more outside consultants because of the depth of knowledge of TURN’s attorneys and in-house analyst. TURN submits that its recorded hours are reasonable as described above and reflected in the substantial contributions TURN made in the proceeding. Therefore,</p>	<p>participate to provide comprehensive input on complex issues. Further, TURN has explained why this claim entailed detailed work to evaluate several TURN representatives’ participation and contribution to Resolutions WSD-001, 002, 003, and 004.</p>

	CPUC Discussion
<p>TURN seeks compensation for all of the hours recorded by our staff members and included in this request.</p> <p><u>Meetings or Events Involving More Than One TURN Advocate</u> A relatively small percentage of hours and hourly entries reflect internal and external meetings and Commission events involving two or more TURN advocates. In past compensation decisions, the Commission has deemed such entries as reflecting internal duplication that is not eligible for an award of intervenor compensation. This is not the case here. Such meetings were essential to the effective development and implementation of TURN’s strategy for this broad and important proceeding, whose accelerated pace required relatively frequent meetings to adjust strategy quickly as events unfolded. None of the attendees were there in a duplicative role – each was an active participant, bringing his or her particular knowledge and expertise to bear on the discussions. As a result, TURN was able to identify issues and angles that would almost certainly never come to mind but for the “group-think” achievable in such settings.</p> <p>There were also workshops and meetings with other parties at which more than one attorney represented TURN. The Commission should understand that this is often essential in a case such as this one, with a wide range of legal, policy, and technical issues that no single person is likely to master. TURN’s requested hours do not include any for a TURN advocate where his or her presence at a meeting was not necessary in order to achieve the meeting’s purpose. TURN submits that participation in such meetings and events can be part of an intervenor’s effective advocacy before the Commission, and that intervenor compensation can and should be awarded for the time of all participants in such meetings and events where, as here, each participant needed to be present to advance the intervenor’s advocacy efforts.</p> <p><u>Compensation Request Preparation Time:</u> TURN is requesting compensation for 16 hours devoted to preparation of this request for compensation. This is a reasonable number of hours for preparing a compensation request of this scope. Ms. Morsony prepared this request for compensation because of her knowledge of this proceeding.</p> <p><u>Summary:</u> In sum, the Commission should find that the number of hours claimed is fully reasonable in light of the scope and complexity of issues addressed in the Decision and TURN’s success in furthering its goals and those of the Commission.</p>	
<p>c. Allocation of hours by issue:</p>	<p>Noted</p>

		CPUC Discussion
<p>TURN has allocated all of our attorney and expert time by issue area or activity, as is evident on our attached timesheets. The following codes relate to general activities that are part of nearly all CPUC proceedings, such as tasks associated with general participation and coordination with other parties, as well as the specific substantive issue and activity areas addressed by TURN in this proceeding.</p>		
Code:	Stands For:	
GP	General Participation -- work that would not vary with the number of issues that TURN addresses, for the most part. This code appears during early stages of broad reviews, such as the initial review of pleadings and rulings, and during other tasks that are of a more general nature, such as preparing for and participating in prehearing conferences and workshops. Also used for internal discussions of strategy and workflow.	
Approval	Work related to the issue of the meaning of Plan approval.	
Risk	Work related to the risk analysis in the WMPs	
Metrics	Work related to the issue of metrics for assessing the success of WMPs.	
Draft Res	Work related to analysis of and comments upon the Draft Resolutions.	
Process	Work related to procedure and process issues	
Coord	Work related to coordinating positions and avoiding undue duplication with other intervenors.	
#	<p>Time entries that cover substantive issue work that cannot easily be identified with a specific activity code. TURN requests compensation for all of the time included in this request for compensation, and therefore does not believe allocation of the time associated with these entries is necessary.</p> <p>However, if such allocation needs to occur, TURN proposes that the Commission allocate these entries as follows among broader issue-specific categories described above that were most likely to have work covered by a # entry: Metrics—21.9% , Risk—16.9% , Approval—1.6%, Program – 7.5%.</p>	
Program	Work related to the review of proposed programs, specifically vegetation management practices	

		CPUC Discussion
	and programs and grid hardening practices and programs.	
Comp	Time devoted to compensation-related pleadings.	
<p>TURN submits that under the circumstances this information should suffice to address the allocation requirement under the Commission’s rules. Should the Commission wish to see additional or different information on this point, TURN requests that the Commission so inform TURN and provide a reasonable opportunity for TURN to supplement this showing accordingly.</p>		

B. Specific Claim:*

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
Thomas Long, Legal Director	2019	43	\$615	D.19-11- 015	\$26,445.00	43	\$615	\$26,445.00
Thomas Long, Legal Director	2020	18.5	\$625	See Comment 1	\$11,562.50	18.5	\$630 [1]	\$11,655.00
Robert Finkelstein, General Counsel	2019	6	\$540	D.19-11- 015	\$3,240.00	6	\$540	\$3,240.00
Marcel Hawiger, Staff Attorney	2019	8	\$445	D.19-11- 011	\$3,560.00	8	\$445	\$3,560.00
Marcel Hawiger, Staff Attorney	2020	95.75	\$455	See Comment 1	\$43,566.25	95.75	\$455 [1]	\$43,566.25
Katy Morsony,	2019	23	\$350	D.20-06-010	\$8,050.00	23	\$350	\$8,050.00

CLAIMED						CPUC AWARD		
Staff Attorney								
Katy Morsony, Staff Attorney	2020	152.75	\$375	See Comment 2	\$57,281.25	152.75	\$375	\$57,281.25
Eric Borden, TURN Analyst	2019	43	\$215	D.20-04-025	\$9,425.00	43	\$215	\$9,425.00
Eric Borden, TURN Analyst	2020	36	\$220	See Comment 1	\$7,920.00	36	\$220 [1]	\$7,920.00
Subtotal: \$170,870.00						Subtotal: \$171,142.50		
OTHER FEES								
Describe here what OTHER HOURLY FEES you are Claiming (paralegal, travel **, etc.):								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
Stephen Green, TURN Legal Assistant	2020	.5	\$120	See Comment 3	\$60.00	0[2]	n/a	\$0.00
Subtotal: \$60.00						Subtotal: \$0.00		
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
Katy Morsony, TURN Attorney	2020	16	\$187.50	Half of 2020 Requested Rate	\$3,000.00	16	\$187.50	\$3,000.00
Subtotal: \$3,000.00						Subtotal: \$3,000.00		
COSTS								
#	Item	Detail			Amount	Amount		
1.	Photocopying	Photocopies of filings related in R.18-10-007 and related to WMP			\$7.40	\$0.00 [3]		
2.	Postage	Postage for mailing filings related in R.18-10-007 and related to WMP			\$8.50	\$0.00 [3]		

CLAIMED	CPUC AWARD
<i>Subtotal: \$15.90</i>	<i>Subtotal: \$0.00</i>
<i>TOTAL REQUEST: \$173,945.90</i>	<i>TOTAL AWARD: \$174,142.50</i>

*We remind all intervenors that Commission staff may audit the records and books of the intervenors to the extent necessary to verify the basis for the award (§1804(d)). Intervenors must make and retain adequate accounting and other documentation to support all claims for intervenor compensation. Intervenors' records should identify specific issues for which it seeks compensation, the actual time spent by each employee or consultant, the applicable hourly rates, fees paid to consultants and any other costs for which compensation was claimed. The records pertaining to an award of compensation shall be retained for at least three years from the date of the final decision making the award.

**Travel and Reasonable Claim preparation time are typically compensated at ½ of preparer's normal hourly rate

ATTORNEY INFORMATION

Attorney	Date Admitted to CA BAR ³	Member Number	Actions Affecting Eligibility (Yes/No?) If "Yes", attach explanation
Thomas Long	December 1986	124776	No
Robert Finkelstein	January 1990	146391	No
Marcel Hawiger	January 1998	194244	No
Katy Morsony	December 2011	281538	No

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

Attachment or Comment #	Description/Comment
Attachment 1	Certificate of Service
Attachment 2	Timesheets for TURN's Attorneys
Attachment 3	TURN Direct Expenses Associated with WSD-002, 003 and 004
Attachment 4	TURN Hours Allocated by Issue
Comment 1	<p><u>2020 Hourly Rate for TURN Attorneys Hawiger and Long and TURN Expert Borden</u></p> <p>The Commission has yet to adopt a 2020 COLA for intervenor hourly rates. Pending the Commission's COLA determination, TURN has used a placeholder COLA of 2% to calculate a 2020 rate for TURN representatives in this proceeding. Applying a placeholder 2% COLA to Mr. Hawiger's authorized 2019 rate of \$445 yields a 2020 rate of \$455. Likewise, applying</p>

³ This information may be obtained through the State Bar of California's website at <http://members.calbar.ca.gov/fal/MemberSearch/QuickSearch>.

Attachment or Comment #	Description/Comment
	<p>a placeholder 2% COLA to Mr. Long's authorized 2019 rate of \$615 yields a 2020 rate of \$625. Applying a placeholder 2% COLA to Mr. Borden's authorized 2019 rate yields a 2020 rate of \$220.</p> <p>If the Commission adopts a COLA that supports a different hourly rate for TURN representatives, TURN requests that the Commission adjust the requested 2020 hourly rates for Mr. Hawiger, Mr. Long and Mr. Borden accordingly.</p>
Comment 2	<p><u>2020 Hourly Rate for Katy Morsony</u></p> <p>TURN requests an hourly rate in 2020 of \$375 for staff attorney Katy Morsony. This same request was made in the compensation requests in I.18-12-007 and I.19-06-015. This increase reflects Ms. Morsony's move from the 5-7 year experience tier to the 8-12 year experience tier. Ms. Morsony was admitted to the California bar in December 2011 and has 8 years of experience practicing before the Commission.</p> <p>The 2020 rate TURN requests for Ms. Morsony is 7% higher than the rate of \$350 requested for Ms. Morsony's work in 2019, when she was in the 5-7 year experience tier. The Commission has previously authorized comparable increases of 7-8% for movement to a higher experience tier. See, e.g., D.17-03-022, issued in A.14-11-007 et al. (increasing Hayley Goodson's rate by 7% for her move from the 8-12 year experience tier into the 13+ year tier); D.12-07-019, issued in A.10-07-017 (increasing Matthew Freedman's rate by 7.7% for his move from the 8-12 year experience tier into the 13+ year tier). TURN notes that the requested rate is in the lower half of the range adopted in Resolution ALJ-357 for attorneys in the 8-12 year experience tier for 2019 (\$350 - \$410). TURN provides the range of rates for 2019 because the Commission has yet to adopt a COLA for 2020.</p>
Comment 3	<p>2020 Hourly Rate for TURN Legal Assistant Stephen Green</p> <p>The Commission authorized a 2019 hourly rate for Mr. Green's work of \$120. Applying the same 2% placeholder COLA used by TURN to calculate 2020 rates for other TURN staff to Mr. Green's 2019 hourly rate produces an hourly rate of \$122.40, which rounds down to \$120. TURN accordingly requests a rate of \$120 for Mr. Green in 2020, the same rate as in 2019.</p> <p>If the Commission adopts a COLA that supports a different hourly rate for Mr. Green, TURN requests that the Commission adjust the requested 2020 hourly rate accordingly.</p>

D. CPUC Comments, Disallowances, and Adjustments

Item	Reason
[1]	Resolution ALJ-387 adopted a 2.55% COLA for 2020, which has been applied to the rates TURN’s work conducted in 2020 across its attorneys and experts.
[2]	TURN does not describe or include any reference to support any contribution provided by Stephen Green in Part III(A), and therefore the claim related to his travel is denied.
[3]	TURN does not explain why or how the costs associated with its photocopies or postage contributed to the outcome of Resolutions WSD-001, 002, 003, and 004.

PART IV: OPPOSITIONS AND COMMENTS
Within 30 days after service of this Claim, Commission Staff
or any other party may file a response to the Claim (see § 1804(c))

A. Opposition: Did any party oppose the Claim?	No
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B. Comment Period: Was the 30-day comment period waived (see Rule 14.6(c)(6))?	Yes
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FINDINGS OF FACT

1. The Utility Reform Network has made a substantial contribution to Resolutions WSD-001, WSD-002, WSD-003, and WSD-004.
2. The requested hourly rates for The Utility Reform Network’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 \$174,142.50.

CONCLUSION OF LAW

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

ORDER

1. The Utility Reform Network shall be awarded \$174,142.50.
2. Within 30 days of the effective date of this decision, Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company shall pay The Utility Reform Network their respective shares of the award, based on their California-jurisdictional electric revenues for the 2020 calendar year, to reflect the year in which the proceeding was primarily litigated. If such data is unavailable, the most recent revenue data shall be used. Payment of the award shall include compound interest at the rate earned on prime, three-month non-financial commercial paper as reported in Federal Reserve Statistical Release H.15, beginning November 2, 2020, the 75th day after the filing of The Utility Reform Network's request, and continuing until full payment is made.
3. The comment period for today's decision is waived.

This decision is effective today.

Dated January 13, 2022, at San Francisco, California.

ALICE REYNOLDS
President
CLIFFORD RECHTSCHAFFEN
GENEVIEVE SHIROMA
DARCIE HOUCK
Commissioners

APPENDIX**Compensation Decision Summary Information**

Compensation Decision:	D2201013	Modifies Decision?	No
Contribution Decision(s):	Resolutions WSD-001, WSD-002, WSD-003, WSD-004		
Proceeding(s):	R1810007		
Author:	ALJ Cathleen A. Fogel		
Payer(s):	Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company		

Intervenor Information

Intervenor	Date Claim Filed	Amount Requested	Amount Awarded	Multiplier?	Reason Change/Disallowance
The Utility Reform Network	August 17, 2020	\$173,945.90	\$174,142.50	N/A	2020 approved COLA and lack of rationale for travel and printing/postage costs

Hourly Fee Information

First Name	Last Name	Labor Role	Hourly Fee Requested	Year Hourly Fee Requested	Hourly Fee Adopted
Thomas	Long	Attorney	\$615	2019	\$615
Thomas	Long	Attorney	\$625	2020	\$630
Robert	Finkelstein	Attorney	\$540	2019	\$540
Marcel	Hawiger	Attorney	\$445	2019	\$445
Marcel	Hawiger	Attorney	\$455	2020	\$455
Katy	Morsony	Attorney	\$350	2019	\$350
Katy	Morsony	Attorney	\$375	2020	\$375
Eric	Borden	Expert	\$215	2019	\$215
Eric	Borden	Expert	\$220	2020	\$220
Stephen	Green	Legal Assistant	\$120	2020	N/A

(END OF APPENDIX)