

Decision 22-04-024 April 7, 2022

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

Order Instituting Rulemaking Regarding  
Microgrids Pursuant to Senate Bill 1339 and  
Resiliency Strategies.

Rulemaking 19-09-009

**DECISION GRANTING COMPENSATION TO  
UTILITY CONSUMERS' ACTION NETWORK  
FOR SUBSTANTIAL CONTRIBUTION TO DECISION 21-01-018**

<b>Intervenor:</b> Utility Consumers' Action Network	<b>For contribution to Decision (D.) 21-01-018</b>
<b>Claimed:</b> \$17,655.49	<b>Awarded:</b> \$17,588.75
<b>Assigned Commissioner:</b> Genevieve Shiroma	<b>Assigned ALJ:</b> Colin Rizzo

**PART I: PROCEDURAL ISSUES**

<b>A. Brief description of Decision:</b>	The Phase 2 decision in this proceeding adopted various actions related to the acceleration of microgrid deployment and resiliency strategies, consistent with Senate Bill 1339 (Stern, 2018). Specifically, the Decision directed Southern California Edison to revise its Rule 2 to permit installing added or special facilities. Second, required each IOU to revise rules to allow microgrids to serve critical customers on adjacent parcels and permit up to 10 microgrid projects across their service territory. Third, it required the IOUs to develop a new microgrid tariff. Fourth, it required IOUs to jointly develop a microgrid incentive program. Fifth, it required the IOUs to work to develop low cost, reliable electrical isolation methods. The Decision also directed that a Working Group to help shape microgrid policy on an ongoing basis.
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**B. Intervenor must satisfy intervenor compensation requirements set forth in Pub. Util. Code §§ 1801-1812:<sup>1</sup>**

	<b>Intervenor</b>	<b>CPUC Verification</b>
<b>Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):</b>		
1. Date of Prehearing Conference:	December 17, 2019	Verified
2. Other specified date for NOI:		
3. Date NOI filed:	January 16, 2020	Verified
4. Was the NOI timely filed?		Yes
<b>Showing of eligible customer status (§ 1802(b) or eligible local government entity status (§§ 1802(d), 1802.4)):</b>		
5. Based on ALJ ruling issued in proceeding number:	R.18-07-006	Verified
6. Date of ALJ ruling:	May 30, 2019	Verified
7. Based on another CPUC determination (specify):		
8. Has the Intervenor demonstrated customer status or eligible government entity status?		Yes
<b>Showing of “significant financial hardship” (§ 1802(h) or § 1803.1(b)):</b>		
9. Based on ALJ ruling issued in proceeding number:	R.18-07-006	Verified
10. Date of ALJ ruling:	May 30, 2019	Verified
11. Based on another CPUC determination (specify):		
12. Has the Intervenor demonstrated significant financial hardship?		Yes
<b>Timely request for compensation (§ 1804(c)):</b>		
13. Identify Final Decision:	D.21-01-018	Verified
14. Date of issuance of Final Order or Decision:	January 21, 2021	Verified
15. File date of compensation request:	March 22, 2021	Verified
16. Was the request for compensation timely?		Yes

<sup>1</sup> All statutory references are to California Public Utilities Code unless indicated otherwise.

**PART II: SUBSTANTIAL CONTRIBUTION**

**A. Did the Intervenor substantially contribute to the final decision (see § 1802(j), § 1803(a), 1803.1(a) and D.98-04-059):**

<b>Intervenor’s Claimed Contribution(s)</b>	<b>Specific References to Intervenor’s Claimed Contribution(s)</b>	<b>CPUC Discussion</b>
<p><b>1. Introduction</b></p> <p>Phase 2 began with a Staff Proposal that made an array of recommendations addressing many of the SB 1339 requirements that Phase 1, D.20-06-017, did not resolve. (D. 21-01-018 at p. 7)</p> <p>UCAN provided Opening Comments on August 14, 2020 addressing a limited number of the issues raised in the Staff Proposal (D. 21-01-018 at p. 8) UCAN provided Reply Comments on August 28, 2020 (D. 21-01-018 at p. 8)</p> <p>UCAN believed it was important that the Commission hear the prospective of multiple ratepayer advocates in this proceeding given the active participation of several current and prospective microgrid market participants looking out for their own interest rather than those of ratepayers.</p>	<p>The Decision noted that “[a]ll proposals and comments submitted by parties were considered but given the large number of parties and issues, some proposals and comments may receive little or no discussion in this decision. Issues within the scope of the proceeding that are not addressed here, or only partially addressed, may be addressed in Track 3 of this proceeding” (D. 21-01-018 at p. 3)</p> <p>The Decision addressed the concerns that many of the participants in this proceeding were operating from the prospective of their own interests: “It is true, as SDG&amp;E puts it that some parties think there is another ‘gold rush’ underway in California, particularly in this docket. This is indeed, evidenced by the number of intervening parties hoping to profit from microgrids by advocating for arrangements that could excessively burden the average California electric customer.”</p> <p>(D. 21-01-018 at p. 46)</p>	<p>Verified</p>

Intervenor’s Claimed Contribution(s)	Specific References to Intervenor’s Claimed Contribution(s)	CPUC Discussion
<p><b>2. Issue 1- Revising Tariff Rules to Install Microgrids as Added or Special Facilities</b></p> <p>The Staff Proposal offered three options to facilitate the utilities’ revision of Rule 2 to explicitly allow the installation of microgrids as special facilities. The ALJ’s Ruling Requesting Comments asked that the parties “please indicate support or opposition to Option 1, Option 2, or Option 3 and explain your support or opposition please indicate support or opposition to Option 1, Option 2, or Option 3 and explain your support or opposition.” (ALJ Ruling of July 23, 2020)</p> <p>While the Staff Proposal was for Option 2, UCAN supported Option 1 to promote consistency and regulatory certainty, “[w]hile staff’s own experience leads staff to understand that SDG&amp;E and PG&amp;E do not see Rule 2 as a barrier to this type of microgrid projects, and further written clarification from these IOUs may further resolve this matter to staff’s satisfaction, there appears to be no specific reason why the issue can’t be resolved with absolute certainty. This will be accomplished by Option 1, requiring Rule 2 to be revised to better reflect the current interpretations of staff and the IOUs.” (UCAN Opening Comments on Phase 2 p. 2)</p>	<p>The Decision recognized UCAN’s support for Option 1 based on the need for regulatory certainty: “UCAN supports Option 1 because it removes regulatory uncertainty” (D. 21-01-18 at p. 15)</p> <p>Although the Decision did adopt Option 2, it did specifically note it was doing so in a way that would address the issue raised by UCAN- the needed for more regulatory certainty. “[O]ption 2 is a practical, reasonable solution to remove barriers for microgrid deployment and it will provide a consistent set of rules statewide . . . <u>In this way, we promote regulatory certainty and simplicity</u>” (D. 21-01-18 at p. 17) (emphasis added)</p>	<p>Verified</p>
<p><b>3. Issue 2- Addressing IOU Rules 18/19 to Allow Microgrids to Serve</b></p>		<p>Verified</p>

Intervenor’s Claimed Contribution(s)	Specific References to Intervenor’s Claimed Contribution(s)	CPUC Discussion
<p><b>Critical Customers on Adjacent Parcels</b></p> <p>The Staff Proposal recommended changes to rules that could permit microgrid service between certain adjacent parcels. The ALJ’s Ruling requested that the parties “please indicate support or opposition to Option 1, Option 2, or Option 3 and explain your support or opposition” and to address if “a subscription limit of 10 microgrid projects within the three IOU’s territory sufficient?” (ALJ Ruling of July 23, 2020)</p> <p>UCAN did support Option 1, noting that both “Option 1 or 2 is limited in nature, as it only applies to adjacent critical facilities owned by municipal corporations and continues a prohibition against parallel operation of the service line during normal operations” and recommending that such facilities be permitted without a subscription limit as suggested by Option 1.</p> <p>UCAN further noted that the Staff’s Proposed Option 2 is adopted, it should at least be expanded to allow 10 projects be permitted in each IOU territory, rather than a limit of 10 across all IOU territories. (UCAN Opening Comments p. 3)</p> <p>UCAN also fought against SDG&amp;E’s efforts to limit microgrid projects within its own territory to just two projects due to SDG&amp;E claimed leadership in microgrid development</p>	<p>The Decision recognized UCAN’s position, including the view that if any subscription limit is proposed, the limit should be 10 projects per each IOU territory.</p> <p>“UCAN supports Option 1 but asserts that if Option 2 is adopted, the 10 project cap should be applied for each IOU service territory.” (D. 21-01-18 at p. 24).</p> <p>The Decision noted that the Staff Proposal recommended “setting a subscription limit under a revision of Rule 18 and Rule 19 to ten (10) microgrid projects for all the three IOU service territories to gain an understanding of these revisions’ effectiveness.” (D. 21-01-18 at p. 28).</p> <p>The Decision did adopt Staff Proposal’s Option 2, but “with modification” (D. 21-01-18 at p. 28).</p> <p>The Decision addressed the position of UCAN and others that there need not be</p>	

Intervenor’s Claimed Contribution(s)	Specific References to Intervenor’s Claimed Contribution(s)	CPUC Discussion
<p>and the small size of its territory (UCAN Reply Comments p. 2)</p> <p>UCAN noted that SDG&amp;E provided no real evidence of its alleged “leadership” in microgrid development and that SDG&amp;E’s small size might naturally limit the number of projects in its territory, but that “[i]f any numerical limits are adopted by the Commission, the limits should at least 10 per IOU, and not limited to just two in SDG&amp;E’s territory as SDG&amp;E proposes.” (UCAN Reply Comments p. 3)</p>	<p>subscription limit because of the limited nature of the microgrids that would be allowed under the proposals. (D. 21-01-18 at p. 29).</p> <p>Ultimately, the Decision adopted a modified version of Staff’s Option 2, changing it in the specific manner suggested by UCAN- by allowing 10 projects per IOU territory, rather than an overall 10 project limit.</p> <p>“PG&amp;E, SCE, and SDG&amp;E shall submit a Tier 2 advice letter within 30 days upon the issuance of this decision implementing Rule 18 and Rule 19 revisions, pursuant to Section 3.2.3 of this decision, to allow microgrids to serve customers on adjacent premises and to <u>enact a subscription limit of no more than 10 such microgrid projects for each service territory</u>” (D. 21-01-18 at p. 36).</p>	
<p><b>4. Issue 3- Directing the IOUs to Form a New Microgrid Tariff</b></p> <p>The Staff Proposal discussed several options related to develop of microgrid tariffs</p> <p>The ALJ requested comments and recommendations on these issues, asking that the parties “indicate support of or opposition to Option 1, Option 2, Option 3, Option 4, and/or Option 5. Explain your support or opposition.” (ALJ Ruling of July 23, 2020)</p> <p>UCAN provided comments supporting the adoption of the Staff’s</p>	<p>The Decision recognized UCAN’s comments: “UCAN supports Option 4,</p>	<p>Verified</p>

Intervenor’s Claimed Contribution(s)	Specific References to Intervenor’s Claimed Contribution(s)	CPUC Discussion
<p>proposed Option 4 in conjunction with Option 5.</p> <p>“Rate simplification and rate certainty is something that would benefit microgrid development. However, SB 1339 and P.U. Code sec. 8371(d) clearly require that the any changes in rate structure occur ‘without shifting costs between ratepayers.’ Option 4 best assures that there is no direct or inadvertent shifting of cost responsibilities and is an appropriate way to comply with existing law while still putting a new rate schedule in place in a timely manner. The issue of any proposed additional exemptions from cost responsibility surcharges should be deferred to a proposed working group as discussed in Option 5, where the potential cost shifting issues can be subject to closer scrutiny with adequate data to better understand the impact of any changes on funding for CARE and other vital priorities of the Legislature and the Commission.”</p> <p>(UCAN Opening Comments p. 3)</p>	<p>in conjunction with Option 5, asserting that rate simplification and rate certainty benefits microgrid development.” (D. 21-01-18 at p. 43).</p> <p>The Decision adopted Option 4 in conjunction with Option 5, noting in part that this option would (as UCAN noted) “promote the best combination of addressing regulatory barriers, such as complex rate schedules, while avoiding the risk of inappropriate and unfair cost shifting” (D. 21-01-18 at p. 44-45).</p> <p>The Decision also deferred to a working group on issues relating to cost shifting noting that “when implementing Option 5, we direct the CPUC Resiliency and Microgrid Working Group to examine the costs and value propositions of microgrids as a basis for preventing cost shifting.” (D. 21-01-18 at p. 53)</p>	
<p><b>5. Issue 4- Direct the IOUs to Develop a Microgrid Incentive Program</b></p> <p>The Staff Proposal included a proposed incentive program to fund clean energy community grids that support the critical needs of vulnerable populations most likely to be impacted by grid outages.</p> <p>The ALJ requested comments and recommendations on these issues,</p>		<p>Verified</p>

Intervenor’s Claimed Contribution(s)	Specific References to Intervenor’s Claimed Contribution(s)	CPUC Discussion
<p>asking the parties to comment in part as follows:</p> <p>“1. In response to Proposal 4 to direct the utilities to develop a microgrid pilot program, please indicate support or opposition to each of the options. Explain your support or opposition. 2. Should the Commission adopt Staff’s recommended options? If not, what modifications to Staff’s recommended options should the Commission consider? (ALJ Ruling of July 23, 2020)</p> <p>UCAN provided comments only addressing Issue B, the funding source. While the Staff Proposal supported Option 1, UCAN supported Option 2 for Issue B, which would fund the proposal from all distribution customers of the utility rather than limiting the funding for projects within a specific county to funds raised in the county. As UCAN noted, “smaller, more rural communities-many of which are particularly prone to PSPS events-may not be able to generate sufficient funds inside the county limits even though they may be the areas that will most benefit from microgrid project.” (UCAN Opening Comments p. 4)</p> <p>In Reply, UCAN addressed SDG&amp;E demand that it be completely exempted from the proposed pilot program, claiming it would not provide “additional value beyond what is currently provided.” (SDGE Opening Comments at 25) UCAN noted that multiple tribal</p>	<p>The Decision recognized UCAN’s comments, noting that “Others, like Clean Coalition, UCAN, and RCR, generally support Proposal 4, but advocate that the funding source should not be from the same region because that would burden vulnerable populations further.” ((D. 21-01-18 at p. 58)</p> <p>The Decision modified the Staff Proposal in the manner suggested by UCAN and other consumer advocates:</p> <p>“[F]unding for these microgrid incentive projects will not be strictly borne by a small set of vulnerable communities within an IOU service territory. Rather, these costs shall be allocated to all distribution customers of the relevant IOU.” (D. 21-01-18 at p. 63-64)</p> <p>The Commission did not provide SDG&amp;E any exemption from this program, as it had requested.</p>	



Intervenor’s Claimed Contribution(s)	Specific References to Intervenor’s Claimed Contribution(s)	CPUC Discussion
governments in SDG&E service territory and that San Diego “is full of communities that may significantly benefit from microgrids and should have the benefit of any pilot programs that may assist them in developing their own resiliency strategies” (UCAN Reply Comments at 3)		

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

	Intervenor’s Assertion	CPUC Discussion
<b>a. Was the Public Advocate’s Office of the Public Utilities Commission (Cal Advocates) a party to the proceeding?<sup>2</sup></b>	Yes	Verified
<b>b. Were there other parties to the proceeding with positions similar to yours?</b>	No	Verified
<b>c. If so, provide name of other parties:</b>		
<p><b>d. Intervenor’s claim of non-duplication:</b>                      UCAN elected to limit the scope of its comments to those on which it believed it could be contribute in its role as ratepayer advocate focused on issues impacting SDG&amp;E and local consumers and small business customers. Many other parties to this case were advocating from the prospective of active market participants in the energy sector, and UCAN believed it would be important that the Commission receive comments from as many consumer/ratepayer focused groups as possible to ensure better balance in the proceeding.</p> <p>With numerous active parties in this proceeding, including nearly 50 parties who provided comments on the staff report, some overlap and duplication was inevitable. However, as a result of limiting the scope of its participation to those issues with which it is most familiar, UCAN was able to most efficiently participate in the proceeding and minimize any duplication between the parties. Due to the complexity of issues addressed in this proceeding, UCAN urges the Commission to find any duplication of efforts was minor and therefore reasonable.</p>		Noted

<sup>2</sup> The Office of Ratepayer Advocates was renamed the Public Advocate’s Office of the Public Utilities Commission pursuant to Senate Bill 854, which the Governor approved on June 27, 2018.

**PART III: REASONABLENESS OF REQUESTED COMPENSATION**

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

	<b>CPUC Discussion</b>																		
<p><b>a. Intervenor’s claim of cost reasonableness:</b></p> <p>UCAN is requesting reimbursement of \$17,655.49. This includes time for UCAN’s attorney and paralegal. UCAN urges the Commission to find these costs reasonable in light of its substantial contribution to the record detailed in Part II (A) above. Because UCAN elected to focus on only a limited number of the issues raised by the Staff Proposal, the overall amount of time required to participate was significantly reduced. UCAN urges the Commission to find the costs of UCAN’s participation reasonable in light of all the related benefits to ratepayers, including the modification of the staff proposal to allow 10 microgrid projects per territory and the broadening of funding sources for the microgrid incentive program to better promote projects in vulnerable communities and the rejection of SDG&amp;E’s efforts to limit the scope of these programs in its service territory.</p>	Noted																		
<p><b>b. Reasonableness of hours claimed:</b></p> <p>In this proceeding, UCAN is claiming 31.8 total hours of attorney and 1.25 hours of legal support time. UCAN is requesting reimbursement of 31.8 hours for Mr. Biddle, and 1.25 hours for Ms. Cook-Sloan for her support work. The amounts listed here are for hours spent examining the issues (reviewing orders, staff reports and utility proposals, attending workshops on staff reports, preparing opening and reply brief) as well as review and editing of most filings. The above hours exclude time claimed for NOI and intervenor compensation request preparation. The decision of UCAN to focus on only limited portions of the Staff Proposal allowed UCAN to more efficiently direct its work in this proceeding. Given the importance of the proceeding and the fact that several concepts UCAN advocated for were included in the decision, UCAN believes the total amount of hours requested for reimbursement were reasonable.</p>	Noted																		
<p><b>c. Allocation of hours by issue:</b></p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">0</td> <td style="width: 15%;">0%</td> <td>1. General Prep (GP)</td> </tr> <tr> <td>4</td> <td>13%</td> <td>2. Hearings, Workshops, and Conferences (HWC)</td> </tr> <tr> <td>27.6</td> <td>87%</td> <td>3. Filings (F)</td> </tr> <tr> <td>0</td> <td>0%</td> <td>4. Discovery (D)</td> </tr> <tr> <td>0</td> <td>0%</td> <td>5. Testimony (T)</td> </tr> <tr> <td>0.2</td> <td>1%</td> <td>6. Coordination (C)</td> </tr> </table>	0	0%	1. General Prep (GP)	4	13%	2. Hearings, Workshops, and Conferences (HWC)	27.6	87%	3. Filings (F)	0	0%	4. Discovery (D)	0	0%	5. Testimony (T)	0.2	1%	6. Coordination (C)	Noted
0	0%	1. General Prep (GP)																	
4	13%	2. Hearings, Workshops, and Conferences (HWC)																	
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0	0%	4. Discovery (D)																	
0	0%	5. Testimony (T)																	
0.2	1%	6. Coordination (C)																	

			<b>CPUC Discussion</b>
0	0%	7. Evidentiary Hearings (EH)	
<b>31.8</b>	<b>100%</b>		

**B. Specific Claim:\***

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
William “Lee” Biddle	2020	31	\$492.24	See Comment 1	\$15,259.44	31.00	\$490.00 [1]	\$15,190.00
William “Lee” Biddle	2021	0.8	\$600.00	See Comment 1	\$480.00	0.80	\$600.00 [2]	\$480.00
<b>Subtotal: \$15,739.44</b>						<b>Subtotal: \$15,670.00</b>		
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
William “Lee” Biddle	2021	6	\$300.00	See Comment 1	\$1,800	6.00	\$300.00	\$1,800.00
Courtney Cook-Sloan	2021	1.25	\$92.83	See Comment 2	\$116.05	1.25	\$95.00 [3]	\$118.75
<b>Subtotal: \$1,916.05</b>						<b>Subtotal: \$1,918.75</b>		
<b>TOTAL REQUEST: \$17,655.49</b>						<b>TOTAL AWARD: \$17,588.75</b>		
<p>*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.</p> <p>**Travel and Reasonable Claim preparation time are typically compensated at ½ of preparer’s normal hourly rate</p>								
ATTORNEY INFORMATION								
Attorney	Date Admitted	Member Number	Actions Affecting Eligibility (Yes/No?)					

CLAIMED			CPUC AWARD
	to CA BAR <sup>3</sup>		If “Yes”, attach explanation
William “Lee” Biddle	2001	217128	no

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

Attachment or Comment #	Description/Comment
1	Certificate of Service
Comment 1	<p><u>Biddle 2020 Rate</u></p> <p>UCAN is requesting a COLA increase for William “Lee” Biddle hours in 2020. Mr. Biddle has nearly 20 years of experience. Mr. Biddle’s rate for 2018 is \$470 determined in D.19-08-033. In a previous ICOMP in this proceeding UCAN requested a rate increase for Mr. Biddle hours in 2019 for the rate of \$480 based off Resolution ALJ-357 ruling of a 2.35% COLA. For hours worked in 2020 UCAN is requesting for a rate increase to \$492.24 based off Resolution ALJ-387 2.55% COLA increase.</p> <p><u>Biddle 2021 Rate</u></p> <p>UCAN requests a new rate for Mr. William “Lee” Biddle hours in 2021 based on Resolution ALJ-393 Adopting Intervenor Compensation Market Rate Study and Addressing Related Matters issued December 22, 2020. The Resolution directs intervenors to use the Hourly Rate Chart spreadsheet available on the Commissions ICOMP webpage to determine the appropriate hourly rate when completing claims for work performed on or after January 1, 2021. Consequently, Mr. Biddle needs to establish an appropriate rate for work performed after January 1, 2021. According to the labor roles and rates established by this resolution and found in the hourly rate chart, Mr. Biddle’s responsibilities are consistent with the title of a Level V Attorney with 15+ years’ experience as an admitted member of the California Bar.</p> <p>Mr. Biddle completed his undergraduate studies at Princeton University and then received his law degree from California Western School of Law in 2001. Much of his nearly 20 year legal career has been spent on issues directly before or related to the Public Utilities Commission.</p>

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<sup>3</sup> 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>Immediately upon being admitted to the California Bar in 2001, Mr. Biddle began working at UCAN as a ratepayer advocate on issues in the telecommunications and energy industries. Mr. Biddle was directly involved in actions against telecommunications and internet companies, including I. 02-06-003, where Mr. Biddle examined witnesses, and presented evidence and legal arguments at a lengthy hearing before the Commission, ultimately resulting in a \$12 million penalty and over \$18 million in refunds to customers of a major wireless carrier. Mr. Biddle’s work on this and other matters included developing legal strategies, filing complaints with the Commission, legal briefing, advocacy at multiple hearings and even defending Commission decisions on appeal.</p> <p>After his first stint at UCAN, Mr. Biddle joined the Ferris &amp; Britton law firm, where his work included representation of a major cable television and telecommunications provider in matters before the CPUC for several years. Mr. Biddle spent over a decade with Ferris &amp; Britton, engaged in general litigation as well as administrative proceedings for several clients. Mr. Biddle’s work included complex, multi-year litigation arising from three separate California wildfires, including advising on Commission proceedings relating to the fires.</p> <p>Mr. Biddle also served as a member of the City of San Diego’s Ethics Commission from 2005 to 2013, after being appointed to the Commission by a vote of the City Council. The Commission enforces the City’s lobbying, campaign finance and conflict of interest rules. In this capacity, Mr. Biddle served as an administrative law judge on several occasions, conducting hearings and drafting decisions in proceedings seeking to enforce City rules against individuals.</p> <p>Mr. Biddle rejoined UCAN in 2019. Since his return he has built on his prior experience to advocate for ratepayers on telecommunication and energy issues.</p> <p>Due to Mr. Biddle’s education, experience and current responsibilities, UCAN is requesting a 2021 rate of \$600 which is just below Resolution ALJ-393’s median level of \$606.31 for an attorney with 15+ years’ experience. Given that Mr. Biddle has nearly 20 years of experience, much of it involving successful advocacy before the Commission, UCAN feels this rate is reasonable.</p>
Comment 2	<p>UCAN requests a new rate for Ms. Courtney Cook-Sloan based on Resolution ALJ-393 Adopting Intervenor Compensation Market Rate Study and Addressing Related Matters issued December 22, 2020. The Resolution</p>

Attachment or Comment #	Description/Comment
	<p>directs intervenors to use the Hourly Rate Chart spreadsheet available on the Commissions ICOMP webpage to determine the appropriate hourly rate when completing claims for work performed on or after January 1, 2021. Consequently, Ms. Cook-Sloan needs to establish an appropriate rate for work performed after January 1, 2021. According to the labor roles and rates established by this resolution and found in the hourly rate chart, Ms. Cook-Sloan’s responsibilities are consistent with the title of a Level II Paralegal Manager with 2-5 years of experience and an education level that includes an associate degree plus four years of experience that equates to an educational equivalency of a bachelor’s degree. Her additional three years of work experience are being used to establish her actual rate according to the market rate range found in the Lookup page of the Excel workbook.</p> <p>Ms. Cook-Sloan graduated Paralegal School in 2015 with an associate degree and has five years of legal experience. For the past five years she has been working at UCAN steadily increasing her responsibilities and practice experience before the Commission. This includes increased involvement in UCAN’s proceedings including validating and overseeing preparation of legal documents, providing research and coordination on complex projects with UCAN’s attorneys. Ms. Cook-Sloan is also responsible for UCAN’s financial and reporting documents including assisting with budgeting and tracking revenue and expenses. Ms. Cook-Sloan’s last approved rate for 2019 was as an expert at \$170/hr. (D.20-07-031).</p> <p>Ms. Cook-Sloan’s background includes working in an office environment for 10 years including an internship at Elder Law and Advocacy and working for Springbrook Insurance. Skills learned at both jobs translated to Ms. Cook-Sloan’s current position at UCAN. Her previous responsibilities were maintaining documents, working with managerial staff, filling out forms and drafting documents. Her skills have further developed at UCAN. She is responsible for researching utility law and reporting results to legal staff. She assists UCAN’s Legal Director and Executive Director with managing a CPUC calendar with deadlines and due dates. She is responsible for tracking all staff’s billable hours and travel receipts. She assists the Executive Director with consumer and member outreach. She maintains UCAN’s financial records and assists the Executive Director in preparing reports for the Board of Director’s. Due to Ms. Cook-Sloan’s education, experience and current responsibilities, UCAN is requesting a rate of \$185.67 which is just above the median range for a Paralegal Manager Level II with 2-5 years’ experience and an educational equivalency of a bachelor’s degree.</p>

**D. CPUC Comments, Disallowances, and Adjustments**

Item	Reason
[1]	Adopting \$490 rounding off to the nearest five increment for 2020. New rate based on Biddle’s 2019 rate adjusted to reflect Resolution-ALJ (2.55% COLA).
[2]	Adopting \$600 rate for Biddle for 2021. As an attorney with 15 plus years of experience and nearly 20 years of his legal career working on issues directly before or related to the Public Utilities Commission, we find \$600 rate to be reasonable.
[3]	Adopting \$190 rate for Cook-Sloan rounding off to the nearest five increment for 2020. As a paralegal with an associate degree, five years of legal experience and a steady increase of responsibility working with UCAN’s proceedings with the Commission, we find the rate to be reasonable.

**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))**

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

**FINDINGS OF FACT**

1. Utility Consumers’ Action Network has made a substantial contribution to D.21-01-018.
2. The requested hourly rates for Utility Consumers’ Action 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 \$17,588.75.

**CONCLUSION OF LAW**

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

**ORDER**

1. Utility Consumers' Action Network shall be awarded \$17,588.75.
2. Within 30 days of the effective date of this decision, Pacific Gas and Electric Company, San Diego Gas & Electric Company and Southern California Edison Company shall pay Utility Consumers 'Action 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 electric 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 June 5,2021, the 75<sup>th</sup> day after the filing of Utility Consumers 'Action 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 April 7, 2022, at San Francisco, California.

ALICE REYNOLDS

President

CLIFFORD RECHTSCHAFFEN

GENEVIEVE SHIROMA

DARCIE L. HOUCK

JOHN R.D. REYNOLDS

Commissioners



**APPENDIX****Compensation Decision Summary Information**

<b>Compensation Decision:</b>	D2204024	<b>Modifies Decision?</b>	No
<b>Contribution Decision(s):</b>	D2101018		
<b>Proceeding(s):</b>	R1909009		
<b>Author:</b>	ALJ Rizzo		
<b>Payer(s):</b>	Pacific Gas and Electric Company, San Diego Gas & Electric Company, Southern California Edison Company		

**Intervenor Information**

<b>Intervenor</b>	<b>Date Claim Filed</b>	<b>Amount Requested</b>	<b>Amount Awarded</b>	<b>Multiplier?</b>	<b>Reason Change/ Disallowance</b>
Utility Consumers' Action Network	March 22, 2021	\$17,655.49	\$17,588.75	N/A	See Part III.D, CPUC Comments, Disallowances, and Adjustments above.

**Hourly Fee Information**

<b>First Name</b>	<b>Last Name</b>	<b>Attorney, Expert, or Advocate</b>	<b>Hourly Fee Requested</b>	<b>Year Hourly Fee Requested</b>	<b>Hourly Fee Adopted</b>
William "Lee"	Biddle	Attorney	\$492.24	2020	\$490.00
William "Lee"	Biddle	Attorney	\$600	2021	\$600.00
Courtney	Cook-Sloan	Paralegal Manager	\$185.67	2021	\$190.00

**(END OF APPENDIX)**