

Decision 22-04-030 April 7, 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
MUSSEY GRADE ROAD ALLIANCE
FOR SUBSTANTIAL CONTRIBUTION TO DECISION
(D.) 19-05-036, D.19-05-037, D.19-05-038, AND D.19-05-039**

Intervenor: Mussey Grade Road Alliance	For contribution to Decision (D.) 19-05-036, D.19-05-037, D.19-05-038, and D.19-05-039
Claimed: \$41,125	Awarded: \$41,180.66
Assigned Commissioner: Alice Reynolds ¹²	Assigned ALJ: Cathleen Fogel ³

PART I: PROCEDURAL ISSUES

A. Brief description of Decision:	<p>Guidance Decision on 2019 Wildfire Mitigation Plans submitted pursuant to Senate Bill 901</p> <p>Decision on Southern California Edison Company's 2019 Wildfire Mitigation Plan pursuant to Senate Bill 901</p> <p>Decision on Pacific Gas and Electric Company's 2019 Wildfire Mitigation Plan pursuant to Senate Bill 901</p> <p>Decision on San Diego Gas & Electric Company's 2019 Wildfire Mitigation Plan pursuant to Senate Bill 901</p>
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¹ R.18-10-007 was reassigned from Commissioner Picker to President Batjer on October 29, 2020.

² R.18-10-007 was reassigned from President Batjer to President Alice Reynolds on January 31, 2022.

³ R.18-10-007 was reassigned from ALJ Allen and ALJ Thomas to ALJ Fogel on July 9, 2020.

B. Intervenor must satisfy intervenor compensation requirements set forth in Pub. Util. Code §§ 1801-1812:⁴

	Intervenor	CPUC Verification
Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):		
1. Date of Prehearing Conference:	November 14, 2018	Verified
2. Other specified date for NOI:		
3. Date NOI filed:	December 10, 2018	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:	5/21/2019	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:	5/21/2019	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:	D.19-05-036 D.19-05-037 D.19-05-038 D.19-05-039	Verified
14. Date of issuance of Final Order or Decision:	6/3/2019 (earliest)	Verified
15. File date of compensation request:		7/24/2019
16. Was the request for compensation timely?		Yes

⁴ 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):

Intervenor’s Claimed Contribution(s)	Specific References to Intervenor’s Claimed Contribution(s)	CPUC Discussion
<p>1. Note:</p> <p>For definition of contribution types, see Comment 1 in Section C.</p> <p>For definition of issue, see Comment 2 in Section C.</p> <p>For reference abbreviations, see Comment 4 in Section C</p>		<p>Noted</p>
<p>2. MGRA expert Dr. Joseph Mitchell was a panelist at an SED-sponsored workshop to discuss filers vegetation management plans and system hardening. His contributions included noting the overlap between PSPS, covered conductor, and vegetation management. He also strongly advocated against the utility position that WMP approval constituted prudent management.</p> <p>Type: Primary</p> <p>Issue: Gen, Hdn, VM</p>	<p>FD-Guidance; p.8 – “On February 26, 2019, a half-day workshop took place on the meaning of SB 901 approval of WMPs, and a full-day workshop occurred on February 27, 2019, to examine the filers’ vegetation management plans as well as conductors and related system hardening. Over 300 people attended the workshops.”</p> <p>SED-Agenda</p>	<p>Verified</p>
<p>3. MGRA strongly advocated against the utility position that plan approval ensured cost recovery. They continued to vigorously oppose this position at the workshops, at the second</p>	<p>MGRA-WMP-Comments; p. 5 – “In summary, we maintain that the utility request to change the definition of the Prudent Manager Standard to mean acceptance of the Wildfire Mitigation Plans, and the additional requirement that any imprudence barring cost recovery be tied to a violation of</p>	<p>Verified</p>

Intervenor’s Claimed Contribution(s)	Specific References to Intervenor’s Claimed Contribution(s)	CPUC Discussion
<p>PHC, and in filings in this proceeding and in R.19-01-006.</p> <p>Type: Contribution</p> <p>Issue: Gen</p>	<p>Wildfire Mitigation Plan goals, to be unreasonable and antithetical to the interest of safety.”</p> <p>FD-Guidance; pp. 23-24 – “The IOUs’ incorrect position that “substantial compliance” ensures WMP cost recovery is based on the penalty provision in SB 901, which allows for Commission-imposed penalties if an IOU does not substantially comply with its Plan....</p> <p>This provision has nothing to do with cost recovery for the costs of implementing a WMP. Ratemaking and the imposition of penalties are two separate exercises; one allows a utility to pass costs to ratepayers if it acts reasonably, while the other allows the Commission to impose penalties on a utility for misconduct.”</p> <p>FD-Guidance; p. 25 – “The question remains: what does WMP approval mean? Here again the statute provides the answer: approval means that every WMP contains 19 elements that the SB 901 Legislature deemed essential to catastrophic wildfire mitigation.”</p>	
<p>4. MGRA advocated for the collection of outage/fault data as part of the WMP Metrics.</p> <p>Type: Primary</p> <p>Issue: Met</p>	<p>FD-PGE; p. 44 – “Along these lines, MGRA recommends tracking performance, including outage data. MGRA suggests that if utilities collect historical and trend data, those results could be used to inform future WMPs.”</p>	<p>Verified</p>

Intervenor’s Claimed Contribution(s)	Specific References to Intervenor’s Claimed Contribution(s)	CPUC Discussion
	<p>FD-PGE; p. 49 – Metrics include: “Vegetation Caused Outages in HFTD Areas;</p> <p><input type="checkbox"/> The number of vegetation caused outages within HFTD areas, when the FPI is rated as very-high or higher...</p> <p>Faults on Circuits in HFTD;</p> <p><input type="checkbox"/> Counts of all faults on HFTD circuits associated with contact from object or equipment failures.”</p>	
<p>5. MGRA advocated for a WMP development process that would not be subject to the same time constraints and would begin prior to the WMP release.</p> <p>Type: Contributor</p> <p>Issue: Gen</p>	<p>FD-Guidance; p. 30 – “Many parties commented on items IOU respondents should include in their 2020 WMPs, and asked for a process in the future that gives all stakeholders more time to review the Plans. The workshop(s) we will conduct in Phase 2 of this proceeding should help address many of these concerns.</p> <p>MGRA recommends that parties have more time to review Plans in future wildfire proceedings, with an open discovery period of about two months prior to the utilities’ WMP filing.”</p>	<p>Verified</p>
<p>6. MGRA pointed out that one of SDG&E’s justifications for using steel poles – that they were more resilient to fire – was essentially an economic, not a safety, argument and should be presented as such.</p> <p>Type: Primary</p> <p>Issue: Hdn</p>	<p>FD-SDGE; pp. 7-8; “MGRA’s comments on the proposed decision challenge the finding that SDG&E has made a showing that steel poles are more resilient should a fire occur. Because the term “resilient” refers to more than one benefit (as SDG&E’s own two reasons noted above demonstrate), we eliminate that sentence, but leave the rest of the discussion.11 SDG&E shall continue</p>	<p>Verified</p>

Intervenor’s Claimed Contribution(s)	Specific References to Intervenor’s Claimed Contribution(s)	CPUC Discussion
	to assess the best materials to use for R.18-10-007 poles in its HFTD, and in future WMPs shall continue to make a showing that its selections for pole replacements are reasonable.”	
<p>7. MGRA opposed SDG&E’s enhanced 25 foot trim radius except for fast-growing and failure-prone tree species. The Commission in response place additional requirements on SDG&E’s program.</p> <p>Type: Initiator</p> <p>Issue: VM</p>	<p>FD-SDGE; p. 9 – “Mussey Grade Road Alliance (MGRA) asks that SDG&E “restrict its 25-foot trim radius to fast-growing species and those at statistically higher risk of causing outages, such as eucalyptus and sycamores. It should also accelerate covered conductor programs in areas with particular environmental, cultural, or aesthetic sensitivity as a substitute for the expanded trim radius.”</p> <p>MGRA-WMP-Comments; p. 3 – “If a tree is drastically trimmed or removed, it cannot be untrimmed or restored, even if the Commission later determines that the criteria applied to the decision to trim it were improper. Hence, if the Commission truly believes that SDG&E’s criteria need further justification, it must place additional strictures on its application during the current year until the issue can be reviewed again in SDG&E’s next WMP.”</p> <p>FD-SDGE; p. 10 – “SDG&E is clear that it will not be implementing the 25-foot post-trim clearance in the entirety of its HFTD; however, it will be doing so in the portions of the HFTD where the increased post-trim clearance is necessary and feasible. In SDG&E’s next WMP, it shall propose, in detail, guidelines for</p>	<p>Verified</p>

Intervenor’s Claimed Contribution(s)	Specific References to Intervenor’s Claimed Contribution(s)	CPUC Discussion
	<p>where a 25-foot-post-trim clearance for vegetation management is both feasible and necessary. If SDG&E plans to create a 25-foot clearance during this WMP cycle, it may only do so if such a practice is supported by scientific evidence or other data showing that such clearance will reduce risk under wildfire conditions.”</p>	
<p>8. MGRA presented vegetation data provided by SDG&E to demonstrate that some species are more prone to cause equipment contact than others. MGRA argued that all utilities need to collect this kind of data.</p> <p>Type: Primary</p> <p>Issue: VM</p>	<p>FD-SCE; p. 21 – “MGRA and TURN argue that SCE needs to collect more data to better inform its vegetation management practices, including the following: 1) data regarding the effectiveness of the deployment of covered conductors in preventing fires; 2) information about the trees and their species that are in close proximity to electrical lines; 3) data on “near miss” events from vegetation or equipment failure during PSPS events; 4) data correlating vegetation-caused outages and ignitions with weather conditions; and 5) data on how the new minimum and recommended vegetation clearance requirement reduces incidence of ignitions, especially during critical weather conditions.”</p> <p>FD-PGE; pp. 26-27 – “MGRA points out that SDG&E’s data shows that certain types of trees such as eucalyptus and sycamore are ten times more likely than oaks to cause outages. MGRA recommends that all utilities should keep a total inventory of trees in the vicinity of their equipment and use this kind of data</p>	<p>Verified</p>

Intervenor’s Claimed Contribution(s)	Specific References to Intervenor’s Claimed Contribution(s)	CPUC Discussion
	<p>when prioritizing vegetation management, rather than simply keeping track of the raw number of outages...</p> <p>In future WMPs, PG&E should describe how it tracks and manages “at risk” species of trees. PG&E should reconduct its analysis to determine at-risk tree species and include all vegetation-caused outages and wire down events in the analysis, and not simply rely on vegetation-caused ignition data.”</p>	
<p>9. MGRA’s expert Dr. Mitchell was the first to raise the issue of substantial overlap of the risk mitigation measures of enhanced vegetation management, installation of covered conductor, and Public Safety Power Shutoff. Using utility data, he analyzed what kind of vegetation events might be mitigated by which of these measures.</p> <p>Type: Initiator</p> <p>Issue: VM, Hdn</p>	<p>FD-SCE; p. 23 – “As Mussey Grade Road Alliance (MGRA) describes, the PG&E EVM proposal should address three distinct vegetation ignition mechanisms: 1) “fall ins,” in which a tree that is tall enough to strike a power line topples into it; 2) “blow-ins,” in which vegetation that is detached by high winds blows into utility infrastructure; and 3) overhanging vegetation breaks, which result in vegetation dropping onto lines from above. Parties note that all of these scenarios are more likely during high winds, and if these winds also occur during an extreme fire weather event, there is the potential for catastrophic fire ignition and spread.”</p> <p>FD-PGE; pp. 25-26 – “Several parties, including the Joint Local Governments, TURN, MGRA and Cal Advocates question how to evaluate the relationship between measures such as EVM, system hardening and de-energization. This</p>	<p>Verified, however, the claimed contribution is in D.19-05-037 (FD-PGE) and not D.19-05-038 (FD-SCE).</p>

Intervenor’s Claimed Contribution(s)	Specific References to Intervenor’s Claimed Contribution(s)	CPUC Discussion
	<p>question raises the related issue of whether using more of one particular mitigation measure reduces the need for others, and what metrics should be developed to measure this. In the near term, the conservative approach is to be aggressive with these measures, but we expect far more analysis of this issue in PG&E’s future WMPs.”</p>	
<p>10. MGRA, expressed concern about the enhanced vegetation management program and maintained that all trees slated for removal or heavy trim be inspected by a certified arborist.</p> <p>Type: Contributor</p> <p>Issue: VM</p>	<p>MGRA-WMP-Comments; p. 20 – “We are reassured that in all the enhanced vegetation programs put forward by the three major IOUs, a trained arborist will be making assessments and judgements regarding trees that are fall-in hazards to lines, and only trees that exhibit specified risk characteristics will be subject to heavy trim or removal.”</p> <p>FD-PGE; p. 28 – “PG&E should only remove healthy trees if the utility has evidence that those trees pose a risk to utility electric facilities under wildfire ignition conditions, based on the opinion of a certified arborist.”</p> <p>FD-SCE; p. 23 – “SCE shall use expert input in determining which healthy trees to remove based on the opinion of certified arborists and on evidence that the trees pose a risk to utility electric facilities under wildfire ignition conditions.”</p>	<p>Verified</p>
<p>11. MGRA argued against the adoption of PG&E’s second WMP amendment, which described a significant change to</p>	<p>MGRA-PD-WMP-Cmt; p. 8 – “Alternatively, if the Commission wishes to accept PG&E’s plan because of time constraints and the urgency of implementing the fire safety program, it must accept the</p>	<p>Verified</p>

Intervenor’s Claimed Contribution(s)	Specific References to Intervenor’s Claimed Contribution(s)	CPUC Discussion
<p>its vegetation management practices.</p> <p>Type: Contribution</p> <p>Issue: Gen, VM</p>	<p>plan as is. It cannot accept a plan that it knows to be at variance with actual utility practice.”</p> <p>FD-PGE; p. 28 – “Some parties commented that PG&E’s healthy tree program is affected by PG&E’s second amended WMP filed on April 25, 2019, a few days before the proposed decision was mailed. As noted elsewhere in this decision, this decision does not act on the second amended WMP or related filings, so any changes in the amendment are not approved by this decision.”</p>	
<p>12. Using utility data, MGRA analyzed the comparative density of weather station deployments in SDG&E, SCE and PG&E service areas.</p> <p>Type: Primary</p> <p>Issue: Met</p>	<p>MGRA-WMP-Comments; p. 10 – “One very positive development is that SCE and PG&E are now building out essentially identical programs, and these are described in detail in their respective WMPs.</p> <p>MGRA requested data from PG&E, SCE and SDG&E so that the current state of implementation and near-term state of implementation (as of 2020) could be compared across the three utilities. We summarize the utility responses, filed and served as attachments to this filing, in the table below.”</p> <p>FD-SCE; p. 33 – “It is commendable that SCE is following in SDG&E’s footsteps and has begun broad deployment of weather stations and engaged in efforts to develop fine-scale climatology of its service territory.”</p>	<p>Verified</p>

Intervenor’s Claimed Contribution(s)	Specific References to Intervenor’s Claimed Contribution(s)	CPUC Discussion
<p>13. MGRA put forward the proposal that the WMPs needed to reference their progress from previous fire protection plans.</p> <p>Type: Primary</p> <p>Issue: Gen</p>	<p>MGRA-Tmpl-Cmts; p. 4 – “MGRA’s suggested that the current WMP be compared to the previous year’s in order to determine whether all work had been completed, whether that specific item is being continued into the current year, and what had changed since the previous year’s WMP.”</p> <p>ALJ-Tmpl2-Ruling – “Comparison of current WMP to prior fire prevention plans, so it is clear what new strategies the utility intends to implement.”</p>	<p>Verified</p>
<p>14. MGRA asserted that the WMPs had to be developed with respect to known local conditions.</p> <p>Type: Primary</p> <p>Issue: Met, Hdn</p>	<p>MGRA-Tmpl-Cmts; p. 5 – “MGRA believes that the Commission should require utilities to demonstrate whether they know their local conditions, how they determine them, to what accuracy, and in the case there are any gaps in this knowledge what remedial steps will be taken as part of the current year’s WMP to close those gaps.”</p> <p>ALJ-Tmpl2-Ruling – “Description of planned wildfire mitigation that exceeds existing requirements, either because of “known local conditions” that exceed those standards or other reasons...”</p>	<p>Verified</p>

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

	Intervenor's Assertion	CPUC Discussion
a. Was the Public Advocate's Office of the Public Utilities Commission (Cal Advocates) a party to the proceeding?⁵	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: POC, TURN, OSA, CEJA, Henricks, Abrams		Verified
d. Intervenor's claim of non-duplication: MGRA, due to its emphasis on safety and its strong technical background, was able to take a number of unique positions in its interventions. MGRA attended a non-utility multiparty teleconference, to discuss strategy in December. We also had single party calls with single intervenors such as TURN. While some duplication is inevitable in such a fast paced and complex proceeding, MGRA tried to minimize duplication by restricting its input to issues in which had a critical interest or specific expertise.		Noted

C. Additional Comments on Part II:

#	Intervenor's Comment		CPUC Discussion
1	Contribution Types	There are various types and levels of contribution that the Alliance interventions provided. These are defined and explained below.	Noted
	Primary	A Primary contribution is one in which the Alliance made a unique and definitive difference in supplying information not supplied by any other party. The Alliance can show that "but for" its intervention, the Decision would have likely reached a different conclusion.	

⁵ 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.

#	Intervenor's Comment	CPUC Discussion										
	<table border="1"> <tr> <td data-bbox="293 296 540 562">Initiator</td> <td data-bbox="540 296 1133 562">In instances where the Alliance was an "Initiator", it was the first to bring a particular issue or analysis to the Commission's attention. Other parties subsequently made additions or improvements that were accepted by the Commission.</td> </tr> <tr> <td data-bbox="293 562 540 800">Contributor</td> <td data-bbox="540 562 1133 800">While not initiating an analysis or study, the Alliance made a significant contribution to it. Also, in decisions or conclusions which take into account many different factors, the Alliance's results contribute one or more of these factors.</td> </tr> <tr> <td data-bbox="293 800 540 926">Improvement</td> <td data-bbox="540 800 1133 926">The Alliance commented on an existing process or measure and its suggestion was adopted in the final decision.</td> </tr> <tr> <td data-bbox="293 926 540 1094">Complimentary</td> <td data-bbox="540 926 1133 1094">The Alliance chose a different method or analysis than that used in the Final Decision, but which is consistent with it and supports the same results.</td> </tr> <tr> <td data-bbox="293 1094 540 1251">Alternative</td> <td data-bbox="540 1094 1133 1251">The Alliance reached a conclusion or presented an analysis at variance with the Decision or with the Final EIR/EIS, but which raised important points.</td> </tr> </table>	Initiator	In instances where the Alliance was an "Initiator", it was the first to bring a particular issue or analysis to the Commission's attention. Other parties subsequently made additions or improvements that were accepted by the Commission.	Contributor	While not initiating an analysis or study, the Alliance made a significant contribution to it. Also, in decisions or conclusions which take into account many different factors, the Alliance's results contribute one or more of these factors.	Improvement	The Alliance commented on an existing process or measure and its suggestion was adopted in the final decision.	Complimentary	The Alliance chose a different method or analysis than that used in the Final Decision, but which is consistent with it and supports the same results.	Alternative	The Alliance reached a conclusion or presented an analysis at variance with the Decision or with the Final EIR/EIS, but which raised important points.	
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Improvement	The Alliance commented on an existing process or measure and its suggestion was adopted in the final decision.											
Complimentary	The Alliance chose a different method or analysis than that used in the Final Decision, but which is consistent with it and supports the same results.											
Alternative	The Alliance reached a conclusion or presented an analysis at variance with the Decision or with the Final EIR/EIS, but which raised important points.											
2	<p>Abbreviations for issues that MGRA was involved in:</p> <p>Gen: General Procedural issues, preambles, establishing record, scope, process.</p> <p>VM: Vegetation Management Vegetation management components of the utility wildfire mitigation plans</p> <p>Met: Metrics Issues that have to do with mechanisms that utilities use to measure performance and fire risk, both for fire prevention and for reporting purposes.</p> <p>Hdn: Hardening</p>	Noted										

#	Intervenor's Comment	CPUC Discussion
	Issues having to do with utility infrastructure improvements that were discussed during the WMP development process.	
3	<p>FD-Guidance D.19-05-036</p> <p>FD-SDGE D.19-05-039</p> <p>FD-SCE D.19-05-038</p> <p>FD-PGE D.19-05-036</p> <p>MGRA-OIR-Comments MGRA OIR Comments</p> <p>ALJ-Tmpl-Ruling ADMINISTRATIVE LAW JUDGE'S RULING REQUIRING FILING OF WILDFIRE MITIGATION PLAN TEMPLATES, AND ALLOWING COMMENT</p> <p>MGRA-Tmpl-Comments MUSSEY GRADE ROAD ALLIANCE COMMENTS ON THE IOU WILDFIRE MITIGATION PLAN TEMPLATE</p> <p>ALJ-Tmpl2-Ruling ADMINISTRATIVE LAW JUDGE'S RULING ON WILDFIRE MITIGATION PLAN TEMPLATE, AND ADDING ADDITIONAL PARTIES AS RESPONDENTS REGARDING THE PROPOSED WEMA PHASE 1 DECISION</p> <p>MGRA-WMP-Comments MUSSEY GRADE ROAD ALLIANCE COMMENTS ON THE WILDFIRE MITIGATION PLANS</p> <p>MGRA-WMP-PD-Cmt MUSSEY GRADE ROAD ALLIANCE COMMENTS ON THE PROPOSED DECISIONS ON 2019 WILDFIRE MITIGATION PLANS</p>	Noted

#	Intervenor’s Comment	CPUC Discussion
	<p>SED-Agenda</p> <p>California Public Utilities Commission</p> <p>Wildfire Mitigation Plans Technical Workshops</p> <p>R.18-10-007: Technical Workshop #1 (unfiled)</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>Wildfire in California, and utility-caused wildfires in particular, have now reached the level of a full-fledged crisis, and have been the subject of action at all levels of state government, culminating in the adoption of SB 901 and AB 1054. These bills require immediate and rapid action by the Commission, and this year’s WMPs are the product of that action.</p> <p>Over the last years, utility-caused wildfires have resulted in the deaths of over 130 people and damages over \$20 billion. Any measure that in any way reduces the risk that the scenarios of October 2017 and December 2018 can play out again is tremendously valuable.</p> <p>MGRA made a number of significant contributions to the Final Decisions approving the Wildfire Mitigation Plans and setting guidance. The extent to which any one of these contributions reduces wildfire risk is difficult to quantify, however even a small contribution, when multiplied by the potential losses, vastly exceeds the compensation being requested by the Alliance.</p> <p>Another contribution that MGRA provided was to help ensure cost efficiency of utility spending. Two examples: MGRA noted the overlap of vegetation management, covered conductor, and power shutoff as mitigation measures, and the Commission has ordered further study in the next round of WMPs. Also, MGRA pointed out that SDG&E’s claim that steel poles were more resistant to wildfire was essentially an</p>	<p>Noted</p>

	CPUC Discussion
<p>economic rather than a safety argument, and the Commission ordered further justification in future proceedings.</p>	
<p>b. Reasonableness of hours claimed:</p> <p>The areas covered by the WMP proceedings were very broad in scope. MGRA, however, was careful to limit its participation to areas in which its expert could make a unique and substantive contribution, and to procedural areas of vital interest to the success of the proceeding.</p> <p>MGRA also opted not to attend the first prehearing conference in person, thus saving that expense. Dr. Mitchell’s flight was through Oakland because no flights to San Francisco from San Diego were available after a flight cancellation.</p> <p>Dr. Mitchell has been intervening on fire safety issues before the Commission since 2006. It was Dr. Mitchell who originally proposed that utilities should be required to create fire plans in R.08-11-005, and this proposal was adopted by the Commission. Accordingly, Dr. Mitchell had prior knowledge regarding fire mitigation plan contents, and was able to efficiently identify areas for improvement.</p> <p>Ms. Conklin attended teleconferences and did significant revisions of drafts. Ms. Conklin and Dr. Mitchell conferred extensively regarding this proceeding. This time is not claimed.</p> <p>Ten hours of intervenor compensation preparation time is requested, though total preparation time was in excess of this amount.</p>	<p>Noted</p>
<p>c. Allocation of hours by issue:</p> <p>Diane Conklin Gen: 8.0 VM: 2.9 Met: 1.9 Hdn: 2.9</p> <p>Dr. Joseph Mitchell Gen: 59.2 VM: 22.3 Met: 17.5 Hdn: 18.6</p>	<p>Verified</p>

B. Specific Claim:*

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
Diane Conklin (Advocate)	2018	4.1	\$140.00	D.18-09-042 ALJ-352	\$574	4.1	\$140.00 [1]	\$574.00
Diane Conklin	2019	11.7	\$140.00	D.18-09-042 ALJ-352,357	\$1,638	11.7	\$145.00 [2]	\$1,696.50
Dr. Joseph Mitchell (Expert)	2018	16.4	\$295.00	D.18-09-042 ALJ-352	\$4,841	16.4	\$295.00 [3]	\$4,838.00
Dr. Joseph Mitchell	2019	101.2	\$300.00	D.18-09-042 ALJ-352,357	\$30,360	101.2	\$300.00 [4]	\$30,360.00
Subtotal: \$37,413.00						Subtotal: \$37,468.50		
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 \$
Dr. Mitchell, Travel, workshops and 2 nd PHC	2019	8	\$150.00	D.18-09-042 ALJ-352,357	\$1,200	8	\$150.00	\$1,200.00
Subtotal: \$1,200.00						Subtotal: \$1,200.00		
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
Dr. Joseph Mitchell	2019	10	\$150.00	D.18-09-042 ALJ-352,357	\$1,500	10	\$150.00	\$1,500.00
Subtotal: \$1,500.00						Subtotal: \$1,500.00		
COSTS								
#	Item	Detail			Amount	Amount		
1.	Travel Expenses	Attachments 4 and 5.			\$1,012	\$1,012.16 [5]		
Subtotal: \$1,012.00						Subtotal: \$1,012.16		
TOTAL REQUEST: \$41,125.00						TOTAL AWARD: \$41,180.66		
*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								

CLAIMED	CPUC AWARD
<p>adequate accounting and other documentation to support all claims for intervenor compensation. Intervenor’s records should identify specific issues for which it seeks compensation, the actual time spent by each employee or consultant, the applicable hourly rates, fees paid to consultants and any other costs for which compensation was claimed. The records pertaining to an award of compensation shall be retained for at least three years from the date of the final decision making the award.</p> <p>**Travel and Reasonable Claim preparation time are typically compensated at ½ of preparer’s normal hourly rate</p>	

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

Attachment or Comment #	Description/Comment
1	Certificate of Service
2	Time sheets for Diane Conklin
3	Time sheets for Dr. Joseph Mitchell
4	List of expenses
5	Receipts
Comment #1	Hourly rate for Diane Conklin is based on rate granted in D.18-09-042 plus 2018 2.3% COLA adjustment and 2019 2.35% COLA adjustment.
Comment #2	Hourly rate for Dr. Mitchell is based on rate granted in D.18-09-042 plus 2018 2.3% COLA adjustment and 2019 2.35% COLA adjustment. Dr. Mitchell is at the top end of the 7-12 year expert compensation range and therefore unable to apply the full COLA adjustment.

D. CPUC Comments, Disallowances, and Adjustments

Item	Reason
[1]	Application of Res-ALJ-352 – 2.30% Cost-of-Living Adjustment.
[2]	Application of Res-ALJ-357 – 2.35% Cost-of-Living Adjustment.
[3]	Application of Res-ALJ-352 – 2.30% Cost-of-Living Adjustment.
[4]	Application of Res-ALJ-357 – 2.35% Cost-of-Living Adjustment.
[5]	Travel receipts provided reflect a total cost of \$1,012.16. We approve the \$1,012.16 consistent with the receipts provided.

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
B. Comment Period: Was the 30-day comment period waived (see Rule 14.6(c)(6))?	Yes

FINDINGS OF FACT

1. Mussey Grade Road Alliance has made a substantial contribution to D.19-05-036, D.19-05-037, D.19-05-038, and D.19-05-039.
2. The requested hourly rates for Mussey Grade Road Alliance’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 \$41,180.66.

CONCLUSION OF LAW

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

ORDER

1. Mussey Grade Road Alliance shall be awarded \$41,180.66.
2. Within 30 days of the effective date of this decision, Pacific Gas and Electric Company, Southern California Edison Company, San Diego Gas & Electric Company, Liberty Utilities (CalPeco Electric), Bear Valley Electric Service, Inc., and PacifiCorp shall pay Mussey Grade Road Alliance the total award, based on their California-jurisdictional electric revenues for the 2019 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 August 17, 2019, the 75th day after the filing of Mussey Grade Road Alliance’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

Compensation Decision:	D2204030	Modifies Decision?	No
Contribution Decision(s):	D1905036, D1905037, D1905038, D1905039		
Proceeding(s):	R1810007		
Author:	ALJ Fogel		
Payer(s):	Pacific Gas and Electric Company, Southern California Edison Company, San Diego Gas & Electric Company, Liberty Utilities (CalPeco Electric), Bear Valley Electric Service, Inc., and PacifiCorp		

Intervenor Information

Intervenor	Date Claim Filed	Amount Requested	Amount Awarded	Multiplier?	Reason Change/ Disallowance
Mussey Grade Road Alliance (MGRA)	7/24/2019	\$41,125.00	\$41,180.66	N/A	See CPUC Comments, Disallowances, and Adjustments above.

Hourly Fee Information

First Name	Last Name	Attorney, Expert, or Advocate	Hourly Fee Requested	Year Hourly Fee Requested	Hourly Fee Adopted
Dianne	Conklin	Advocate	\$140	2018	\$140
Dianne	Conklin	Advocate	\$140	2019	\$145
Joseph	Mitchell	Expert	\$295	2018	\$295
Joseph	Mitchell	Expert	\$300	2019	\$300

(END OF APPENDIX)