

Decision 22-05-009 May 5, 2022

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In The Matter of the Application of
San Diego Gas & Electric Company (U902G)
and Southern California Gas Company
(U904G) for a Certificate of Public
Convenience and Necessity for the Pipeline
Safety & Reliability Project.

Application 15-09-013
(Filed September 30, 2015)

**DECISION GRANTING COMPENSATION TO THE PROTECT
OUR COMMUNITIES FOUNDATION FOR SUBSTANTIAL
CONTRIBUTION TO DECISION 20-02-024**

Intervenor: The Protect Our Communities Foundation	For contribution to Decision (D.) 20-02-024
Claimed: \$59,476.86	Awarded: \$59,441.86
Assigned Commissioner: Genevieve Shiroma ¹	Assigned ALJ: Brian Stevens

PART I: PROCEDURAL ISSUES

A. Brief description of Decision:	D.20-02-024 granted in part a joint petition for modification (PfM) of D.18-06-028 filed by POC, Sierra Club, The Utility Reform Network (TURN), and Southern California Generation Coalition (SCGC) (Joint Petitioners). The Joint Petitioners' PfM sought to establish a process for transparent and effective public review of the project described in the document entitled "SoCalGas and SDG&E Line 1600 Test or Replacement Plan" as Design Alternative 1, and to provide the public with an opportunity to review more effective alternatives. D.20-02-024 reopened Application (A.)15-09-013 to consider the costs of the project described
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¹ This proceeding was re-assigned to Commissioner Genevieve Shiroma on March 15, 2021.

	in the document entitled “SoCalGas and SDG&E Line 1600 Test or Replacement Plan” as Design Alternative 1.
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B. Intervenor must satisfy intervenor compensation requirements set forth in Public Utility (Pub. Util.) Code §§ 1801-1812²:

	Intervenor	CPUC Verification
Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):		
1. Date of Prehearing Conference (PHC):	9/22/2016	Verified
2. Other specified date for NOI:	N/A	
3. Date NOI filed:	10/20/2016	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 Administrative Law Judge (ALJ) ruling issued in proceeding number:	Rulemaking (R.) 18-12-005	Verified
6. Date of ALJ ruling:	4/17/2019	Verified
7. Based on another CPUC determination (specify):	D.15-12-045; D.19-04-031; D.19-05-035; D.19-10-047; D.19-12-017.	Noted
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:	R.18-12-005	Verified
10. Date of ALJ ruling:	4/17/2019	Verified
11. Based on another CPUC determination (specify):	D.15-12-045; D.19-04-031; D.19-05-035; D.19-10-047; D.19-12-017.	Noted
12. Has the Intervenor demonstrated significant financial hardship?		Yes
Timely request for compensation (§ 1804(c)):		
13. Identify Final Decision:	D.20-02-024	Verified
14. Date of issuance of Final Order or Decision:	February 12, 2020	Verified
15. File date of compensation request:	April 13, 2020	Verified
16. Was the request for compensation timely?		Yes

² All statutory references are to California Public Utilities Code unless indicated otherwise.

C. Additional Comments on Part I:

#	Intervenor’s Comment(s)	CPUC Discussion
B.5-12	Per Pub. Util. Code § 1804(b), a “finding of significant financial hardship shall create a rebuttable presumption of eligibility for compensation in other commission proceedings commencing within one year of the date of that finding.” This proceeding was commenced on September 30, 2015, which is within one year of December 17, 2015, the date D.15-12-045 was decided. In addition, D.19-04-031 is decision awarding POC intervenor compensation in this proceeding for contribution to D.18-06-028. All amounts referenced in this claim are incremental.	Noted

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. POC substantially contributed to the proposed decision by ALJ Kersten.</p> <p>ALJ Kersten published a second revised proposed decision (PD Rev. 2) that accepted the majority of POC’s arguments, as well as arguments advanced by the joint parties. Particular arguments accepted in the PD Rev. 2 are specifically addressed below, and include the following:</p>	<p>“On December 16, 2019...POC/SCGC ...filed opening comments on the RPD (Revision 1)...POC...filed opening comments on Commissioner Randolph’s APD on this same date. On December 23, 2019...POC filed reply comments on the RPD (Revision 1)...POC...filed reply comments on the APD on this same date.” PD Rev. 2, at 65.</p> <p>“Through extensive commentary, POC alleges that none of the ‘safety reasons’ cited in the APD to justify restricting review in Phase 2 to Applicants’ Design Alternative 1 are supported by the</p>	Verified

<p>(1) that Design Alternative 1 and alternatives to Design Alternative 1 should be scrutinized in a public process;</p> <p>(2) that D.18-06-028 and SDG&E’s and SoCalGas’ own records concluded that Line 1600 is safe in its present condition, and that the results of the unvetted audit should be made public;</p> <p>(3) that hydrotesting should be fully considered in accordance with the record in A.15-09-013; and</p> <p>(4) that extra-record material and untested hearsay should not be considered unless and until POC and others first have an opportunity to meaningfully address such material.</p> <p>Before approving the revised alternate proposed decision (APD Rev. 1) which granted the PfM in part, the Commission deadlocked on the PD Rev. 2. The PD Rev. 2 which proposed to grant the PfM and accepted POC’s as well as other parties’ comments was thus initially accepted by two Commissioners and it was part of the Commission’s decision-making process for D.20-02-024. <i>See e.g.</i> PD Rev. 2, at 35-36, 47-51, 61-62, 65; 10/2/2019 POC comments on the PD, at 1-15; 10/7/2019 POC reply comments on the PD, at 1-5; 12/16/2019 POC/SCGC comments on the PD Rev. 1, at</p>	<p>record in A.15-09-013...Based on the Applicants’ and Intervenor Testimony, and as discussed in Section 7.3 of this decision, the Commission did find that D.18-06-028 is safe in its present condition. The PSEP Plan itself refers to the integrity of the Line:</p> <p style="padding-left: 40px;">Assessment data from both in-line inspection technologies demonstrate that for the remaining anomalies in Line 1600, adequate safety margins exist for operation at both its current MAOP of 512 psig and its previous MAOP of 640 psig...[citing to PSEP Plan at 52].”</p> <p>However, we are concerned that Applicants have presented untested extra-record evidence that appears inconsistent with the Applicants’ own testimony and record in A.15-09-013 and mischaracterizes the condition of Line 1600 in a manner to shed doubt regarding the integrity of the line [citing to 1/9/2020 ALJ Ruling Striking Extra-Record Material]. Further, the unvetted SED Line 1600 Pipeline Audit published December 23, 2019 and evolving SED Transmission Study may shed new material facts about how Line 1600 should be managed in the future. For this reason, we believe that all options should be on the table for consideration including four design alternatives and deration options. We should keep in mind that if the Commission proceeds to replace Line 1600 solely due to the presence of stable manufacturing defects or other known anomalies, this could</p>	
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<p>1-15; 12/23/2019 POC reply comments on the PD Rev. 1, at 1-5; 12/16/2019 POC comments on the APD, at 1-15; 12/23/2019 POC reply comments on the APD, at 1-5.</p>	<p>prompt the Applicants to seek replacement of other gas pipelines that are constructed of EFW material.” PD Rev. 2, at 47-51.</p> <p>“We are also sympathetic to POC’s desire to review per mile hydrotesting ‘benchmark’ pressure test or replace status and costs associated with six A.O Smith pipelines in the Applicants’ transmission system [citing to POC’s Reply Comments on the APD at 2]. According to POC, ‘[i]f Applicants have been certifying EFW pipelines as safe and fit-for-service based on a pressure test—with no plans to replace other sections of these EFW in HCAs—there is no safety or technical reason for replacing those sections of Line 1600 with new pipe’ [citing to POC’s Opening Comments on the APD at 9]. There is no credible reason why the Applicants should withhold this information as hydrotesting is scheduled to occur in at least five of the 19 Line 1600 pipeline segments.” PD Rev. 2, at 36.</p> <p><i>See also</i> references cited in #s 2-5, below.</p>	
<p>2. POC substantially contributed regarding the need for transparent and effective public review of Design Alternative 1 and alternatives to Design Alternative 1.</p> <p>The PD Rev. 2 agreed with POC and the other Joint Petitioners’ with respect to the need for the parties, the public,</p>	<p>“On May 31, 2019, POC, Sierra Club, SCGC, and TURN (jointly, Petitioners) filed a Joint PFM of D.18-06-028, proposing changes in FOF 72, COL 19, and OP 7 that would open up a phase two of this proceeding (or alternatively, a new proceeding) to establish a process for transparent and effective public review through the hearing process of the hydrostatic test or replacement plan the Commission</p>	<p>Verified</p>

<p>and the Commission to review Design Alternative I as well as alternatives to Design Alternative 1.</p>	<p>required in OP 7 of D.18-06-028 and to provide the public with an opportunity to review more effective alternatives.” PD Rev. 2, at 74 (Finding of Fact 22).</p> <p>“...we believe that all options should be on the table for consideration including four design alternatives and deration options...” PD Rev. 2, at 50.</p> <p>“Reviewing a Line 1600 PSEP cost forecast via a public process will enable the Commission to provide appropriate guidance regarding the reasonableness of the cost estimates, cost containment strategies, ratemaking and accounting treatment, and overall assumptions.” PD Rev. 2, at 78 (Finding of Fact 50).</p> <p>“POC asserts that “the evidentiary record for the Applicant’s Alternative 1 is woefully insufficient to justify the exclusion of the full hydrotest alternative from the Applicant’s application” [citing to POC’s reply comments on the PD at 1]. It further observes that this issue was not teed up until the May 2, 2018 distribution of the proposed decision that preceded Commission approval of D.18-06-028. POC claims that ‘SED simply ignores the pressure test alternative in its January 15, 2019 approval of the Applicants preferred Alternative 1’ [citing to POC’s reply comments on the PD at 1, 4]. POC questions the presumptive dismissal of the hydrotest alternative since the “Applicants have already completed at least 27 successful</p>	
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<p>POC fully participated in the Commission’s decision-making process by commenting and replying to comments on the PD, the PD Rev. 1, and the APD, as shown by the following submissions:</p> <ul style="list-style-type: none"> • 10/2/2019 POC comments on the PD, p. 1-15. • 10/7/2019 POC reply comments on the PD, at 1-5. • 12/16/2019 POC/SCGC comments on the PD Rev. 1, at 1-15. 	<p>pressure tests of transmission pipelines at the time SED wrote its December 15, 2017 Advisory Opinion” [citing to fn.153, <i>infra.</i>] It further notes that the Applicants considered Alternatives 3 and 4, two variations of full replacement of Line 1600, as having the “maximum safety margin safety margin and reliability,” but that the Applicants did not adequately explain why these alternatives were not seriously considered [citing to POC’s opening comments on PD at 5-6].” PD Rev. 2, at 61-62.</p> <p>“Without this cost information, the CPUC was unable to evaluate the cost-effective analyses the Applicants referred to in is PSEP Plan that would allow it to balance the tradeoffs between safety, reliability and service, and cost-effectiveness goals among alternative options. PD Rev. 2, at 75 (Finding of Fact 28).</p> <p>“On May 31, 2019, Protect Our Communities (POC), Sierra Club, Southern California Generation Coalition (SCGC) and The Utility Reform Network (TURN) (jointly, Petitioners) filed a joint petition for modification (PFM) of D.18-06-028... In essence, the Petitioners’ state that “the primary purpose of the modification is to establish a process for transparent and effective public review through the hearing process of the hydrostatic test or replacement plan the Commission required in OP 7 of</p>	
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<ul style="list-style-type: none"> • 12/23/2019 POC reply comments on the PD Rev. 1, at 1-5. • 12/16/2019 POC comments on the APD, at 1-15. • 12/23/2019 POC reply comments on the APD, at 1-5. <p>Even where D.20-02-024 departs from the conclusions of the PD Rev. 2, the Joint Petitioner’s PFM and POC’s comments provided important context and information regarding the consequences of adopting the PD Rev. 2 or the APD Rev. 1. After deadlocking on the vote to approve the PD Rev. 2, the Commission granted the Joint Petitioner’s PFM in part, by approving limited modifications to D.18-06-028 and, as requested by the Joint Petitioners, reopening A.15-09-013 to examine the cost estimating methodology, cost assumptions, cost containment strategies, and proposed future schedule of reasonableness review applications for Design Alternative 1. D.20-02-024 adopted findings of fact, conclusions of law, and orders partially accepting POC’s and the other Joint Petitioners’ argument. The Joint Petitioners’ request to reopen A.15-09-013 to establish a process for the Commission, the parties, and the public to fully scrutinize the Design Alternative 1 and all</p>	<p>D.18-06-028 and to provide the public with an opportunity to review more effective alternatives.” D.20-02-024, at 3-4.</p> <p>“On May 31, 2019, POC, Sierra Club, SCGC, and TURN (jointly, Petitioners) filed a Joint PFM of D.18-06-028, proposing changes in FOF 72, COL 19, and OP 7 that would open up a phase two of this proceeding (or alternatively, a new proceeding) to establish a process for transparent and effective public review through the hearing process of the hydrostatic test or replacement plan the Commission required in OP 7 of D.18-06-028 and to provide the public with an opportunity to review more effective alternatives.” D.20-02-024, at 52 (Finding of Fact 19).</p> <p>“POC filed comments on October 2, 2019, and...POC filed reply comments on October 7, 2019.” D.20-02-024, at 41.</p> <p>“The Petition for Modification of Decision 18-06-028, filed by Protect Our Communities, Sierra Club, Southern California Generation Coalition and The Utility Reform Network (jointly, Petitioners) is hereby granted in part and denied in part in accordance with the ordering paragraphs of this Decision.” D.20-02-024, at 58 (OP 1).</p> <p>“Decision 18-06-028 is modified to replace Conclusion of Law 34 with: Application 15-09-013 should remain open to address costs as set out here related to the Line 1600 hydrostatic test or replacement plan.” D.20-02-024,</p>	
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<p>alternatives to Design Alternative 1, encompassed the examination of the cost estimating methodology, cost assumptions, and cost containment strategies of the Design Alternative 1 ordered by D.20-02-024. D.20-02-024 adopted POC’s and the other petitioners’ arguments in part, by concluding that the costs of the project described as Design Alternative 1 should be reviewed by the parties, the public, and the Commission.</p>	<p>at 60 (OP 5).</p> <p>“The PFM of D.18-06-028 should be granted in part in accordance with the paragraphs below.” D.20-02-024, at 56 (Conclusion of Law 4).</p> <p>“When SED approved the Plan, they considered safety, technical, and reliability factors but did not consider costs; therefore, this represents a gap that must be addressed through an existing and/or new procedural venue.” D.20-02-024, at 53 (Finding of Fact 28).</p> <p>It is reasonable to modify COL 34 as follows: <i>Application 15-09-013 should remain open to address costs as set out here related to the Line 1600 hydrostatic test or replacement plan.</i>” D.20-02-024, at 57 (Conclusion of Law 8.).</p> <p>“It is reasonable to modify OP 19 as follows: <i>Application 15-09-013 remains open to address costs as set out here related to the Line 1600 hydrostatic test or replacement plan.</i>” D.20-02-024, at 57 (Conclusion of Law 9).</p> <p>“Costs of the planned hydrotest and replacement of the 16-inch Line 1600 at a proposed fully loaded and escalated \$677 million (30 percent higher than the cost of the all-new proposed 36-inch Line 3602) have not yet been litigated...” D.20-02-024, at 53 (Finding of Fact 29).</p> <p>“It is reasonable to require parties’ comments on the Applicants’ Line 1600 hydrostatic test or replacement plan cost forecast, proposed accounting treatment</p>	
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	<p>and proposed schedule for applications for cost recovery, supported by direct testimony and workpapers.” D.20-02-024, at 58 (Conclusion of Law 12).</p> <p>“Consistent with guidance provided in Section 7.5 “Confidentiality” of this decision, within seven days of the issuance of this decision, it is reasonable for the Applicants to post a public version of the September 26, 2018 “Line 1600 Test or Replacement Plan” (Plan) on their websites that discloses throughout the document the data that has already been disclosed by Applicants. This would include, for example, diameter values. The Plan must include best available expense and capital cost projections for each prioritized segment and each test year. After posting the public Plan, the Applicants should inform the service list.” D.20-02-024, at 58 (Conclusion of Law 11).</p> <p>“D.18-06-028 is modified to replace Ordering Paragraph 19 with: A.15-09-013 remains open to address costs as set out here related to the Line 1600 hydrostatic test or replacement plan. Within 7 days of the issuance of this decision, the Applicants shall post a public version of the September 26, 2018 “Line 1600 Test or Replacement Plan” (Plan) on their websites that discloses throughout the document the data that has already been disclosed by Applicants. The Applicants may also remove additional redactions. This would include, for <i>example</i>, diameter values. The Plan must include best available expense and capital cost</p>	
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	<p>projections for each prioritized segment and each test year. After posting the public version of the Plan, the Applicants should inform the service list.” D.20-02-024, at 60 (OP).</p>	
<p>3. POC substantially contributed regarding the safety of Line 1600.</p> <p>The PD Rev. 2 specifically adopted POC’s arguments with respect to the safety of Line 1600 and found that the age of the pipe did not create a safety threat per se, that SDG&E’s and SoCalGas’ own records and D.18-06-028 did conclude that Line 1600 “is safe in its present condition.”</p> <ul style="list-style-type: none"> • 10/2/2019 POC comments on the PD, at 7-9; • 10/7/2019 POC reply comments on the PD, at 1-3, 5; • 12/16/2019 POC comments on the APD, at 1-11; • 12/23/2019 POC reply comments on the PD Rev. 1, at 1-5; • 12/23/2019 POC reply comments on the APD, at 1-3. 	<p>“Through extensive commentary, POC alleges that none of the ‘safety reasons’ cited in the APD to justify restricting review in Phase 2 to Applicants’ Design Alternative 1 are supported by the record in A.15-09-013 [citing to POC’s Opening Comments on the APD at 2]. It believes that the APD mischaracterizes why SED-1 reduced the pressure of Line 1600 from 640 psig presumably due to hook cracks rather than the existence of inconsistent records for design MAOP of various segments. POC cites D.18-06-028 which states that ‘these manufacturing defects do not present an immediate threat unless they interact with other known risks such as corrosion or other integrity threats’ [citing to POC’s Opening Comments on APD at 2, quoting D.18-06-028 at 86]. It points out that D.18-06-028 is explicit that there is no evidence of seam corrosion or other defects that would warrant replacement of Line 1600: ‘In response to ORA data requests, the Applicants stated that the Line was safe to operate at 800 psig. According to ORA, based on ongoing maintenance so far, SDG&E has not identified or observed any seam flaws or other defects that warrant replacement of the entire line.’ [citing POC’s Opening Comments on APD at 3, quoting D.18-06-028 at 10 and 6.17.2016 ORA motion at 2-3].’ The Applicants reinforce this view in its testimony: ‘SDG&E has so far not</p>	<p>Verified</p>

	<p>reported the occurrence of selective seam weld corrosion on Line 1600’ [citing POC’s Opening Comments on the APD at 3, quoting Exh. SDG&E-12 at 16].</p> <p>As POC points out, the only other threats relevant to Line 1600 mentioned by the Applicants in A.15-09-013 include ‘1) pipeline age, 2) the potential for A.O. Smith electric flash-weld (EFW) pipe to exhibit “low fracture control” when rupture occurs, and 3) externally-caused mechanical damage’ citing to POC’s Opening Comments on APD at 4]. POC emphasizes that the record shows that age of Line 1600 is not necessarily a safety threat. Finding of Fact 67 of D.18-06-028 states that ‘Pipeline vintage or alone should not be the deciding factor of determining how long a pipeline should remain in service’ [citing to POC’s Opening Comments on APD at 4, quoting D.18-06-028 at 122]. The Applicants’ witness Mr. Rosenfeld stated that ‘The fitness of a pipeline for service does not necessarily expire at some point in time...A well-maintained and periodically assessed pipeline can safely transport natural gas indefinitely.’ Similarly, POC opines that the record does not suggest any fracture control threats. It observes that the fracture control strength of Line 1600 is an inherent characteristic of EFW pipe. It notes that there are six other EFW pipelines in the Applicants’ transmission system and concludes ‘[a] fracture control concern with Line 1600 would necessarily be a concern for all EFW pipelines in the Applicants’ system’ [citing POC’s Opening Comments on APD at 4, referring to Exh. SDGE-2, Table 3 at 10]. Finally, POC observes</p>	
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	<p>that externally-caused mechanical damage is a threat that can happen to any pipeline at any time when the owners or third parties dig in the pipeline right-of-way.</p> <p>POC also contends that the APD implications that passive anomalies in Line 1600 represent safety threats has no basis in fact. POC questions the APD's statement that hydrotesting would not 'cure the hook cracks known to be present along Line 1600 by responding that [t]his statement implies that there is a need to be cure hook cracks, but there is not' [citing to POC's Opening Comments on APD at 5]. POC observes that the Applicants' witness Mr. Sera explained that all anomalies are found in engineering materials. The Applicants' witness Mr. Rosenfeld explained the origin and significance of hook cracks in EFW pipe [citing to POC's Opening Comments on APD at 5, quoting Exh. SDGE-12 at 13-14]:</p> <p style="padding-left: 40px;">Hook cracks result from the use of steel having high sulfur content, which was common at the time Line 1600 was constructed...sulfur combines with other elements...to form inclusions...such features (in that orientation) usually have no impacts on the integrity of the pipe...shortest (hook crack) predicted time to failure (in Line 1600) is 171 years.</p> <p>POC concludes that hook cracks are in fact the 'mark of Mercedes' and do not compromise the safety of Line 1600 in any way [citing to POC's Opening Comments on APD at 5].” PD Rev. 2, at 47-49.</p>	
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	<p>“Based on the Applicants’ and Intervenor Testimony, and as discussed in Section 7.3 of this decision, the Commission did find that D.18-06-028 is safe in its present condition. The PSEP Plan itself refers to the integrity of the Line:</p> <p style="padding-left: 40px;">Assessment data from both in-line inspection technologies demonstrate that for the remaining anomalies in Line 1600, adequate safety margins exist for operation at both its current MAOP of 512 psig and its previous MAOP of 640 psig...[citing to PSEP Plan at 52].”</p> <p>However, we are concerned that Applicants have presented untested extra-record evidence that appears inconsistent with the Applicants’ own testimony and record in A.15-09-013 and mischaracterizes the condition of Line 1600 in a manner to shed doubt regarding the integrity of the line [citing to 1/9/2020 ALJ Ruling Striking Extra-Record Material]. Further, the unvetted SED Line 1600 Pipeline Audit published December 23, 2019 and evolving SED Transmission Study may shed new material facts about how Line 1600 should be managed in the future. For this reason, we believe that all options should be on the table for consideration including four design alternatives and deration options. We should keep in mind that if the Commission proceeds to replace Line 1600 solely due to the presence of stable manufacturing defects or other known anomalies, this could</p>	
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<p>After deadlocking on the vote to approve the PD Rev. 2, the Commission granted the Joint Petitioner’s PFM in part. Although D.20-02-024 did not include the language contained in the PD Rev. 2 which accepted POC’s safety comments, POC’s participation and its safety comments referenced herein provided important context and information with respect to the consequences of granting the PFM in full or in part; and of adopting or rejecting claims made by SDG&E and SoCalGas in their comments on the various iterations of the proposed and alternate decisions.</p> <p>Both the PD Rev. 2 and D.20-02-024 agreed with POC and SCGC that the results of the audit should be made public. 12/23/2019 POC/SCGC comments on the PD Rev. 1.</p>	<p>prompt the Applicants to seek replacement of other gas pipelines that are constructed of EFW material.” PD Rev. 2, at 50.</p> <p>“In opening comments, Protect Our Communities argues for including all alternatives in the scope of the proposed Phase 2, primarily justified by a claim that the record in this proceeding demonstrates that Line 1600 is in “excellent condition” and can be safely and reliably operated indefinitely at its present MAOP of 512 psig. [Citing to POC’s Opening Comments at 2, 9].” D.20-02-024, at 43.</p> <p>“...POC and SCGC urge SED to post the Applicants’ Line 1600 Pipeline Audit on the Commission’s website with notice to the service list.” PD Rev. 2, at 65.</p> <p>“Pending public review, the outcome of the independent Line 1600 Pipeline Audit and SED Transmission Study will help inform a safe MAOP and various interim, short-term, and long-term goals and activities.” PD Rev. 2, at 77 (Finding of Fact 41).</p> <p>“By January 3, 2020, consistent with D.18-06-028 OPs 9-13, it is reasonable</p>	
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	<p>to direct SED to post the Line 1600 Recordkeeping Audit on the Commission’s website for further review in this reopened proceeding.” D.20-02-024, at 57 (Conclusion of Law 10).</p> <p>“By January 3, 2020, the Commission’s Safety and Enforcement Division shall post the Southern California Gas Company and San Diego Gas and Electric Company’s Line 1600 Recordkeeping Audit Report on its website.” D.20-02-24, at 60 (OP 7).</p>	
<p>4. POC substantially contributed with respect to the hydrotest alternative.</p> <p>The PD Rev. 2 specifically adopted POC’s comments with respect to the fact that the hydrotest alternative should be fully considered by the Commission; and it also agreed with POC’s and the other Joint Petitioners’ comments that hydrotesting should begin in 2020 without further delay.</p> <ul style="list-style-type: none"> • 10/2/2019 POC comments on the PD, at 10-15; • 10/7/2019 POC reply comments on the PD, at 4-5; • 12/16/2019 POC comments on the APD, at 12-15; • 12/16/2019 POC/SCGC comments on the PD Rev. 1, at 1-6; • 12/23/2019 POC reply comments on the PD Rev. 1, at 1-4; 	<p>“POC...urges examination of Design Alternative 2 as well. [citing to POC Reply Comments on PD at 1].” D.20-02-024, at 42.</p> <p>“As POC and SCGC point out, ‘the actual costs for work completed on any segments that might be hydrotested before a decision in this proceeding can be recorded, as appropriate in the Applicants’ Safety Enhancement Balancing Expense Balancing Account and Safety Enhancement Capital Cost Balancing Account and submitted for recovery in the Applicants’ Test Year 2022 General Rate Case in accordance with the requirements of D.14-06-007’ [citing to POC/SCGC Opening Comments on PD Rev. 1]. There is no safety, cost, or construction timeline justification for excluding the Full Hydrotest alternative from Phase 2.” PD Rev. 2, at 37.</p> <p>“The results of SED’s ongoing transmission/distribution study are so far non-conclusive and still evolving.” PD Rev. 2, at 77 (Finding of Fact 40).</p>	<p>Verified</p>

<ul style="list-style-type: none"> • 12/23/2019 POC reply comments on the APD, at 1-5 • at 1-5. 	<p>“Under the SoCalGas PSEP Decision Tree that the Commission approved in D.14-06-007, what constitutes “manageable customer impacts” has not been resolved in this proceeding.” PD Rev. 2, at 76 (Finding of Fact 36).</p> <p>“We agree with POC, SCGC, Sierra Club and TURN that hydrotesting should begin in 2020 without further delay rather than 2023 and 2024 as originally planned. The Applicants should begin remediation of Line 1600 to the five segments that will be pressure tested under either Design Alternative 1 (Replace in HCAs/Hydrotest in Non-HCAs) or Design Alternative 2 (Full Hydrotest) to avoid prejudicing the choice between either of these alternatives in the second phase of this proceeding. The five segments represent 12.8 miles or approximately 26% of the total 19 projects [citing to PSEP Plan at 18-19]. Developing a record of hydrotest costs for Line 1600 in Non-HCAs will help inform potential hydrotest options in other HCAs.” PD Rev. 2, at 35-36.</p> <p>“We are also sympathetic to POC’s desire to review per mile hydrotesting ‘benchmark’ pressure test or replace status and costs associated with six A.O Smith pipelines in the Applicants’ transmission system [citing to POC’s Reply Comments on the APD at 2]. According to POC, “[i]f Applicants have been certifying EFW pipelines as safe and fit-for-service based on a pressure test—with no plans to replace other sections of these EFW in HCAs—there is no safety or technical reason for</p>	
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<p>After deadlocking on the vote to approve the PD Rev. 2, the Commission granted the Joint</p>	<p>replacing those sections of Line 1600 with new pipe’ [citing to POC’s Opening Comments on the APD at 9]. There is no credible reason why the Applicants should withhold this information as hydrotesting is scheduled to occur in at least five of the 19 Line 1600 pipeline segments.” PD Rev. 2, at 36.</p> <p>“POC defends its observation that that hydrotesting would take approximately 18 months based on the Applicants’ own direct testimony.” PD Rev. 2, at 66-67.</p> <p>“POC and SCGC recommend that the Commission permit the Commission to commence PSEP work on Line 1600 but suggest that the work immediately focus on hydrotesting the five segments that the Applicants would hydrotest under Design Alternative 1 and Design Alternative 2 while review of Stage 3 cost estimates for Design Alternatives are being examined in Phase 2.” PD Rev. 2, at 65.</p> <p>“It is reasonable to escalate the 2023-2024 schedule for hydrotesting Segments 2, 3, 4, 6, and 7 in non-HCAs in order to provide immediate safety benefits and provide cost data necessary to evaluate hydrotesting alternatives in other segments.” PD Rev. 2, at 81 (Conclusion of Law 14).</p> <p>“POC also questions the basis for the cost of the Full Hydrotest Alternative, or Design Alternative 2... However, since hydrotesting in non-HCA areas is part of Design Alternative 1, the forecast cost</p>	
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<p>Petitioner’s PFM in part. Although D.20-02-024 did not include the language contained in the PD Rev. 2 which accepted POC’s comments that the Commission should fully analyze the hydrotest alternative, D.20-02-024 did acknowledge that POC’s concern about the high costs of hydrotesting would be in scope for the next phase of this proceeding as it relates to those segments of Line 1600 which Design Alternative 1 proposes for hydrotesting. POC’s hydrotest related comments referenced herein provided the Commission with a range of perspectives to consider. POC’s participation provided important context and information with respect to the consequences of granting the PFM in full or in part; and of adopting or rejecting claims made by SDG&E and SoCalGas in their comments on the various iterations of the proposed and alternate decisions.</p>	<p>of such hydrotesting will be in scope in the next phase.” D.20-02-024, at 46.</p> <p>“...in reply comments, POC argues that pressure testing is the ‘foundational’ method of ‘verify[ing] pipeline safety.’” D.20-02-024, at 47.</p>	
<p>5. POC substantially contributed regarding extra-record material and evidentiary unfairness.</p> <p>Before approving the APD Rev 1 which granted the PFM in part, the Commission deadlocked on the vote to approve the PD Rev 2, which proposed to grant the PFM and</p>	<p>POC asserts that “the evidentiary record for the Applicant’s Alternative 1 is woefully insufficient to justify the exclusion of the full hydrotest alternative from the Applicant’s application” [citing to POC’s reply comments on the PD at 1]. It further observes that this issue was not teed up until the May 2, 2018 distribution of the proposed decision that preceded Commission approval of D.18-06-028.</p>	<p>Verified</p>

<p>accepted POC’s comments that the Commission should not consider SDG&E’s and SoCalGas’ comments relating to extra-record material and untested hearsay, regarding which POC (and others) lacked a reasonable opportunity to conduct discovery and a meaningful opportunity to address.</p> <ul style="list-style-type: none"> • 10/2/2019 POC comments on the PD, at 14; • 10/7/2019 POC reply comments on the PD, at 4; • 12/16/2019 POC comments on the APD, at 13-15; • 12/23/2019 POC reply comments on the PD Rev. 1, at 1-4; • 12/23/2019 POC reply comments on the APD, at 1-4. <p>POC’s participation provided important context and information with respect to the consequences of granting the PFM in full or in part; and of adopting or rejecting claims made by SDG&E and SoCalGas in their comments on the various iterations of the proposed and alternate decisions.</p>	<p>POC claims that ‘SED simply ignores the pressure test alternative in its January 15, 2019 approval of the Applicants preferred Alternative 1’ [citing to POC’s reply comments on the PD at 1, 4]. POC questions the presumptive dismissal of the hydrotest alternative since the “Applicants have already completed at least 27 successful pressure tests of transmission pipelines at the time SED wrote its December 15, 2017 Advisory Opinion” [citing to fn.153, <i>infra.</i>] It further notes that the Applicants considered Alternatives 3 and 4, two variations of full replacement of Line 1600, as having the “maximum safety margin safety margin and reliability,” but that the Applicants did not adequately explain why these alternatives were not seriously considered [citing to POC’s opening comments on PD at 5-6].” PD Rev. 2, at 61-62.</p> <p>“...During A.15.-09-013, POC issued data requests to Applicants’ seeking details on pressure tests listed on the SoCalGas PSEP webpage and details on pressure testing and in-line inspections that has been conducted on pipelines with flash welded seams that the Applicants had identified in testimony. In response to this data request, the Applicants stated that the information sought was not ‘relevant’ to the proceeding. POC now contends that with the re-opening of A.15-09-013, the information sought is now directly relevant to the proceeding. PD Rev. 2, at 62, fn. 153.</p> <p>“POC believes that the Commission should disregard the Applicants’</p>	
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	<p>”misleading” references to extra-record evidence and the Applicants’ SED references that are not part of the record in this proceeding.” PD Rev. 2, at 66.</p> <p>“Applicants have presented untested extra-record evidence that appears inconsistent with the Applicants’ own testimony and record in A.15-09-013.” PD Rev. 2, at 77 (Finding of Fact 42).</p> <p>“However, we are concerned that Applicants have presented untested extra-record evidence that appears inconsistent with the Applicants’ own testimony and record in A.15-09-013 and mischaracterizes the condition of Line 1600 in a manner to shed doubt regarding the integrity of the line [citing to 1/9/2020 ALJ Ruling Striking Extra-Record Material, <i>infra</i>]. Further, the unvetted SED Line 1600 Pipeline Audit published December 23, 2019 and evolving SED Transmission Study may shed new material facts about how Line 1600 should be managed in the future. For this reason, we believe that all options should be on the table for consideration including four design alternatives and deration options. We should keep in mind that if the Commission proceeds to replace Line 1600 solely due to the presence of stable manufacturing defects or other known anomalies, this could prompt the Applicants to seek replacement of other gas pipelines that are constructed of EFW material.” PD Rev. 2, at 50 & fn. 136.</p> <p>“In this ruling, I also grant Protect Our Communities ’(POC’s) request to strike Southern California Gas Company</p>	
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	<p>(SoCalGas)/San Diego Gas & Electric Company's (SDG&E's) (or Applicants') references to the Kentucky Rupture and the Safety and Enforcement Division's (SED's) Opinion in the Applicants' December 16, 2019 Opening Comments on the Alternate Proposed Decision (APD) as listed in Appendix A of this Ruling. ...On December 23, 2019, POC filed reply comments on the Revised Proposed Decision of Administrative ALJ Kersten and included a request for the Commission to disregard the "Kentucky Rupture" referred to above:</p> <p style="padding-left: 40px;">The pipeline rupture in Kentucky is in a non-High Consequence Area (non-HCA) is not a part of this proceeding. The Applicants do not request the Commission to take official notice and lay no foundation for the reference. The Applicants cannot credibly suggest that the Kentucky failure shows that A.O. Smith pipe is not safe generally, because the Applicants themselves propose in Alternative 1 to continue to operation A.O. Smith pipe in non-HCAs along the Line 1600. [Citing to POC's 12/23/2019 Reply Comments on the PD Rev. 1.]</p> <p>POC's reply comments also included a request to disregard the Applicants' SED references and notes that "prior rulings in this proceeding have recognized such statements as hearsay [citing to POC's 12/23/2019 PD Rev. 1 Reply Comments and 4/4/2018 Ruling cited by POC]. According to POC, in the Applicants' comments on the APD, the source comments appear to be attachments to POC's October 2, 2019 Comments on the Proposed Decision</p>	
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	<p>Approving Limited Modifications to D.18-06-028 which POC was instructed by the ALJ Docket Office to and did remove [fn. omitted].</p> <p>As found in Appendix A to the Motion, I strike the attachments and associated comments for the following reasons:</p> <p>First, Kentucky Rupture is referred to for the first time in Applicants' December 16, 2019 Opening Comments on the APD and are not part of the evidentiary record in this proceeding. Further, as POC discusses, there does not appear to be any rational basis for the Applicants' reference to the Kentucky Rupture. Still further, it is not appropriate to make conclusory assertions about this rupture since the investigation is very preliminary and could be supplemented or corrected during the course of the investigation. Therefore, both the Attachment 1 and any reference to it in the Applicants' December 16, 2019 Opening Comments on the APD, as detailed in Appendix A of this ruling, shall be stricken from the record and shall be afforded no weight by the Commission.</p> <p>Second, as to the Applicants' December 16, 2019 comments that refer to actions or opinions by SED, none of the facts alleged by SoCalGas/SDG&E are in the record, and SoCalGas/SDG&E's conclusions about any findings by SED are, at best, untested hearsay [citing to 4/4/2019 Ruling cited by POC].</p> <p>Third, allowing the extra-record information into the record would result in adding new evidence without giving intervenors notice or a procedural venue to respond to the information. This is</p>	
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	<p>extraordinarily prejudicial to parties and violates their rights to due process. Opening and Reply Comments on the RPD or APD do not provide the proper forum to introduce new information that should have been offered via testimony and briefs earlier in the proceeding.” 1/9/2020 Ruling Striking Extra-Record Material (referenced in PD Rev. 2, at 50, fn. 136).</p>	
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B. 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?³</p>	Yes.	Verified
<p>b. Were there other parties to the proceeding with positions similar to yours?</p>	Yes.	Verified
<p>c. If so, provide name of other parties: Cal Advocates, Sierra Club, The Utilities Reform Network (TURN), and Southern California Generation Coalition (SCGC).</p>		Verified
<p>d. Intervenor’s claim of non-duplication:</p> <p>From the start, POC coordinated closely with the other Joint Parties in an effort to minimize duplication of effort and to maximize efficiencies with like-minded parties. POC joined with Sierra Club, TURN, and SCGC to file a joint petition to modify D.20-02-024 which demonstrates the close coordination of the Joint Parties and their substantial efforts to prevent duplication. POC joined with the Sierra Club, TURN, and SCGC to file the petition for modification of D.18-06-028 and also coordinated efforts with other parties for ex parte meetings and comments. POC participated in a number of conference calls with the joint intervenors and the Public Advocate’s Office, where POC and the other parties discussed their joint concerns as well as their individual perspectives. For jointly filed documents, POC seeks only the time it expended that was necessary to ensure jointly filed documents adequately represented POC’s views and technical arguments.</p>		Noted

³ The Office of Ratepayer Advocates was renamed the Public Advocate’s Office of the Public Utilities Commission pursuant to Senate Bill No. 854, which the Governor approved on June 27, 2018.

<p>To the extent POC’s arguments that were filed separately were similar to other parties’ arguments, they supplemented, complemented, and contributed to the presentations by other parties; and they were neither unproductive nor unnecessary. When POC’s technical expertise led it to advance technical arguments that the other Joint Parties were not aware of or did not address, POC filed separate comments to advance those technical arguments.</p> <p>POC made arguments that were not made by other parties, including in providing context for the PFM and with respect to the state and federally recognized value of hydrotesting pipelines; responding to safety related comments by SDG&E and SoCalGas which did not accurately reflect the A.15-09-013 record; and attempted to respond to the extra-record material and untested hearsay referenced by SDG&E and SoCalGas in their comments on the PD, the PD Rev. 1, and the APD.</p> <p>All of POC’s comments were necessary for a fair determination of the proceeding because they were relevant in that they addressed only issues directly related to D.20-02-024, as demonstrated by the discussion and rationale detailed in the PD Rev. 2, as well as by the fact that the Commission deadlocked on the vote to approve the PD Rev. 2 prior to approving the APD Rev. 1. To POC’s knowledge, no other party participating in this proceeding is focused on representing the interests of Southern California and San Diego residential utility ratepayers both with respect to ratepayer and environmental protection; and the adverse impacts of Design Alternative 1 will be felt primarily in the County of San Diego.</p>	
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C. Additional Comments on Part II:

#	Intervenor’s Comment	CPUC Discussion
A	<p>Contribution to a Proposed Decision. The Commission has held on numerous occasions that a customer’s substantial contribution to proposed decisions supports an award of intervenor compensation even where the Commission’s final decision does not adopt the proposed decision. D.01-06-063, at 6, citing to D.92-08-030, at 4, D.96-09-024, at 19.</p>	Noted

<p>Partial Success. The Commission’s decisions establish that a finding of substantial contribution is not dependent upon the Commission’s adoption of a party’s contention entirely, or at all. Pub. Util. Code, § 1802(j); D.08-04-004, at 5-6; D.03-03-031, at 13-14; D.10-12-061, at 4-5; D.19-10-019, at 4-6; <i>see also</i> California State Auditor’s Report 2012-118, at 7 (Jul. 2013).</p> <p>Pursuant to the Commission’s longstanding interpretation of the intervenor compensation statute, intervenors benefit the Commission when they provide a full discussion of the issues up for consideration so that the Commission may consider “the consequences of adopting or rejecting” the parties’ proposals. D.08-04-004, at 5-6; D.19-10-019, at 4-6.</p> <p>This application assumes that the Commission did not consider POC’s motion to strike and its motion to strike reply which were filed on January 10, 2020 and January 30, 2020, respectively. Accordingly, POC is not seeking compensation for POC’s hours spent on the motion and reply. POC reserves the right to seek compensation for the time POC spent in moving to strike and replying as appropriate in connection with POC’s application for rehearing.</p>	
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<p>B</p>	<p>No reduction to POC’s compensation due to duplication is warranted given the standard adopted by the Commission in D.03-03-031 and consistent with Public Utilities Code Sections 1801.3(b) & (f), 1802(j), 1802.5, and 1803.</p> <p>Section 1801.3(f) seeks to avoid (1) “unproductive or unnecessary participation that duplicates the participation of similar interests otherwise adequately represented” or (2) “participation that is not necessary for a fair determination of the proceeding.” Pub. Util. Code, § 1801.3, subd. (f); D.03-03-031, at 15-18.</p> <p>The intervenor compensation statutory scheme is intended to “be administered in a manner that encourages the effective and efficient participation of all groups that have a stake in the public utility regulation process.” Pub. Util. Code, § 1801.3, subd. (b); <i>see also</i>, D.10-12-061, at 4-5.</p>	<p>Noted</p>
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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>POC’s advocacy reflected in this request for compensation substantially contributed to a decision that will impact California ratepayers and the public at large. A monetary value to ratepayers cannot be provided, because the outcome of D.20-02-024 involves a required review of the \$677 million project proposed by SDG&E and SoCalGas. But obtaining the right to review the reasonableness of the \$677 million cost of the</p>	<p>Noted</p>

<p>proposed project provides significant value to Southern California ratepayers. Without such a required review of costs, ratepayers would be required to pay the entire \$677 million without any ability to challenge the reasonableness of these substantial costs. POC's participation in this Petition to Modify benefitted ratepayers because without POC's participation, SDG&E and SoCalGas would likely have proceeded with the project described in the document entitled "SoCalGas and SDG&E Line 1600 Test or Replacement Plan" without further Commission or any public oversight. POC's fees are small compared to the benefits that California ratepayers could realize from POC's contributions.</p>	
<p>b. Reasonableness of hours claimed:</p> <p>POC has not included time spent on administrative matters. Nor is POC claiming time spent on matters which did not substantially contribute to the decision-making process, including time spent on POC's motion to strike and reply in support of POC's motion to strike, which does not appear to have been considered by the Commission prior to D.20-02-024. POC reserves the right to seek such time in connection with its AfR of D.20-02-024, as appropriate. POC is not claiming any time spent by POC's energy analyst, Tyson Siegele, who worked with expert Bill Powers to ensure that the record included specific technical data & arguments. POC also is not claiming any time spent by its board member, attorney Loretta Lynch, who has extensive PUC and utility regulatory experience and who reviewed POC's comments. All of the hours claimed in this request were reasonably necessary to POC's participation in this proceeding.</p>	<p>Noted</p>
<p>c. Allocation of hours by issue:</p> <p>Based on the detail in the time sheets and the personal knowledge of POC's general counsel, the approximate allocation of time by substantive issue is as follows:</p> <ol style="list-style-type: none"> 1. Comments on PD and PD Rev. 1 by ALJ Kersten: 30% 2. Need for transparent and effective public review: 15% 3. Safety of Line 1600: 15% 4. Hydrotest alternative: 15% 5. Extra-record material and evidentiary unfairness: 15% 6. General participation: 10% 	<p>Noted</p>

B. Specific Claim:*

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
Malinda Dickenson	2019	54.80	\$440	ALJ-357 for an attorney with over 13 years of experience. Attorneys who have been practicing for 8-12 years are awarded up to \$410; and Ms. Dickenson is in her 18 th year of practicing law. The requested rate is within the established range of rates for attorneys with Ms. Dickenson's level of training and experience, and taking into consideration the rates previously awarded other representatives with comparable training and experience, and performing similar services. Pub. Util. Code, § 1806. For <i>example</i> , Ms. Dickenson has similar training and	\$24,112	54.80	\$440.00 ⁴	\$24,112.00

⁴ See D.21-04-009.

				<p>experience and was barred in the same year as POC attorney Catherine Engberg, and Ms. Engberg was awarded \$430 for 2018 in D.19-05-035. Adding the 2.35% COLA adjustment for 2019 per ALJ-357, Ms. Engberg's 2019 rate would be \$440, which is the rate requested for Ms. Dickenson. Ms. Dickenson's resume is attached.</p>				
Bill Powers	2019	105	\$291	<p>D.19-04-031 established a rate of \$258 for 2018, plus 5% step increase for 2018 which is \$271 for 2018. For 2019, add 2.35% COLA adjustment per ALJ-357, plus second 5% step increase. 2018: \$258 + 5% = \$270.9 2019: \$270.9 + \$6.37 [2.35% of \$270.9] =</p>	\$30,555	105	\$290.00 ⁵	\$30,450.00

⁵ See D.22-01-008.

				\$277.27 + \$13.86 [5% of \$277.27] = \$291.13. Both step increases pending in R.17-06-026 per D.07-01-009.				
Subtotal: \$54,667					Subtotal: \$54,562.00			
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 \$
Bill Powers	2019	8	\$145	½ above-described rate for travel	\$1,160	8	\$145.00	\$1,160.00
Subtotal: \$1,160					Subtotal: \$1,160.00			
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate	Total \$
Malinda Dickenson	2020	14	\$220 + COLA	½ above-described rate + COLA	\$3,080	14	\$225.00 [1]	\$3,150.00
Subtotal: \$3,080					Subtotal: \$3,150.00			
COSTS								
#	Item	Detail			Amount	Amount		
1.	Airfare	Southwest Airlines roundtrip ticket for ex partes			\$515.96	\$515.96		
2.	BART	Travel from airport to CPUC for ex partes			\$21.90	\$21.90		
3.	SD County RAA	Parking at San Diego Airport for ex partes			\$32.00	\$32.00		
Subtotal: \$569.86					Subtotal: \$569.86			
TOTAL REQUEST: \$59,476.86					TOTAL AWARD: \$59,441.86			
<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 to CA BAR ⁶	Member Number	Actions Affecting Eligibility (Yes/No?) If “Yes”, attach explanation
Malinda Dickenson	2002	222564	No

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

Attachment or Comment #	Description/Comment
1	Certificate of Service
2	Attorney Time Sheet and Categorization
3	Malinda Dickenson resume
4	Receipts

D. CPUC Comments, Disallowances, and Adjustments

Item	Reason
[1]	D.21-08-018 authorized a 2020 rate of \$450 for Dickenson. Intervenor Compensation Claim Preparation (Icomp prep) is compensated at ½ the preparer’s usual rate. Hence, Dickenson is awarded \$225 for Icomp prep in 2020.

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 (<i>see</i> Rule 14.6(c)(6))?	No
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FINDINGS OF FACT

1. The Protect Our Communities Foundation has made a substantial contribution to D.20-02-024.
2. The requested hourly rates for The Protect Our Communities Foundation’s representatives are comparable to market rates paid to experts and advocates having comparable training and experience and offering similar services.

⁶ This information may be obtained through the State Bar of California’s website at <http://members.calbar.ca.gov/fal/MemberSearch/QuickSearch>.

3. The claimed costs and expenses, as adjusted herein, are reasonable and commensurate with the work performed.
4. The total of reasonable compensation is \$59,441.86.

CONCLUSION OF LAW

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

ORDER

1. The Protect Our Communities Foundation shall be awarded \$59,441.86.
2. Within 30 days of the effective date of this decision, San Diego Gas & Electric Company and Southern California Gas Company shall pay The Protect Our Communities Foundation their respective shares of the award, based on their California-jurisdictional gas 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 gas 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 27, 2020, the 75th day after the filing of The Protect Our Communities Foundation's request, and continuing until full payment is made.
3. The comment period for today's decision is waived.

This decision is effective today.

Date May 5, 2022, at Sacramento, California.

ALICE REYNOLDS
President
CLIFFORD RECHTSCHAFFEN
GENEVIEVE SHIROMA
DARCIE L. HOUCK
JOHN R.D. REYNOLDS
Commissioners

APPENDIX

Compensation Decision Summary Information

Compensation Decision:	D2205009	Modifies Decision?	No
Contribution Decision(s):	D2002024		
Proceeding(s):	A1509013		
Author:	ALJ Brian Stevens		
Payer(s):	San Diego Gas & Electric Company and Southern California Gas Company		

Intervenor Information

Intervenor	Date Claim Filed	Amount Requested	Amount Awarded	Multiplier?	Reason Change/Disallowance
The Protect Our Communities Foundation	4/13/2020	\$59,476.86	\$59,441.86	N/A	See Part III.D, 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
Malinda	Dickenson	Attorney	\$440	2019	\$440.00
Malinda	Dickenson	Attorney	\$440 + COLA	2020	\$450.00
Bill	Powers	Expert	\$291	2019	\$290.00

(END OF APPENDIX)