

Decision \_\_\_\_\_

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

Order Instituting Rulemaking to Examine Electric Utility De-Energization of Power Lines in Dangerous Conditions.	Rulemaking 18-12-005 (Filed December 13, 2018)
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**DECISION GRANTING COMPENSATION TO MENDOCINO, NAPA, AND SONOMA  
COUNTIES, AND THE CITY OF SANTA ROSA FOR SUBSTANTIAL CONTRIBUTION  
TO DECISION 19-05-042**

<b>Intervenors:</b> Mendocino County, Napa County, Sonoma County, and City of Santa Rosa	<b>For contribution to Decision (D.) 19-05-042</b>
<b>Claimed:</b> \$76,283.63  Mendocino: \$5,505.57 Napa: \$31,918.31 <sup>1</sup> Sonoma: \$26,393.61 <sup>2</sup> Santa Rosa: \$12,466.14 See Comment #2.	<b>TOTAL AWARD:</b> \$74,206.13  Mendocino: \$5,502.88 Napa: \$26,279.67 Sonoma: \$29,965.62 Santa Rosa: \$12,457.95
<b>Assigned Commissioner:</b> Alice Reynolds <sup>3</sup>	<b>Assigned ALJs:</b> Valerie Kao and Regina DeAngelis

**PART I: PROCEDURAL ISSUES**

<b>A. Brief description of Decision:</b>	Decision 19-05-042 adopts de-energization communication and notification guidelines for the electric investor-owned utilities, and updates the requirements established in Resolution ESRB-8.
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<sup>1</sup> The total request for Napa is \$28,173.61 based on underlying documentation.

<sup>2</sup> The total request for Sonoma is \$30,138.31 based on underlying documentation.

<sup>3</sup> This proceeding was reassigned to President Alice Reynolds on February 16, 2022.

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

	<b>Intervenor</b>	<b>CPUC Verification</b>
<b>Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):</b>		
1. Date of Prehearing Conference:	February 19, 2019	Verified
2. Other specified date for NOI:		
3. Date NOI filed:	March 21, 2019	Verified
4. Was the NOI timely filed?		Yes
<b>Showing of eligible customer status (§ 1802(b) or eligible local government entity status (§§ 1802(d), 1802.4):</b>		
5. Based on ALJ ruling issued in proceeding number:	See Comment #1	R.18-12-005
6. Date of ALJ ruling:		June 16, 2020
7. Based on another CPUC determination (specify):		
8. Has the Intervenor demonstrated customer status or eligible government entity status?		Yes
<b>Showing of “significant financial hardship” (§1802(h) or §1803.1(b)):</b>		
9. Based on ALJ ruling issued in proceeding number:	See Comment #1	R.18-12-005
10. Date of ALJ ruling:		January 28, 2021
11. Based on another CPUC determination (specify):		
12. Has the Intervenor demonstrated significant financial hardship?		Yes
<b>Timely request for compensation (§ 1804(c)):</b>		
13. Identify Final Decision:	D.19-05-042	Verified
14. Date of issuance of Final Order or Decision:	June 4, 2019	Verified
15. File date of compensation request:	August 5, 2019 <sup>5</sup>	Verified
16. Was the request for compensation timely?		Yes

<sup>4</sup> All statutory references are to California Public Utilities Code unless indicated otherwise.

<sup>5</sup> The 60-day filing period for compensation requests ends on Saturday, August 3, 2019. Under Commission Rule 1.15, the filing period is extended to the next business day.

**C. Additional Comments on Part I:**

#	Intervenor's Comment(s)	CPUC Discussion
1	As of the date of this compensation claim, no ruling has yet been issued by the Commission on the local governments' eligibility to claim compensation or showing of financial hardship. The local governments are submitting this claim by the statutory deadline, without an eligibility or hardship determination, at the direction of ALJ Semcer.	A ruling issued on June 16, 2020, determined that the Counties of Mendocino, Napa, and Sonoma, and the City of Santa Rosa are eligible local government entities (ELGEs), pursuant to Section 1802(d). The June 16, 2020, ruling also found that this proceeding is a forum for the ELGEs' participation, pursuant to Sections 1802.4 and 1803.1(c). A ruling issued on January 28, 2021, found that the ELGEs have demonstrated significant financial hardship.
2	Mendocino, Napa, and Sonoma Counties, and the City of Santa Rosa (the Joint Local Governments) are filing a single compensation request at the direction of ALJ Semcer, to alleviate the administrative burden on Commission staff associated with the submission of four virtually identical compensation claims. Because the Joint Local Governments participated in this proceeding as a coalition, which submitted joint pleadings, their substantive contributions to the final decision are equally attributable to each local government. To prevent duplicative compensation to the four local governments based on their unified contributions to D.19-05-042, each local government has submitted a separate time sheet and compensation dollar amount. The time sheets and associated claim amounts reflect the local government's allocated fraction of the total time the local governments' counsel spent on issues for the coalition as a whole, as well as the time spent by each local government's attorneys and experts. For example, when all four local governments were party to a pleading, the hours recorded for Ms. Somogyi	Noted

	<p>in the attached time sheets is one-fourth of the total time spent on that action or issue, while the hours recorded for each local government's internal attorneys and experts is not divided. It is important to note, however, that due to a number of internal agreements amongst the Joint Local Governments, Ms. Somogyi's time for work undertaken on behalf of the coalition was not always allocated on an equal percentage basis between the local governments for the entirety of the proceeding. The detailed timesheets attached to this claim reflect the agreed-to allocations, and the claim amounts for each local government also reflect the agreed-to allocations for all costs.</p>	
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## 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><b>1. Definitions.</b></p> <p><b>1.A</b> The Joint Local Governments made a substantial contribution to the definitions adopted in D.19-05-042. Specifically, the final decision included Public Health Departments in the list of critical facilities in the healthcare sector, which the Proposed Decision did not do.</p>	<p>D.19-05-042, pp. 76, 112, A5</p> <p>Joint Local Governments' Opening Comments on the Proposed Decision, p. 3.</p>	<p>Verified</p> <p>Opening Comments filed March 25, 2019</p>

<p><b>2. Notification and Communication</b></p> <p><b>2.A</b> The Joint Local Governments advocated repeatedly that it is imperative that the utilities partner with local governments and first responders to ensure effective notice and to improve communication. The Commission directed the utilities to work closely with public safety partners to identify the entities and customers that must be notified in advance of a PSPS and to establish effective lines of communication.</p>	<p>D.19-05-042, pp. 78–81, 90, 93, 97, 99, 101, A5, A12, A13, A17, A18, A20.</p> <p>Counties’ Comments on R.18-12-005, pp. 5–6; Joint Local Governments’ Comments on Staff Proposal, pp. 10–11; Joint Local Governments’ Comments on Proposed Decision, <i>passim</i>.</p>	<p>Verified</p> <p>Comments to Staff Proposal and Scoping Ruling filed April 2, 2019</p> <p>Comments to Proposed Decision filed May 16, 2019</p> <p>Reply comments to PD filed May 21, 2019</p>
<p><b>2.B</b> Decision 19-05-042 directs the utilities to partner with local and state agencies to develop a plan with the goal of identifying and notifying AFN populations on a going-forward basis, which is a course of action the Joint Local Governments advocated repeatedly, rather than continuing PG&amp;E’s practice of only relying on its medical baseline registry.</p>	<p>D.19-05-042, pp. 77–78, 81–82, 88, 90, A12–A13.</p> <p>Counties’ Comments on R.18-12-005, pp. 15–16; Joint Local Governments’ Comments on Staff Proposal, pp. 6, 8–10.</p>	<p>Verified</p>
<p><b>2.C</b> The Joint Local Governments advocated that PG&amp;E should avoid duplicating existing communication systems and should leverage local governments’ emergency notification systems (Nixle, Nextdoor, Reverse 911, etc.) to provide notice and</p>	<p>D.19-05-042, pp. 52, 86, 89, COL 16, A2, A10.</p> <p>Counties’ Comments on R.18-12-005, p. 6; Joint Local Governments’ Comments on Staff Proposal, p. 7; Joint Local Governments’ Comments on Proposed Decision, p. 5.</p>	<p>Verified</p>

information to residents. The Commission adopted the recommendation.		
<b>2.D</b> The Joint Local Governments recommended that notifications to customers must be made in threshold non-English languages. The Commission adopted this recommendation by revising the Proposed Decision to direct the utilities to provide notifications and other communications in English, Spanish, Chinese (including Cantonese, Mandarin, and other Chinese languages), Tagalog, and Vietnamese, and Korean and Russian where those languages are prevalent in the utilities' service territories.	D.19-05-042, pp. 70, 97–98, 99, 112, 113, FOF 39, COL 19, COL 24.  Joint Local Governments' Comments on Proposed Decision, p. 6.	Verified
<b>2.E</b> The Joint Local Governments advocated that PG&E should adopt SEMS model for communication with public safety partners. They further urged the importance of updating contact information annually. The Commission adopted these recommendations.	D.19-05-042, pp. 5, 12, 47, 52, 85, 89, 100, 101, A19, COL 28.  Counties' Comments on R.18-12-005, pp. 11, 14; Joint Local Governments' Comments on Staff Proposal, pp. 3–4, 11; Joint Local Governments' Comments on Proposed Decision, pp. 4, 7.	Verified
<b>2.F</b> The Joint Local Governments advocated that the utility should establish a 24-hour information hotline that will remain active until the power is restored. The	D.19-05-042, pp. 96–97, A18.  Joint Local Governments' Comments on Staff Proposal, p. 7; Joint Local Governments' Opening	Verified

Commission adopted this recommendation.	Comments on Proposed Decision, p. 7.	
<b>2.G</b> The Joint Local Governments raised the issue of residents of master-metered properties not being the utility's customer of record, which means that the residents are not notified of potential de-energization. The Commission directed the utilities to work with local jurisdictions to improve outreach and communication with master-metered property owners.	D.19-05-042, p. 82.  Counties' Comments on R.18-12-005, p. 7; Joint Local Governments' Comments on Staff Proposal, p. 9; Joint Local Governments' Opening Comments on Proposed Decision, p. 4.	Verified
<b>3. Information-sharing with public safety partners</b> <b>3.A</b> The Joint Local Governments argued that access to PG&E's internal situational awareness information and decision-making criteria is crucial for local governments and first responders. The Joint Local Governments advocated that PG&E should establish web-based information portal for state and local public safety personnel. The portal should include maps, weather forecasting information, and other relevant situational awareness information. The Commission agreed and directed PG&E to share its situational awareness	D.19-05-042, pp. 91, 92, 94–95, A14, A17.  Counties' Comments on R.18-12-005, pp. 4, 5, 13; Joint Local Governments' Comments on Staff Proposal, pp. 2, 5, 11.	Verified

information with state and local public safety partners.		
<p><b>3.B</b> The Joint Local Governments advocated that liaisons from CalOES and local government should be placed in PG&amp;E's EOC during PSPS events; the Joint Local Governments further advocated that PG&amp;E should place a liaison officer with decision-making authority in the local EOC. The Commission directed the utilities to allow local government liaisons in the utility EOC on request, and further directed that the utilities embed a liaison in the local EOC at the local government's request.</p>	<p>D.19-05-042, pp. 55, 99–100, 102, 103, 114, COL 30, COL 31, A21.</p> <p>Counties' Comments on R.18-12-005, p. 13; Joint Local Governments' Comments on Staff Proposal, p. 12;</p>	Verified
<p><b>3.C</b> The Joint Local Governments explained the importance of having the utility participate in increased table-top exercises with local public safety partners, and stressed the importance of testing the lines of communication between the utility and public safety partners frequently throughout the year to ensure the system is working effectively. The Commission adopted this recommendation.</p>	<p>D.19-05-042, pp. 80, A11.</p> <p>Joint Local Governments' Comments on Staff Proposal, p. 11; Joint Local Governments' Comments on Proposed Decision, pp. 2–3.</p>	Verified
<p><b>4. Post-event Reporting</b></p> <p>The Joint Local Governments advocated that</p>	<p>D.19-05-042, pp. 107, A22.</p>	Verified



communities impacted by PSPS event should be surveyed at the local government, first responder, and resident levels to provide first-hand feedback on how the utility's notification, communication, coordination, and decision-making worked in practice. The Commission adopted this recommendation.	Counties' Comments on R.18-12-005, p. 17; Joint Local Governments' Comments on Staff Proposal, pp. 12–13.	
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**B. Duplication of Effort (§ 1801.3(f) and § 1802.5):**

	<b>Intervenor's Assertion</b>	<b>CPUC Discussion</b>
<b>a. Was the Public Advocate's Office of the Public Utilities Commission (Cal Advocates) a party to the proceeding?<sup>6</sup></b>	Yes.	Verified
<b>b. Were there other parties to the proceeding with positions similar to yours?</b>	Yes, on some issues.	Verified
<b>c. If so, provide name of other parties:</b> On certain issues, which differed by party, the following parties sometimes had positions similar to the Joint Local Governments': California State Association of Counties; Rural County Representatives of California; County of San Diego's Office of Emergency Services; City and County of San Francisco; City of Malibu; California Municipal Utilities Association; California Water Association; East Bay Municipal Utilities District.		Noted
<b>d. Intervenor's claim of non-duplication:</b>  The local government and municipal entities that were involved in R.18-12-005 advocated for similar fundamental things from their investor-owned utilities related to the de-energization process: increased communication and coordination, increased transparency, better access to information, and more notice. Given the large number of active parties in this proceeding, extensive efforts to coordinate on all issues would have required a substantial investment of time by the Joint Local Governments' attorneys and experts. It is not certain that such coordination would have yielded a net savings of time devoted to the proceeding itself. However, because each local government,		Noted

<p>representative association, and municipal entity is served by different (or multiple) utilities, represents distinct constituencies, and serves distinct regions and industries, these entities provided input and made arguments tailored to their distinct circumstances. As the Commission and parties noted, there is no one-size-fits-all de-energization program for all of the utilities.</p> <p>The fact that other parties shared the Joint Local Governments' perspective on certain issues did not result in undue duplication of issues by the Joint Local Governments. The Joint Local Governments focused their commentary and recommendations entirely on PG&amp;E, because they are located in PG&amp;E's service territory, because they have first-hand experience with PG&amp;E's wildfire-related activities, and because they will continue to be affected by PG&amp;E's de-energization program in the future. The Joint Local Governments participated in the proceeding as a coalition because their experiences and recommendations were so similar that individual participation would have been duplicative and inefficient. The Joint Local Governments were mindful to not duplicate efforts that would be made by other parties to the Rulemaking. Many of the Joint Local Governments' recommendations were supported by other local governments and municipal entities, regardless of whether PG&amp;E was their (only) investor-owned utility. Many of the Joint Local Governments' recommendations for coordination and information-sharing with public safety partners were also adopted by the Commission to be applied to all investor-owned utilities' de-energization programs. To the extent duplication occurred, it was unavoidable due to the large number of parties in the proceeding and a need to ensure that the Joint Local Governments presented a comprehensive position on each of the issues they addressed.</p> <p>For the foregoing reasons, the Joint Local Governments submit that the Commission should find no undue duplication between their participation and that of other parties.</p>	
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### PART III: REASONABLENESS OF REQUESTED COMPENSATION

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

	CPUC Discussion
<p><b>a. Intervenor's claim of cost reasonableness:</b></p> <p>The Joint Local Governments' claim for intervenor compensation seeks an award of approximately \$76,000 in total, which is the reasonable cost of their participation in this important proceeding. The Joint Local Governments were the primary voice for practical improvements to PG&amp;E's communication, information-sharing, outreach, and PSPS</p>	Noted

<p>protocols as they relate to local governments and first responders, and many of their suggestions were adopted in the final decision. In light of the Joint Local Governments' substantial contributions to the proceeding and the resulting decision, the Commission should conclude that the amount of time for which compensation is requested is reasonable.</p> <p>As demonstrated in the substantial contribution section, the Joint Local Governments assisted the Commission on a number of issues that shaped the new requirements for utility de-energization of power lines. Specifically, many of the new guidelines for utility communication and coordination with public safety partners, increased access for public safety partners to the utility's PSPS-related information, and improved notification and outreach protocols, were proposed and advocated by the Joint Local Governments. The Joint Local Governments also provided their first-hand experiences with PG&amp;E's historical and existing wildfire-related outreach efforts, which formed the basis for the Joint Local Governments' recommended improvements and, in turn, many of the new protocols adopted by the Commission.</p> <p>Given the high stakes and significant interest in public safety inherent in the utilities' decision to de-energize power lines in high fire-threat conditions, which makes effective education, outreach, and communication with public safety partners critical, the benefits produced by the Joint Local Governments' substantial contributions should be found to exceed the cost of their participation in this proceeding.</p> <p>The time spent by the Joint Local Governments' attorneys and experts should therefore be found reasonable.</p>	
<p><b>b. Reasonableness of hours claimed:</b></p> <p>The Joint Local Governments request compensation for approximately 180 hours of attorney and expert time. The amount of time spent to participate in this proceeding was necessary to review and respond to the Rulemaking and the Staff Proposal, to review and comment on proposals made by PG&amp;E and other parties, and to review and comment on the Proposed Decision. The Joint Local Governments provided formal responses to the OIR, the Staff Proposal, and the Proposed Decision; these filings were necessary to actively participate in the proceeding and to ensure that positions were addressed throughout the proceeding in connection with each major Commission-issued document. The Joint Local Governments' experts also provided extensive feedback on the Commission's and PG&amp;E's proposals, which formed the basis for the Joint Local Governments' recommendations. The Commission should find that this level of participation was reasonable for any active participant in the proceeding.</p>	Noted

Outside CPUC Counsel

Megan Somogyi served as the Joint Local Governments' lead and coordinating attorney throughout this proceeding, attending all the necessary hearings and taking the lead in drafting all of the Joint Local Governments' pleadings. Ms. Somogyi brought considerable CPUC experience to these matters, having been involved in numerous Commission proceedings, including general rate cases, electric and gas procurement cases, utility certification proceedings, transmission line citing cases, proceedings involving disposition of utility assets, proceedings involving transfer of control of a utility, and applications for utility infrastructure investments.

County of Mendocino: County Counsel

Mendocino's individual interests were represented by the Mendocino County Counsel's Office. Mendocino's attorneys reviewed the Joint Local Governments' pleadings to ensure that the arguments and recommendations were consistent with the needs and views of Mendocino County, as well as the interests of the coalition as a whole. Mendocino's attorneys were also responsible for obtaining Board approval for certain actions, updating the Board on the progress of the CPUC proceedings, coordinating internally with the County's departments and experts, and performing the administrative tasks that accompany local government participation in formal proceedings. Because the County Counsels' responsibilities are significant, Mendocino assigned more than one attorney to participate in the CPUC proceedings in order to ensure that a representative from the County was always available to review filings, join conference calls, and monitor the proceeding.

Katharine L. Elliott is the County Counsel for Mendocino, a position she has held since 2015. Ms. Elliott previously served as a Deputy County Counsel assigned to the Health and Human Services Agency. In that role, Ms. Elliott helped to implement Laura's Law, represented the Public Guardian in Conservatorship proceedings; and was an advisor to the Behavioral Health Board. Ms. Elliott has over 27 years of experience as an attorney in criminal law, and has worked extensively with mentally ill clients, including veterans, and represented clients in conservatorship. Ms. Elliott has presented MCLE programs on stress reduction for Yolo and Mendocino County Public Defenders.

County of Napa: County Counsel and Experts

Napa's individual interests were represented by the Napa County Counsel's Office and members of the County's Office of Emergency Services, Emergency Medical Services, Fire Department, and Health and Human

Services Agency. Napa's attorneys and experts reviewed the Joint Local Governments' pleadings to ensure that the arguments and recommendations were consistent with the needs and views of Napa County, as well as the interests of the coalition as a whole. Napa's attorneys were also responsible for obtaining Board approval for certain actions, updating the Board on the progress of the CPUC proceedings, coordinating internally with the County's departments and experts, and performing the administrative tasks that accompany local government participation in formal proceedings. Because the County Counsels' and emergency, fire, and health departments' responsibilities are significant, Napa in some cases assigned more than one attorney or expert to participate in the CPUC proceedings in order to ensure that a representative from the County was always available to review filings, join conference calls, and monitor the proceeding.

Jeffrey Brax is the Napa County Counsel. Mr. Brax has held this position since April 2018. As the primary legal officer for the County, Mr. Brax provides legal representation in tort litigation, fire recovery, and other matters, and supervises thirteen attorneys and six support staff. Before joining Napa County, Mr. Brax worked for the Sonoma County Counsel's Office for 13.5 years, the last three of which as Chief Deputy County Counsel. During his time with Sonoma County, Mr. Brax served as the chief land use attorney and represented the Board of Supervisors and other clients in land use, CEQA, elections, tribal gaming, and other matters.

Jeffrey M. Richard is a Chief Deputy County Counsel; he has held the position since January 2015. Mr. Richard oversees the Office's Code Compliance legal services, represents waste management agencies and resort improvement districts, supervises a team of four attorneys, and supervises and collaborates with outside counsel in a variety of matters, including the CPUC proceedings and PG&E civil litigation. Before joining Napa County, Mr. Richard was a Senior Assistant County Counsel for Orange County for 13 years. Mr. Richard was in private practice from 1982–2001.

Dr. Karen Relucio, MD is the County's Health Officer and Public Health Director. Dr. Relucio has held this position for four years. Her responsibilities include leading the department's public health and policy work by engaging and supporting a staff of 60 employees. Dr. Relucio is responsible for local public health response and preparedness functions in the areas of communicable diseases control and prevention, the County's immunization program, emergency preparedness and response, emergency medical services, WIC, Maternal Child and Adolescent Health, Children's Medical Services, chronic disease prevention, vital statistics, and epidemiology and surveillance. Dr. Relucio acts as one of the two Medical Health Operational Area Coordinators for the County. Previously, Dr.

Relucio served for nine years as an Assistant Health Officer and Public Health Clinics Medical Director in San Mateo County. Dr. Relucio also has seven years of emergency preparedness and response experience.

Brian Henricksen is the Emergency Medical Services administrator for Napa County Health and Human Services; Mr. Henricksen has held this position for four years. Mr. Henricksen also serves as the second Medical Health Operational Area Coordinator for the County, with Dr. Relucio. Mr. Henricksen is a licensed paramedic in California with 20 years of experience in Emergency Medical Services. For the last 10-plus years, Mr. Henricksen has had a role in disaster medical planning in private industry and local government sectors; this disaster planning experience has focused on medically vulnerable populations, including those with power-dependent durable medical equipment.

Geoff Belyea is the Fire Chief for Napa County. Mr. Belyea has held this position for three months and has 22 years of experience working in the fire service. Mr. Belyea is responsible for the overall administration and oversight of the Napa County Fire Department.

#### County of Sonoma: County Counsel and Experts

Sonoma's individual interests were represented by the Sonoma County Counsel's Office and members of the County's Office of Emergency Services. Sonoma's attorneys and experts reviewed the Joint Local Governments' pleadings to ensure that the arguments and recommendations were consistent with the needs and views of Sonoma County, as well as the interests of the coalition as a whole. Sonoma's attorneys were also responsible for obtaining Board approval for certain actions, updating the Board on the progress of the CPUC proceedings, coordinating internally with the County's departments and experts, and performing the administrative tasks that accompany local government participation in formal proceedings. Because the County Counsels' and emergency services department's responsibilities are significant, Sonoma in some cases assigned more than one attorney or expert to participate in the CPUC proceedings in order to ensure that a representative from the County was always available to review filings, join conference calls, and monitor the proceeding.

Cory O'Donnell has been with the Sonoma County Counsel's Office since February 2007. She is currently the Chief Deputy County Counsel leading the Recovery & Resiliency Practice Group formed after the October 2017 Sonoma Complex Wildfires. In this position, Ms. O'Donnell provides coordinated legal support to County departments/agencies in ongoing recovery and resiliency efforts. Ms. O'Donnell also advises the County and special districts on water-related issues, climate action and sustainability initiatives, CEQA, and general public law issues. Before

joining the Sonoma County Counsel's Office, Ms. O'Donnell was in private practice with a focus on environmental litigation and regulatory compliance.

Petra Bruggisser is a Deputy County Counsel; she has held the position since February 2014. Mrs. Bruggisser is part of the County Counsel's litigation practice group, representing the County's interests and acting as litigation coordinator in a variety of matters, including the CPUC proceedings and PG&E civil litigation. Before joining Sonoma County, Mrs. Bruggisser was in private practice. Mrs. Bruggisser started her legal career as an attorney in Germany in 1999, and has been practicing law in California since 2005.

City of Santa Rosa: City Attorneys and Experts

Santa Rosa's individual interests were represented by the City Attorney's Office and members of the City's Fire Department. Santa Rosa's attorneys and experts reviewed the Joint Local Governments' pleadings to ensure that the arguments and recommendations were consistent with the needs and views of Santa Rosa, as well as the interests of the coalition as a whole. Santa Rosa's attorneys were also responsible for obtaining City Council approval for certain actions, updating the Council on the progress of the CPUC proceedings, coordinating internally with the County's departments and experts, and performing the administrative tasks that accompany local government participation in formal proceedings. Because the City Attorneys' and Fire Department's responsibilities are significant, Santa Rosa in some cases assigned more than one attorney or expert to participate in the CPUC proceedings in order to ensure that a representative from the City was always available to review filings, join conference calls, and monitor the proceeding.

Sue Gallagher is the City Attorney for the City of Santa Rosa and was appointed to that position in May 2017. Prior to that time, Ms. Gallagher worked for the City of Santa Rosa as an Assistant City Attorney specializing in land use and CEQA, after working for 24 years with the Sonoma County Counsel's office, five of those years in management. Ms. Gallagher has extensive experience advising public sector clients on a wide range of governmental law issues.

Adam Abel has been an Assistant City Attorney with the City of Santa Rosa since 2015. Prior to joining the City of Santa Rosa, Mr. Abel was a shareholder in the law firm of Bradley, Curley, Asiano, Barrabee, Abel & Kowalski, where he was a litigator with an emphasis on defense of public entities throughout Northern California.

Neil Bregman is the Emergency Preparedness Coordinator for the Santa Rosa Fire Department; Mr. Bregman has held this position since September

<p>2014. Mr. Bregman is responsible for overall management of the City's emergency preparedness, disaster response, and resilience. Mr. Bregman has been an Emergency Manager for 10 years. His emergency management career started working for major health care institutions in New York City and later the New York City Office of Emergency Management.</p>	
<p><b>c. Allocation of hours by issue:</b></p> <p>The Joint Local Governments allocated their attorney and expert time by issue area or activity, as shown in the attached timesheets. The following issue areas include hours by specific substantive issues and/or activities.</p> <p><u>Issues: Substantive Contributions to D.19-05-042 (46% of hours)</u></p> <p>Issue 1: Definitions</p> <p>Work on this issue related to the development of effective definitions for the entities and customers that will be affected by de-energization includes time spent reviewing proposals from the Commission, Staff, and other parties; identifying recommended changes or additions; and drafting comments.</p> <p>Issue 2: Notification and Communication</p> <p>Work on issues related to notification and communication improvements and protocols includes time spent reviewing PG&amp;E's existing practices; reviewing proposals from the Commission, Staff, and other parties; formulating improved alternatives; and drafting comments.</p> <p>Issue 3: Information-sharing with Public Safety Partners</p> <p>Work on issues relating to the utility's information-sharing with its public safety partners includes time spent reviewing PG&amp;E's existing practices; reviewing proposals from the Commission, Staff, and other parties; identifying necessary improvements; and drafting comments.</p> <p>Issue 4: Post-event Reporting</p> <p>Work on this issue related to ensuring that the post-event reporting requirements for PG&amp;E's PSPS events included adequate opportunity for affected local governments and public safety partners to provide feedback to the utility and the CPUC.</p> <p>Time entries that cover these substantive issues cannot easily be parsed to correlate to an exact amount of time spent drafting or revising pleadings. The Joint Local Governments therefore request compensation for all of the</p>	<p>Noted</p>



<p>time included in this request for compensation, as it is not possible to accurately allocate time to individual issues. However, if such allocation needs to occur, the Joint Local Governments propose that the Commission allocate these entries as follows within the broader category of Substantive Contributions: Definitions (10%); Notification and Communication (55%); Information-sharing with Public Safety Partners (25%); Post-event Reporting (10%).</p> <p><u>Activity: General Participation (54% of hours)</u></p> <p>General Participation work is essential to participation in the proceeding and typically spans multiple issues and/or is necessary for participating in the proceeding. This includes reviewing Commission rulings, initial review of proposals by Staff, the prehearing conference, and other work that does not necessarily vary with the number of issues ultimately addressed. This also includes the significant internal coordination and information-sharing work necessary for City Attorneys and County Counsels to provide progress reports to, and obtain the necessary approvals from, their elected officials.</p>	<p>We note the high percentage of hours allocated to General Participation. Many of these hours are duplicative with several representatives from each entity reporting hours corresponding with one another. <i>See</i> CPUC Comments and Disallowances in Part III.D[1].</p>
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**B. Specific Claim:\***

CLAIMED						CPUC AWARD		
ATTORNEY, <sup>7</sup> EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
Megan Somogyi	2018	0.51	\$340	Res. ALJ-352	\$173.40	0.51	\$340 [4]	\$173.40
Petra Bruggisser	2018	8.5	\$340	Res. ALJ-352	\$2,890.00	8.5 [1]	\$340 [5]	\$2,890.00
Cory O'Donnell	2018	2.25	\$445	Res. ALJ-352	\$1,001.25	2.25 [1]	\$445 [6]	\$1,001.25
Megan Somogyi	2019	89.98	\$350	Res. ALJ-357	\$31,493.00	89.98	\$350 [4]	\$31,493.00
Jeffrey Richard	2019	26.1	\$445	Res. ALJ-357	\$11,614.50	26.1 [1]	\$445 [7]	\$11,614.50
Jeffrey Brax	2019	0.75	\$445	Res. ALJ-357	\$333.75	0.75 [1]	\$445 [8]	\$333.75

<sup>7</sup> The requested hourly rates for the local governments' internal attorneys reflects their years in practice, with a downward adjustment from the maximum approved hourly rate to account for any lack of experience in CPUC matters.

Petra Bruggisser	2019	18.1	\$340	Res. ALJ-357	\$6,154.00	18.1 [1]	\$340 [5]	\$6,154.00
Cory O'Donnell	2019	19.25	\$445	Res. ALJ-357	\$8,566.25	19.25 [1]	\$445 [6]	\$8,566.25
Dr. Karen Relucio	2019	6.0	\$445	Res. ALJ-357	\$2,670.00 <sup>8</sup>	2.5 [1]	\$445 [9]	\$1,112.50
Geoff Belyea	2019	0.5	\$445	Res. ALJ-357	\$222.50	0 [1]	\$0.00 [1]	\$0.00
Brian Henricksen	2019	4.0	\$445	Res. ALJ-357	\$1,780.00	4	\$445 [10]	\$1,780.00
Sue Gallagher	2019	0.55	\$445	Res. ALJ-357	\$250.25 <sup>9</sup>	0.55	\$445 [11]	\$244.75
Adam Abel	2019	2.3	\$445	Res. ALJ-357	\$1,023.50	2.3	\$445 [12]	\$1,023.50
Neil Bregman	2019	9.0	\$290	Res. ALJ-357	\$2,610.00	9 [1]	\$290 [13]	\$2,610.00
<b>Subtotal: \$70,78240<sup>10</sup></b>						Subtotal: \$68,996.90		
<b>Mendocino: \$5,371.90</b>						Mendocino: \$5,371.90		
<b>Napa: \$26,324.64</b>						Napa: \$24,554.64		
<b>Sonoma: \$28,225.50</b>						Sonoma: \$28,225.50		
<b>Santa Rosa: \$10,860.36</b>						Santa Rosa: \$10,854.86		
<b>INTERVENOR COMPENSATION CLAIM PREPARATION **</b>								
<b>Item</b>	<b>Year</b>	<b>Hours</b>	<b>Rate \$</b>	<b>Basis for Rate*</b>	<b>Total \$</b>	<b>Hours</b>	<b>Rate</b>	<b>Total \$</b>
Megan Somogyi	2019	2.15 (NOI) 25.41 (claim)	\$175	½ of requested hourly	\$4,823.00	0 [2]	\$0.00	\$0.00
Megan Somogyi	2018					2.15 [2]	\$170.00	\$365.50
Megan Somogyi	2019					25.41 [2]	\$175.00	\$4,446.75

<sup>8</sup> The timesheet submitted by Napa County claims 2.5 hours for Relucio in 2019. The total here should be \$1,112.50.

<sup>9</sup> Arithmetic error. 0.55 \* \$445.00 is \$244.75.

<sup>10</sup> The correct Subtotal is \$69,219.40.

Petra Bruggisser	2019	1.75 (NOI)	\$170	½ of requested hourly rate	\$297.50	0 [2]	\$0.00	\$0.00
Petra Bruggisser	2018					0.75 [2, 3]	\$170.00	\$127.50
Jeffrey Richard	2019	0.30	\$222.50	½ of requested hourly rate	\$66.75	0.30	\$222.50	\$66.75
Dr. Karen Relucio	2019	0.25	\$222.50	½ of requested hourly rate	\$55.63	0.25	\$222.50	\$55.63
Geoff Belyea	2019	0.50	\$222.50	½ of requested hourly rate	\$111.25	0 [1]	\$0.00	\$0.00
<i>Subtotal: \$ 5,354.13</i>						Subtotal: \$5,062.13		
<i>Mendocino: \$94.5</i>						Mendocino: \$91.81		
<i>Napa: \$1,809.80</i>						Napa: \$1,695.86		
<i>Sonoma: \$1,873.66</i>						Sonoma: \$1,700.97		
<i>Santa Rosa: \$1,576.17</i>						Santa Rosa: \$1,573.48		
COSTS								
#	Item	Detail			Amount	Amount		
1.	Courier/filing	Filing and courier fees for sending comments to CPUC			\$65.50	\$65.50		
2.	Photocopying	Copying of pleadings for ALJ and Commissioner offices			\$81.60	\$81.60		
<i>Subtotal: \$147.10</i>						Subtotal: \$147.10		
<i>Mendocino: \$39.17</i>						Mendocino: \$39.17		
<i>Napa: \$39.17</i>						Napa: \$39.17		
<i>Sonoma: \$39.15</i>						Sonoma: \$39.15		
<i>Santa Rosa: \$29.61</i>						Santa Rosa: \$29.61		
<i>TOTAL REQUEST: \$76,283.63</i>						<b>TOTAL AWARD: \$74,206.13</b>		
<i>Mendocino: \$5,505.57</i>						<b>Mendocino: \$5,502.88</b>		
<i>Napa: \$31,918.31<sup>11</sup></i>						<b>Napa: \$26,279.67</b>		

<sup>11</sup> Total request for Napa is \$28,173.61

<b>Sonoma: \$26,393.61<sup>12</sup></b>		<b>Sonoma: \$29,965.62</b>	
<b>Santa Rosa: \$12,466.14</b>		<b>Santa Rosa: \$12,457.95</b>	
<p>*We remind all intervenors that Commission staff may audit the records and books of the intervenors to the extent necessary to verify the basis for the award (§1804(d)). Intervenors must make and retain adequate accounting and other documentation to support all claims for intervenor compensation. 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>			
<b>ATTORNEY INFORMATION</b>			
<b>Attorney</b>	<b>Date Admitted to CA BAR<sup>13</sup></b>	<b>Member Number</b>	<b>Actions Affecting Eligibility (Yes/No?) If “Yes”, attach explanation</b>
Megan Somogyi	December 2011	278659	No
Jeffrey M. Richard	December 1982	105286	No
Jeffrey Brax	January 2002	218601	No
Petra Bruggisser	December 2005	241173	No
Cory O’Donnell	December 1996	186425	No
Sue Gallagher	December 1985	121469	No
Adam Abel	December 1990	148210	No

**C. Attachments Documenting Specific Claim and Comments on Part III: (*attachments not attached to final Decision*)**

<b>Attachment or Comment #</b>	<b>Description/Comment</b>
1	Certificate of Service
2	Attorney and Expert Hours - Detail
3	Attorney and Expert Hours - Summary
4	Expense Detail

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

<sup>12</sup> Total request for Sonoma is \$30,138.31

<sup>13</sup> This information may be obtained through the State Bar of California's website at <http://members.calbar.ca.gov/fal/MemberSearch/QuickSearch>.

Item	Reason
<p>[1] Guidance regarding compliance with the Intervenor Compensation Program's requirements and time claimed for multiple LGE Representative Hours</p>	<p>1. Section 1801.3(f) provides that the Commission should administer the Intervenor Compensation Program 'in a manner that avoids unproductive or unnecessary participation that duplicates the participation of similar interests otherwise adequately represented or participation that is not necessary for a fair determination of the proceeding.' This Section creates three separate standards – productivity, uniqueness, and necessity – by which we measure participation. (D.00-02-044.) D.98-04-059 determined that we would carefully consider each of these three standards in making eligibility findings and in assessing compensability. Productivity general concerns the efficiency, competence, effectiveness, and reasonableness, in terms of the cost of participation; uniqueness, the non-duplication of effort; and necessity, the relevancy of the participation.” Additionally, the Commission does not compensate attorneys for work that is clerical in nature, as such work has been factored into the established rates.</p> <p>Here, several of the Joint Counties representatives include multiple timesheet entries that are clerical and/or duplicative in nature. While we acknowledge that internal duplication is unavoidable with a joint claim, nearly all the hours claimed by Petra Bruggisser (Bruggisser), Cory O'Donnell (O'Donnell), Richard Brax (Brax), and Neil Bregman (Bregman) consist excessively of internal correspondence or clerical work. We also note excessive hours claimed for review time by Dr. Karen Relucio (Dr. Relucio). Normally, we would make significant deductions to the award for each of these issues. We note however, that this is one of the first Intervenor Compensation claims the LGEs have filed and therefore elect not to make deductions on for these issues at this time.</p> <p>Having allowed ample time to Napa County for document review, we disallow the following time claimed by Jeff Belyea (Belyea): 5/18/2019, 0.5 hour, “Review draft reply comments on Proposed Decision”; and 7/12/2019, 0.5 hour, “Provide timesheets for intervenor compensation claim”, for a total of 0.5 hour in 2019, and 0.5 hour of IComp Prep. As such, we do not establish an hourly rate for Belyea.</p> <p>2. Additional Guidance</p> <p><i>a. Identifying substantive issue for each task.</i> Rule 17.4 of the Commission Rules of Practice and Procedure requires that time records identify, for each specific task performed, the substantive issue that the task addresses. The Counties' time records fail to identify a substantive issue for each task recorded in the timesheets. <i>b. Connecting work performed with the claimed contributions.</i> We expect in the LGEs' future claims more information on how tasks performed by LGEs' staff contributed to the final decision. Absent such information, we may consider more reductions to the claimed hours, for inefficiency, excessive internal communications, and a lack of a</p>

	<p>connection between the intervenors’ activities and substantial contributions (See Sections 1801, 1801.3(b)(d)(f), 1802(a)(j), 1803.1(a) and 1804(c))</p> <p><i>b. Significant percentage of the “general participation” tasks.</i></p> <p>LGEs allocate 46% of the recorded hours to the work on the proceeding’s substantive issues. These hours were broken down, as follows: Definitions (10%); Notification and Communication (55%); Information-sharing with Public Safety Partners (25%); Post-event Reporting (10%).</p> <p>The remaining 54% of the recorded hours were allocated to the “general participation.” Counties describe this category as a work that</p> <p style="padding-left: 40px;">... is essential to participation in the proceeding and typically spans multiple issues and/or is necessary for participating in the proceeding. This includes reviewing Commission rulings, initial review of proposals by Staff, the prehearing conference, and other work that does not necessarily vary with the number of issues ultimately addressed. This also includes the significant internal coordination and information-sharing work necessary for City Attorneys and County Counsels to provide progress reports to, and obtain the necessary approvals from, their elected officials.</p> <p>The Commission has discouraged allocation of a significant number of hours and amount of work as “general.” Most of the LGEs’ work labeled as “general” could and should be allocated to the corresponding substantive issue.<sup>14</sup></p>
[2] Megan Somogyi (Somogyi) and Bruggisser IComp Hours	The Joint Local Governments claim IComp prep hours for Somogyi and Bruggisser in 2019. However, time records indicate the IComp prep hours were completed both in 2018 and 2019. We make no deductions here, but instead make an adjustment to split the IComp prep hours by year, so the appropriate rates can be applied accordingly.
[3] Bruggisser IComp Hours	The Commission reduces Bruggisser’s NOI and IComp time by 1 hour to accurately reflect the hours claimed in the timesheet submitted by Sonoma County.
[4] Somogyi Hourly Rate	Somogyi has been an attorney practicing before the Commission since 2012. The requested 2018 hourly rate of \$340 is approved per the Hourly Rate Chart in Resolution ALJ-352. We apply the 2.53% COLA per Resolution ALJ-357 to the 2018 rate, and round to the nearest \$5, for an approved 2019 rate of \$350.
[5] Bruggisser Hourly Rate	Bruggisser has been a practicing attorney in California since 2005. The requested 2018 hourly rate of \$340 is approved per the Hourly Rate Chart in Resolution ALJ-352.
[6] O’Donnell Hourly Rate	O’Donnell has worked for the Sonoma County Counsel’s Office since 2007 and has been the Chief Deputy County Counsel leading the Recovery &

<sup>14</sup> See, for example, the Commission’s explanations in D.10-04-023 at 11-14.

	Resiliency Practice Group since 2017. O'Donnell has been a member of the California State Bar Association since 1996. The requested 2018 hourly rate of \$445 is approved per the Hourly Rate Chart in Resolution ALJ-352.
[7] Jeffrey Richard (Richard) Hourly Rate	Richard has served as Chief Deputy County Counsel since 2015, and previously spent 13 years as Senior Assistant County Counsel for the Orange County. Richard has been a member of the California State Bar Association since 1982. The requested 2019 hourly rate of \$445 is approved per the Hourly Rate Chart in Resolution ALJ-357.
[8] Brax Hourly Rate	Brax has 17 years' experience as a practicing attorney for Sonoma, Napa, and Santa Barbara Counties. The requested 2019 hourly rate of \$445 is approved per the Hourly Rate Chart in Resolution ALJ-357.
[9] Dr. Relucio Hourly Rate	Dr. Relucio has four years' experience as Napa County's Health Officer and Public Health Director and an additional 20 years' experience practicing medicine and working in public health. The requested 2019 hourly rate of \$445 is approved per the Hourly Rate Chart in Resolution ALJ-357.
[10] Brian Henricksen (Henricksen) Hourly Rate	Henricksen has served as the Napa County Health and Human Services Emergency Medical Services administrator since 2015. Henricksen is also a licensed paramedic in California with 20 years' experience, and 10 years' experience in disaster medical planning. The requested 2019 hourly rate of \$445 is approved per the Hourly Rate Chart in Resolution ALJ-357.
[11] Sue Gallagher (Gallagher) Hourly Rate	Gallagher has served as the city attorney for 2 years and has an additional 22 years' experience working as an attorney with the Sonoma County Counsel's office. The requested 2019 hourly rate of \$445 is approved per the Hourly Rate Chart in Resolution ALJ-357.
[12] Adam Abel (Abel) Hourly Rate	Abel has been an Assistant City Attorney with the City of Santa Rosa since 2015 and has been a member of the California bar since 1990. The requested 2019 hourly rate of \$445 is approved per the Hourly Rate Chart in Resolution ALJ-357.
[13] Bregman Hourly Rate	Bregman has served as the Emergency Preparedness Coordinator for the Santa Rosa Fire Department since 2014, Bregman has 10 years' experience in Emergency Management. The requested 2019 hourly rate of \$290 is approved per the Hourly Rate Chart in Resolution ALJ-357.

#### PART IV: OPPOSITIONS AND COMMENTS

**Within 30 days after service of this Claim, Commission Staff or any other party may file a response to the Claim (*see* § 1804(c))**

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

1. Mendocino, Napa, and Sonoma Counties, and the City of Santa Rosa have made a substantial contribution to D.19-05-042.
2. The requested hourly rates for Mendocino, Napa, and Sonoma Counties, and the City of Santa Rosa'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 \$74,206.13.
5. The total of reasonable compensation is allocated, as follows: Mendocino County \$5,502.88; Napa County \$26,279.67; Sonoma County \$29,965.62; and the City of Santa Rosa \$12,457.95.

### **CONCLUSION OF LAW**

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

### **ORDER**

1. Mendocino, Napa, and Sonoma Counties, and the City of Santa Rosa are awarded \$74,206.13.
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 dba Pacific Power Company, shall pay Mendocino \$5,502.88, Napa County \$26,279.67, Sonoma County \$29,965.62, and the City of Santa Rosa \$12,457.95, their respective shares of the 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 October 18, 2019, the 75<sup>th</sup> day after the filing of Mendocino, Napa, and Sonoma Counties, and the City of Santa Rosa'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 \_\_\_\_\_, at Diamond Bar, California.

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

Compensation Decision:		Modifies Decision?	No
Contribution Decision(s):	D1905042		
Proceeding(s):	R1812005		
Author:	ALJ Kao and ALJ DeAngelis		
Payer(s):	PG&E, SCE, SDG&E, Liberty, Bear Valley, and PacifiCorp		

**Intervenor Information**

Intervenor	Date Claim Filed	Amount Requested	Amount Awarded	Multiplier?	Reason Change/Disallowance
Mendocino County	August 5, 2019	Mendocino: \$5,505.57	Mendocino: \$5,502.88	N/A	<i>See CPUC Comments and Disallowances in Part III.D</i>
Napa County		Napa: \$31,918.31	Napa: \$26,279.67		
Sonoma County		Sonoma: \$26,393.61	Sonoma: \$29,965.62		
City of Santa Rosa		Santa Rosa: \$12,466.14	Santa Rosa: \$12,457.95		
			TOTAL \$74,206.13		

**Hourly Fee Information**

First Name	Last Name	Attorney, Expert, or Advocate	Hourly Fee Requested	Year Hourly Fee Requested	Hourly Fee Adopted
Megan	Somogyi	Attorney	\$340	2018	\$340
Megan	Somogyi	Attorney	\$350	2019	\$350
Petra	Bruggisser	Attorney	\$340	2018	\$340
Petra	Bruggisser	Attorney	\$340	2019	\$340
Cory	O'Donnell	Attorney	\$455	2018	\$445
Cory	O'Donnell	Attorney	\$455	2019	\$445
Jeffrey	Richard	Attorney	\$455	2019	\$445
Jeffrey	Brax	Attorney	\$455	2019	\$445
Sue	Gallagher	Attorney	\$455	2019	\$445
Adam	Abel	Attorney	\$455	2019	\$445
Karen	Relucio	Expert	\$455	2019	\$445
Geoff	Belyea	Expert	\$455	2019	N/A
Brian	Henricksen	Expert	\$455	2019	\$445
Neil	Bregman	Expert	\$290	2019	\$290

**(END OF APPENDIX)**