

Decision 23-11-114 November 30, 2023

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Pacific Gas and Electric
Company to Revise its Electric Marginal
Costs, Revenue Allocation and Rate Design.
(U39M.)

Application 19-11-019

**DECISION GRANTING COMPENSATION TO SMALL BUSINESS UTILITY
ADVOCATES FOR SUBSTANTIAL CONTRIBUTION
TO DECISION 21-11-016 and 22-08-002**

Intervenor: Small Business Utility Advocates (SBUA)	For contribution to Decision (D.) 21-11-016 and D.22-08-002
Claimed: \$382,062.25	Awarded: \$329,942.74
Assigned Commissioner: Genevieve Shiroma	Assigned ALJ: Patrick Doherty

PART I: PROCEDURAL ISSUES

A. Brief description of Decision:	<p>D.21-11-016 adopted marginal costs for Pacific Gas and Electric Company (PG&E) to be used in the allocation of revenue among PG&E's customer classes and the design of retail rates for PG&E's customers. D.21-11-016 adopts, without modification, several uncontested settlements, to which Small Business Utility Advocates (SBUA) is a party, including on rate design issues and revenue allocation. This decision also adopts certain marginal connection equipment costs proposed by the Agricultural Energy Consumers Association and certain marginal transmission capacity costs proposed by the Solar Energy Industries Association.</p> <p>D.22-08-002 considered a study on the marginal generation capacity costs that should be used by PG&E when calculating its rates, including its recently approved real-time pricing rate. D.22-08-002 adopts, without modification, a settlement, to which SBUA is a party, on real-time pricing pilots for certain customers, including small commercial customers. This decision approves the study's methodology for calculating marginal generation capacity costs and orders PG&E to utilize the methodology as soon as is practicable.</p>
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B. Intervenor must satisfy intervenor compensation requirements set forth in Pub. Util. Code §§ 1801-1812:¹

	Intervenor	CPUC Verification
Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):		
1. Date of Prehearing Conference:	January 23, 2020	Verified
2. Other specified date for NOI:		
3. Date NOI filed:	February 19, 2020	Verified
4. Was the NOI timely filed?		Yes

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

	Intervenor	CPUC Verification
Showing of eligible customer status (§ 1802(b)) or eligible local government entity status (§§ 1802(d), 1802.4):		
5. Based on ALJ ruling issued in proceeding number:	R.22-02-005, <i>et. al.</i>	A.22-02-005, et al.
6. Date of ALJ ruling:	August 2, 2022	8/2/22
7. Based on another CPUC determination (specify):		
8. Has the Intervenor demonstrated customer status or eligible government entity status?		Yes
Showing of “significant financial hardship” (§1802(h) or §1803.1(b)):		
9. Based on ALJ ruling issued in proceeding number:	R.22-02-005, <i>et. al.</i>	A.22-02-005, et al.
10. Date of ALJ ruling:	August 2, 2022	8/2/22
11. Based on another CPUC determination (specify):		
12. Has the Intervenor demonstrated significant financial hardship?		Yes
Timely request for compensation (§ 1804(c)):		
13. Identify Final Decision:	D.21-11-016 D.22-08-002	Verified
14. Date of issuance of Final Order or Decision:	November 19, 2021 August 9, 2022	Verified
15. File date of compensation request:	October 10, 2022	Verified
16. Was the request for compensation timely?		Yes

C. Additional Comments on Part I:

#	Intervenor’s Comment(s)	CPUC Discussion
A. & B. 13	D.22-08-002 was issued in non-consolidated proceedings A.19-11-019 and A.20-10-011. SBUA was a party to both proceedings and is seeking intervenor compensation in both proceedings, however, SBUA is not seeking the same hours spent on the Study and the work associated in both proceedings. SBUA’s hours have been carefully	Noted

#	Intervenor's Comment(s)	CPUC Discussion
	reviewed and divided per proceeding to ensure that hours were not "double counted."	
B.9-10	SBUA also received a ruling on its customer status and showing of significant financial hardship in A.18-11-005 on June 24, 2019, within one year prior to SBUA commencing activities in A.19-08-013. <i>See</i> Pub. Util. Code § 1804(b)(1).	Noted
B.13-16	The Commission's Rule 17.3 requires a Compensation Request to be filed within 60 days of the issuance of a final decision. Pursuant to Rule 1.15, if the last day falls on a Saturday, Sunday, holiday or other day when the Commission offices are closed, the time limit is extended to include the next business day thereafter. Sixty days from the issuance of D.22-08-002 was a Saturday, October 8, 2022, and SBUA filed its compensation request on the next weekday thereafter, which was Monday, October 10, 2022.	Verified

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><u>1. Overall</u></p> <p>This GRC II proceeding covered an array of issues associated with PGE's rate design, revenue allocation and</p>	<p>"Several motions were filed seeking adoption of settlements in this proceeding. PG&E filed a motion to adopt... a revenue allocation settlement on April 8, 2021,... and a motion to adopt a commercial and industrial rate</p>	<p>Noted. The degree to which SBUA's participation substantially contributed to the final decisions is</p>

<p>marginal costs, including real-time pricing. SBUA was an active participant in this proceeding, and SBUA's experts submitted testimony on a variety of issues impacting small businesses. SBUA was extensively involved in the lengthy and overall effective settlement discussions and subsequent Settlement Agreements, with our advocacy here being part of a broader campaign to advocate for small commercial customers with regard to rate design and other issues in Phase 2 GRCs.</p> <p>To address the array of GRC 2 issues, the Commission approved several Settlement Agreements, including four settlements that SBUA is a signatory to, covering the following area: (1) Revenue Allocation (RA), (2) Economic Development Rate (EDR) Design, (3) Commercial and Industrial (C&I) Rate Design, and (4) Real Time Pricing (RTP).</p> <p>In D.21-11-016 and D.22-08-002, the Commission agrees with ALJ Doherty's findings and ALJ Sisto's findings that the approved settlements are reasonable in light of the record and should be adopted. SBUA submits that the Commission should find that SBUA's advocacy in negotiations and entering into these settlement agreements, which address a number of</p>	<p>design settlement on April 13, 2021." D.21-11-016, p. 5. On January 14, 2022, PG&E and several parties, including SBUA, filed a motion to adopt a joint settlement on outstanding real-time pricing issues (RTP settlement). D.22-08-002, p. 3.</p> <p>The RA Settling Parties include SBUA. <i>See Motion of PG&E for Adoption of Revenue Allocation Supplemental Settlement Agreement</i>, dated April 8, 2021, p. 1. "The RA settlement [entered into by SBUA and other parties] is reasonable in light of the whole record," "consistent with the law," and "the rate and bill impacts of the RA settlement are reasonable." D.21-11-016, Conclusions of Law #26-28.</p> <p>The EDR Settling Parties include SBUA. <i>See Motion of PG&E for Adoption of Economic Development Rate Supplemental Settlement Agreement</i>, dated April 8, 2021, p. 1, fn. 1. "[P]arties to the EDR settlement are EUF, Joint CCAs, PG&E, Cal Advocates, and SBUA." D. 21-11-016, p. 125 "The EDR settlement is reasonable in light of the whole record, complies with the law, and is in the public interest." D.21-11-016 , Conclusions of Law #36.</p> <p>The C&I Settling Parties include SBUA <i>See Motion of PG&E for Adoption of Commercial and Industrial Rate design Supplemental Settlement Agreement</i>, dated April 13, 2021, p. 2, fn. 1. "The C&I rate design settlement [entered into by SBUA and other parties] is reasonable in light of the whole record, complies with the law, and is in the public interest." D.21-11-016 , Conclusions of Law #38.</p>	<p>addressed in the discussion of substantive issues below.</p>
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<p>issues of importance to small businesses, substantially contributed to the proceeding.</p> <p>The Commission also addressed numerous marginal cost issues that were <i>not</i> settled. SBUA attended hearings and submitted legal briefing on these unresolved issues. Additional specifics on this and SBUA's other areas of advocacy are detailed below.</p>	<p>The RTP Settling Parties include SBUA. <i>See Joint Motion of Parties to Adopt Joint Settlement Agreement on RTP Pricing Issues Including State 1 Pilots</i>, App. A, p. 2. "The terms of the RTP settlement are compromise positions between the various positions taken by the parties in their testimony," and "[t]he parties to the RTP settlement engaged in settlement negotiations <i>for over one year</i>, and the settlement is a product of those efforts." D.22-08-002, Findings of Fact #1-2 (emphasis added). "The RTP Settlement is reasonable in light of the whole record," "consistent with the law," "in the public interest," and "should be approved by the Commission." D.22-08-002, Conclusions of Law #1-5.</p>	
<p><u>2. Initial Application Participation and Evidentiary Hearings</u></p> <p>SBUA filed a Response to the Application on January 10, 2020 specifically focused on SBUA's concern that the Application will fail to consider the real-world implications of each of these proceedings on PG&E's customers, particularly small commercial customers. SBUA advocated that the Application should not be assessed without the consideration of all of the outstanding issues and implications of the current situation faced by PG&E on its customers. <i>See, Response of SBUA dated January 10, 2020.</i></p>	<p>"Pacific Gas and Electric Company (PG&E) filed this General Rate Case (GRC) Phase 2 application (Application (A.) 19-11-019) on November 22, 2019. ... Responses to PG&E's application were filed on January 10, 2020 by ... Small Business Utility Advocates (SBUA),..." D. 21-11-016, pp. 2-3.</p> <p>"On August 27, 2020, the assigned Administrative Law Judge (ALJ) issued a ruling seeking party testimony on real-time pricing rate design issues for consideration in this proceeding. In November and December 2020, two motions were filed seeking to consolidate the real-time pricing rate design issues with a separate Commission proceeding considering a real-time pricing structure for certain PG&E electric vehicle charging station operators (A.20-10-011). Both motions were denied. However, several parties</p>	<p>Noted. The degree to which SBUA's participation substantially contributed to the final decisions is addressed in the discussion of substantive issues below.</p>

<p>SBUA attended the January 23, 2020 Pre-hearing Conference in which the scope and schedule of the proceeding was discussed.</p> <p>SBUA joined a Motion by parties to bifurcate the procedural schedule of the proceeding and allow for the real-time pricing (RTP) issues to proceed on a separate track. <i>See, January 27, 2021 Joint Motion to Bifurcate.</i></p> <p>Based upon the Scoping Memorandum and Ruling and the two Amended Scoping Memorandum and Ruling, SBUA engaged in discovery, drafting and submitting direct and rebuttal testimony. <i>See, Direct Testimony of Paul L. Chernick and John D. Wilson on behalf of Small Business Utility Advocates served on November 20, 2020 and Reply Testimony of Paul L. Chernick and John D. Wilson on behalf of Small Business Utility Advocates served on February 26, 2021.</i></p> <p>In lieu of cross-examination during the lengthy hearings, SBUA submitted Exhibits SBUA 3 through 6, which comprised Stipulated Data Responses in lieu of cross-examination for PG&E, Public Advocates Office, the Energy Users and Producers Coalition (EPUC) and the California Large Energy Consumers Association (CLECA).</p>	<p>[including SBUA] jointly filed a motion on January 27, 2021 seeking to bifurcate the real-time pricing rate design issues from the other marginal cost and rate design issues in this proceeding and consider them on a delayed track. This motion was granted on February 2, 2021.</p> <p>The bifurcation of the real-time pricing issues required a revision to the proceeding schedule, and an Assigned Commissioner’s Amended Scoping Memo and Ruling (amended scoping memo) was filed on February 16, 2021 to clarify the remaining procedural schedule.” D.21-11-016, pp. 4-5.</p> <p>SBUA and “[o]ther intervenors served their opening testimony on November 20, 2020. Rebuttal testimony was served by all parties by February 26, 2021.” D.21-11-016, p. 5.</p> <p>“Evidentiary hearing was held on April 8, 9, 12, 13, 14, 16, 19, and 22, 2021.” D.21-11-016, p. 5</p>	
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<p>3. <u>Marginal Cost of Service</u></p> <p>SBUA filed its Opening & Reply Briefs addressing the issue of marginal cost of service which remained as an open and litigated issue in the proceeding. <i>See, Opening Brief of Small Business Utility Advocates, dated May 20, 2021</i> and <i>See, Reply Brief of Small Business Utility Advocates, dated June 10, 2021</i></p> <p>In our Opening Brief, SBUA recommended:</p> <ul style="list-style-type: none"> • The Commission should address MCEC either through embedded cost analysis or the NCO method. • The Commission should approve PG&E's use of costs driven by new capacity for system reliability in its calculation of MGCCs. • The Commission should endorse Cal Advocates' recommendations for determining MCACs, including the New Customer Only method and the recovery of meter O&M costs through a lifetime O&M adder. <p><i>See, Opening Brief of Small Business Utility Advocates, dated May 20, 2021.</i></p> <p>While the Commission did not agree with all of SBUA's recommendations (e.g.,</p>	<p>"The parties [including SBUA] filed opening briefs on May 20, 2021 and reply briefs on June 10, 2021." D.21-11-016, p. 5.</p> <p>"One of the primary debates in this proceeding concerns the method for calculating MCEC." D. 21-11-016, p. 7</p> <p>"...SBUA also supported using the NCO method as opposed to the RECC method." D. 21-11-016, p. 10.</p> <p>"The Commission does not agree that MCEC calculations should be replaced with an embedded cost analysis. First, this decision disagrees with DACC and SBUA and finds that a marginal access price signal is capable of being sent to a potential utility customer." D.21-11-016, pp. 14-15.</p> <p>"...SBUA...argued that there is a need for new generation capacity. They reasoned that the definition of marginal cost does not depend on where the need comes from, and conclude that, therefore, the MGCC should be calculated based on the cost of building new resources." D. 21-11-016, p. 48.</p> <p>"There is no dispute that PG&E will procure additional generation capacity between now and 2026. Cal Advocates' argument that this procurement should not contribute to MGCC is unpersuasive as it amounts to hair-splitting." D.21-11-016, p. 48.</p> <p>"While this decision holds that a six-year average of energy storage costs should be used in generating PG&E's MGCC, the parties disputed exactly how to calculate the 2021 price for energy storage to be used in the six-year average. ... Several parties including</p>	<p>Verified as to MCEC. The discussion in the decision indicates that SBUA's participation influenced the resolution of the proceeding with respect to this issue and constitutes a substantial contribution to the decision.</p> <p>With respect to MGCC, SBUA filed limited testimony and briefing and the Decision states only that SBUA agreed with several other parties on specific issues. SBUA has not pointed to any language in the decision indicating that its participation on those issues constitutes a substantial contribution to the decision.</p> <p>The decision also addresses Cal Advocates' proposal to use an O&M adder for RCS costs (a component of MCAC) but does not mention SBUA in the discussion at all. SBUA has not pointed to any language in the decision indicating</p>
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<p>recommendations on embedded costs), SBUA's advocacy contributed to a full discussion and analysis of the marginal cost issues, and the Commission deliberated on and addressed SBUA's concerns. Further, the standard for an award of intervenor compensation is whether SBUA made a substantial contribution to the Commission's decision, not whether SBUA prevailed on any particular issue or recommendation. <i>See D.08-04-004</i>, pp. 5-6.</p>	<p>SBUA, ...supported PG&E's position." D. 21-11-016, p. 50.</p> <p>"This decision previously found that it is undisputed that PG&E will be required to procure additional generation capacity between now and 2026. This decision therefore concurs with PG&E's reasoning that the long-term costs that are incurred in 2021 should be used to generate the 2021 cost figures used in the six-year average MGCC calculation." D. 21-11-016, p. 51.</p>	<p>that its participation on those issues constitutes a substantial contribution to the decision.</p> <p>In sum, SBUA's contribution on Marginal Cost of Service is partially compensable – see discussion in Part III.D below on adjustments.</p>
<p>4. <u>Transmission Rate Study</u></p> <p>SBUA filed a Reply Brief on June 10, 2021 addressing the marginal transmission capacity costs raised by both SBUA and SEIA. <i>See, Reply Brief of Small Business Utility Advocates, dated June 10, 2021.</i></p>	<p>"In light of the substantial portion of PG&E's marginal transmission costs that may be affected by changes in peak demand, SEIA and SBUA recommended that the Commission advise PG&E to propose a rate design proposal at the Federal Energy Regulatory Commission (FERC) to time-differentiate its transmission rates." D.21-11-016, pp. 66.</p> <p>"As noted previously, this decision finds that a substantial proportion of PG&E's marginal transmission costs are related to peak demand.... Thus, PG&E's retail customers are not receiving the appropriate time-differentiated price signals for the electric transmission services they receive.</p> <p>The Commission has long expressed a preference for marginal cost-based rate design and time-differentiated rates. It is time for a study of the potential impacts of prudent illustrative potential time-differentiated transmission rates on retail customers. The Commission therefore orders PG&E to submit a</p>	<p>Noted. However, the citation should be to p. 68 and pp. 69-70 of D.21-11-016.</p> <p>Although the Decision does not adopt the recommendations of SEIA that SBUA supported in its Reply Brief, the language in the decision indicates that SBUA's participation on the marginal transmission costs issue influenced the resolution of the decision and constitutes a substantial contribution to the decision.</p>

	<p>study analyzing the potential customer impacts of illustrative time-differentiated transmission rates to be used by the Commission’s Energy Division and parties to this proceeding for the purpose of allowing the Energy Division and other parties to examine whether time-differentiated transmission rates should be proposed in a FERC rate proceeding. The Commission’s Energy Division may choose to host workshops to further examine this issue in response to PG&E’s illustrative study. There is no questioning FERC’s exclusive jurisdiction over setting transmission rates. PG&E is ordered to submit its illustrative study to the Commission’s Energy Division and serve a copy on parties to this proceeding within one year of the issue date of this decision.” D.21-11-016, pp. 66-67.</p>	
<p>5. <u>D.21-11-016 Settlements</u></p> <p>As discussed above, SBUA actively participated in the lengthy and overall effective settlement discussions and subsequent Settlement Agreements. SBUA agreed to and signed three Settlement Agreements, which were filed on April 8 & April 13, 2021.</p> <p>Pursuant to the Rule 12 confidentiality requirements regarding Settlement, SBUA will only focus on our position in Testimony with respect to the issues that were settled. SBUA filed testimony addressing time-of-use (TOU) differentials, real-time pricing, marginal cost of service, revenue allocation, rate design and demand charges –</p>	<p>“On April 8, 2021, PG&E served and filed a motion seeking adoption of an Economic Development Rate Supplemental Settlement Agreement (EDR settlement). The motion claimed to resolve all EDR issues in the current proceeding. The motion stated that the parties to the EDR settlement are EUF, Joint CCAs, PG&E, Cal Advocates, and SBUA. Because the parties serving testimony on EDR issues signed the EDR settlement, the EDR settlement is uncontested.” D.21-11-016, p. 125.</p> <p>“Because the EDR settlement complies with the requirements of Rule 12.1 as described above, this decision holds that it is reasonable to adopt the EDR settlement in its entirety. PG&E shall implement the terms of the EDR settlement as soon as practicable.” D.21-11-016, p. 131.</p>	<p>Verified. The decision adopts all 3 settlement agreements to which SBUA was a signatory, addressing revenue allocation, EDR, and C&I rate design.</p> <p>However, at least half of SBUA’s testimony on non-RTP issues is focused on cost-of-service issues, not the three issues that are the subject of the settlements. Moreover, the decision contains no discussion about SBUA’s role in the EDR and RA settlements. The</p>

<p>specifically focused on small business customers. <i>See, Direct Testimony of SBUA, dated November 20, 2020.</i></p>	<p>“Testimony responding to PG&E’s proposals on C&I rate design issues was served on October 23, 2020, by Cal Advocates, and on November 20, 2020 by SBUA.... These parties agreed with PG&E’s proposals in many respects, but they also sought some changes. These positions contrary to PG&E’s proposals included:</p> <ul style="list-style-type: none"> • SBUA wished to see changes to the SOP period at the earliest opportunity, consistent with adequate outreach. • SBUA recommended that Schedule B-6 have its TOU differentials increased to full cost... • SBUA proposed replacing non-coincident demand charges with flat per kWh rates, and replacing time-varying demand charges with volumetric TOU rates.” <p>“PG&E served a motion for Adoption of Commercial and Industrial Rate Design Supplemental Agreement (C&I rate design settlement) on April 13, 2021.” D. 21-11-016, p. 144.</p> <p>“The C&I rate design settlement proposed the following changes to the rate design of Schedule B-6: 1) Summer Peak to Off Peak maximum differential of \$0.25763, 2) Winter Peak to Off Peak maximum differential of \$0.04360, and 3) Winter Peak to Super Off Peak maximum differential of \$0.07968. For Schedules B-19, B-19V, and B-20 the settlement determined that the peak generation demand charge should be adjusted in line with the generation marginal costs adopted by this decision.” D. 21-11-016, pp. 144-145.</p>	<p>Commission finds that the C&I settlement was positively influenced by SBUA’s participation, rendering the contribution compensable. See discussion in Part III.D below on adjustments for the contributions relating to the D.21-11-016 settlements.</p>
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	<p>“The C&I rate design settlement also requires PG&E to provide illustrative rates in its next GRC Phase 2 proceeding. First, PG&E will provide illustrative rates that convert TOU demand charges to TOU energy rates and non-coincident demand charges to flat energy rates for Schedules B-10, B-19, B-19V, and B-20 in its next GRC Phase 2 proceeding.” D. 21-11-016, pp. 145-146.</p> <p>“This decision agrees that the C&I rate design settlement adopts compromise positions between the litigated positions of the parties, as evidenced by Appendix 3 to the settlement itself, and therefore represents a reasonable compromise that avoids further litigation on the issues and provides certainty to commercial and industrial customers regarding their future rate designs. For these reasons this decision finds that the C&I rate design settlement is in the public interest.” D.21-11-016, p. 147.</p> <p>“On April 8, 2021, PG&E served and filed a motion seeking adoption of a Revenue Allocation Supplemental Settlement Agreement (RA settlement) [of which SBUA was a signatory]. The motion claimed that the RA settlement resolved all contested and uncontested revenue allocation issues in the proceeding and that it was uncontested.” D.21-11-016, p. 82.</p> <p>“Given that the approved marginal costs and the RA settlement together lead to average rate impacts of less than one and a half percent in either a positive or negative direction for any given class [including small commercial customers], the rate impacts of the RA settlement are reasonable. This decision also finds that because all of PG&E’s</p>	
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	customers benefit from PG&E's efforts to mitigate the wildfire risk posed by its distribution network, and given that wildfire mitigation work is normatively distinct from PG&E's ordinary distribution investments, it is desirable to reallocate PG&E's wildfire mitigation costs away from a strict distribution cost allocation and to more fairly distribute those costs to all of PG&E's customers, as proposed by the RA settlement. For all of these reasons, this decision finds that the RA settlement is in the public interest." D.21-11-016, p. 90-91.	
<p><u>6. D.22-08-002 MGCC Study and RTP Settlement</u></p> <p>As discussed above, SBUA joined the Joint Motion to Bifurcate the Real Time Pricing issues in the proceeding. Pursuant to the Amended Scoping Memorandum, SBUA filed Real Time Pricing Testimony on May 28, 2021. <i>See, RTP TESTIMONY OF PAUL L. CHERNICK AND JOHN D. WILSON ON BEHALF OF SMALL BUSINESS UTILITY ADVOCATES, dated May 28, 2021.</i></p> <p>Pursuant to bifurcation of the proceeding, as discussed in 1. SBUA engaged with a subset of parties to discuss and develop a MGCC study to be used in the proceeding.</p> <p>SBUA experts John D. Wilson and Paul L. Chernick served as MGCC Study Participants, <i>See</i></p>	<p>"Decision (D.) 21-11-016 in Application (A.) 19-11-019 disposed of most substantive issues in the General Rate Case Phase 2 application of Pacific Gas and Electric Company (PG&E). Two other decisions, D.20-09-021 and D.22-03-012, addressed some of the remaining issues in the proceeding. However, real-time rate design is an issue that remains outstanding in A.19-11-019, and this issue requires resolution before the proceeding can be closed. PG&E and several other parties to A.19-11-019 [including SBUA] filed a motion to adopt a joint settlement on outstanding real-time pricing issues (RTP settlement) on January 14, 2022. On March 15, 2022, PG&E served a study (herein after Marginal Generation Capacity Cost MGCC study) by several parties to A.19-11-019 [including SBUA] outlining a proposed methodology to be used to generate an hourly marginal generation capacity cost price signal for the rate designs set out in the RTP settlement. A corrected version of the MGCC study was served on March 17, 2022 in A.19-11-019." D.22-08-002, p. 3.</p>	<p>Verified. The decision supports SBUA's claim that it made a substantial contribution to the decision through its participation in the MGCC study and its role in the development of the RTP settlement.</p>

<p><i>March 15, 2022 Report, Attachment A to D.22-08-002.</i></p> <p>The MGCC Study relied upon data compiled by SBUA and Cal Advocates in their respective testimonies, as noted in the March 15, 2022 MGCC RTP Study on p. 7. <i>See, Attachment A to D.22-08-002.</i></p> <p>As with other issues in the proceeding, SBUA engaged in numerous and fruitful settlement discussions with PG&E and the parties. With respect to the RTP issues, SBUA and parties engaged in settlement discussions for over one-year and worked tirelessly on the MGCC Study which was a crux for the eventual settlement of issues involved. SBUA joined the RTP settlement filed on January 14, 2022.</p>	<p>“Parties to A.19-11-019 [including SBUA] filed voluminous testimony on RTP issues, and on January 14, 2022 a motion to adopt the RTP settlement was filed and served in A.19-11-019. Evidentiary hearing was held on January 26, 2022 in order to gather more information from the settling parties on the detail of the RTP settlement.</p> <p>The RTP settlement is uncontested, and is signed by the Agricultural Energy Consumers Association (AECA), the California Large Energy Consumers Association (CLECA), the California Solar and Storage Association (CALSSA), Enel X North America, Inc. (Enel X), the Energy Producers and Users Coalition (EPUC), the Federal Executive Agencies (FEA), the Public Advocates Office at the California Public Utilities Commission (Cal Advocates), the Small Business Utility Advocates (SBUA), and PG&E.” D. 22-08-002, p. 4.</p> <p>“As a result of a stipulation adopted in D.21-11-017, and consistent with related rulings, a subset of parties to A.19-11-019 gathered together and studied PG&E’s marginal generation capacity costs to develop a methodology for calculating a marginal generation capacity cost price signal. These parties – consisting of PG&E, SBUA, ...– produced the MGCC study that was served in both A.19-11-019 and A.20-10-011 in March 2022. The scope of the MGCC study was to “analyze the relationship of the following variables to the condition of the [California Independent System Operator (CAISO)] grid: 1) hydro year conditions, 2) the definition and weighting of the hydro variable in the calculation of Adjusted Net Load (ANL), 3) CAISO restricted</p>	
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	<p>maintenance operations (RMO), 4) day-ahead CAISO Flex Alerts and CAISO Flex Alert Events, and 5) other CAISO warning and emergency events, 6) the Peak Capacity Allocation Factor (PCAF) threshold, and 7) the functional form of PCAF weighting above the PCAF threshold, using [Strategic Energy Risk Valuation Model (SERVM)] data that Energy Division would provide.” D. 22-08-002, p. 15. [Note, the D.21-11-017 was issued in A. 20-10-011].</p> <p>“The real-time generation component to be used in the Stage 1 pilots would include: 1) a Marginal Energy Cost (MEC) price signal, 2) a Marginal Generation Capacity Cost (MGCC) price signal, and 3) a Revenue Neutral Adder (RNA). With respect to the MGCC element, the RTP settlement wishes it to be based on the MGCC study and that it be identical to the MGCC element to be used for the electric vehicle charging real-time rate at issue in A.20-10-011.” D.22-08-002, p. 7.</p> <p>“The RTP settlement motion claimed that the RTP settlement was reasonable in light of the whole record as it represented a give-and-take among the parties after careful review of their respective positions on RTP issues. The Comparison Exhibit attached to the motion also reveals that the terms of the RTP settlement are compromise positions between the various positions taken by the parties in their testimony. The RTP settlement stated that the parties engaged in settlement negotiations for over one year, and that the settlement is a product of those efforts. While many issues were, in fact, uncontested, some contested issues</p>	
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	<p>included: 1) the number of rate schedules that should be included in the Stage 1 pilots and 2) which rates those should be. The selection of three rate schedules for inclusion – two commercial and one residential – reflects a compromise of litigated positions.” D.22-08-002, pp. 11-12.</p> <p>“Given the nature of the proposed marginal generational capacity cost pricing methodology, and the purported advantages of the approach, the Stipulating Parties recommended that the Commission adopt the proposed methodology as described in the MGCC study. No party to either A.19-11-019 or A.20-10-011 objected to the marginal generation capacity cost pricing methodology and proposal as described in the MGCC study.” D.22-08-002, p. 18.</p> <p>“Subsequent to the service of the MGCC study, the Stipulating Parties filed a motion in A.20-10-011 on April 13, 2022 to accept a joint stipulation on marginal generation capacity costs (April 13 joint stipulation) in lieu of testimony on the issue. The April 13 joint stipulation is identified as Exhibit PG&E-25 in A.20-10-011 and Exhibit PG&E-RTP-8 in A.19-11-019. The April 13 joint stipulation recommended that the Commission adopt the MGCC study’s methodology for calculating an hourly marginal generation capacity cost signal. It asserted that the MGCC study was a result of “a collaborative, [consensus-based] research effort spanning five months after initial data collection, with 21 meetings held between October 18, 2021 and March 10, 2022. MGCC Study Participants devoted considerable</p>	
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	<p>resources to addressing the following issues:</p> <ul style="list-style-type: none"> • Finding and vetting historical load and generation data • Vetting AWE data from the [CAISO] • Finding and vetting forecast data concerning load, generation and various measures of grid stress in outputs from the Energy Division's [SERVM data] • Finding the historical measures of net load that best correlate with AWE data" D.22-08-002, pp. 18-19. <p>"Given the consensus-derived results provided by various intervenors and PG&E, that are uncontested, it is apparent that the MGCC study reflects a cross-party consensus for calculating a marginal generation capacity cost price signal for PG&E's approved real-time pricing rates, and that it is the result of months of diligent work by the Stipulating Parties. As recited above, there is ample record in both the MGCC study and the April 13 joint stipulation to support the conclusion that it is reasonable to adopt the MGCC study's methodology. In particular, the fact that the MGCC study's methodology: 1) would result in a marginal generation capacity cost signal that leads to non-zero prices at lower adjusted net loads, 2) places a cap on the hourly price component (rather than increasing indefinitely at higher and higher net loads), 3) leads to lower year-to-year revenue variability, which should lower the likely magnitude of revenue over- and under-collections, 4) is not expected to have a significantly adverse bill impact on participating customers, and 5) is uncontested among</p>	
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	the parties to A.19-11-019 and A.20-10-011, leads the Commission to conclude that the MGCC study's methodology is reasonable and should be adopted." D.22-08-002, p. 20.	
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B. Duplication of Effort (§ 1801.3(f) and § 1802.5):

	Intervenor's Assertion	CPUC Discussion
a. Was the Public Advocate's Office of the Public Utilities Commission (Cal Advocates) a party to the proceeding?	Yes	Yes
b. Were there other parties to the proceeding with positions similar to yours?	Yes	Yes
c. If so, provide name of other parties: With respect to the proceeding, many parties filed testimony and signed the various settlement agreements, including CalPA, TURN, EPUC, CLECA, Joint Community Choice Aggregators, and Joint Storage Parties.		Noted
<p>d. Intervenor's claim of non-duplication: SBUA's main objective for the proceeding was to add the voice and interests of small business ratepayers that in the past have been underrepresented in utility rate proceedings. SBUA sought to reduce overlap by participating exclusively on behalf of small businesses. With regard to the revenue allocation, commercial and industrial rate design, and economic development rate settlements (D.21-11-016) as well as the real-time pricing settlement and the MGCC Study (D.22-08-002), SBUA worked closely with the Company and listed parties to minimize duplication and collaborate on matters of common concern.</p> <p>With many advocates participating in the proceeding, other parties may have had positions that were similar to SBUA in some instances, but no party maintained stronger positions on a consistent basis throughout the negotiations in favor of small commercial customers than SBUA. Because of SBUA's unique core mission, we were able to sustain conflict-free and untethered advocacy in favor of small businesses throughout the proceeding. The interests of residential and other customer classes, by necessity, can conflict with the interests of small commercial customers. For example, lowering revenue allocation for one customer class, such as small commercial customers (which SBUA advocated for), necessarily requires redistributing the revenue requirements to other classes, including residential customers (a proposition that other groups often oppose). Therefore, any duplication that may have occurred here was incidental,</p>		Noted

and SBUA's participation in that regard was in addition to but not duplicative of the arguments and evidence presented by other parties.	
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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: SBUA actively participated in all aspects of the proceeding, during both the primary phase and the RTP track. SBUA researched and drafted expert testimony, engaged in discovery, attended extensive settlement conferences, negotiated and executed four settlement agreements, attended the evidentiary hearings, took one of the lead positions with our experts researching, analyzing, and developing the Marginal Generation Capacity Cost (MGCC) study, drafted and developed arguments in legal briefs, and filed comments on proposed decisions.</p> <p>D.21-11-016 approved numerous settlements that have both quantitative and qualitative benefits for small businesses. As a result of SBUA's work, for example, small commercial customers of bundled electricity will not incur large rate increases. Overall, the adoption of the SBUA-executed settlement agreements in D.21-11-016 will help protect an important customer class and is in the public interest. Similarly, the RTP Decision explicitly recognizes SBUA's substantial contributions, as detailed above, and these results merit the cost of SBUA's participation. SBUA's advocacy on the MGCC Study benefitted both the present proceeding and A.20-10-011. Accordingly, the Commission should find that SBUA's efforts have been valuable and its request for compensation reasonable in comparison to the benefits, financial and otherwise, secured for small business and other ratepayers.</p>	Noted
<p>b. Reasonableness of hours claimed: Given the complexity of the issues presented in Phase 2 of a General Rate Case, given SBUA's extensive involvement in four settlements as well as on contested issues, and given a case duration extending over three years, SBUA's hours, including for several attorneys and several experts, are reasonable to address key issues of importance to small businesses in this proceeding.</p> <p>SBUA assembled a team of professionals, highly experienced in details of regulatory and utility proceedings, which included two senior attorneys and two experts, to participate in the complexities of this multi-tracked, Phase II General Rate Case. SBUA seeks recovery for approximately 804.15</p>	Noted. See discussion in Part III.D. below regarding deductions for lack of specificity in the experts' time sheet records and unnecessary duplication of effort.

	CPUC Discussion
<p>hours of attorney and expert time, as detailed in the attached time sheets, excluding hours associated with the compensation billing, and submits this is a reasonable amount of time to address key issues of importance to small businesses in of this proceeding.</p> <p>SBUA Litigation Supervisor, Jennifer Weberski, coordinated SBUA's engagement during the proceeding. Ms. Weberski has over 24 years of utility regulatory experience. Based on SBUA's participation in related rate proceedings and decades of pertinent legal experience, Ms. Weberski efficiently participated in this docket and spent a reasonable amount of time on the proceeding.</p> <p>SBUA's expert John Wilson served as SBUA's lead consultant and utility expert for RTP. Mr. Wilson has over 28 years of experience with regard to utility regulation. Mr. Wilson focused his efforts on providing robust testimony identifying issues in PGE's Application and testimony and recommending the Commission bifurcate the proceeding. As President of Resource Insight, Inc. with 40 years of experience, SBUA expert Paul Chernick provided oversight and input into the testimony submitted. In addition, to Mr. Wilson and Mr. Chernick, James Harvey assisted with research related to the MGCC Study and RTP settlement.</p> <p>In addition, SBUA's President and General Counsel, James Birkelund, participated in this proceeding analyzing the application and parties' testimony, developing litigation positions, providing strategic direction, managing work efforts, and overseeing and coordinating the legal team.</p> <p>SBUA took care to coordinate its efforts between professionals and given magnitude and importance of the Application as a whole, SBUA's hours represent an appropriate level of engagement and effort to participate in the proceeding, a series of settlements, and other activities leading up to the two Decisions. (SBUA is separately filing for intervenor compensation in A.20-10-011.)² Therefore, SBUA seeks compensation for all of the hours recorded by our attorneys and experts in A.19-11-019 included in this request.</p>	
<p>c. Allocation of hours by issue: Each issue was approached from the perspective and advocacy for small business customers.</p> <p><u>Issue 1 –Marginal Cost & Cost of Service</u> = 60.9 hours or 7.6%</p> <p><u>Issue 2 – Revenue Allocation</u> = 132.1 hours or 16.4%</p>	<p>See discussion in Part II.D. below regarding allocation of hours to procedural issues.</p>

² SBUA has reviewed timesheets for attorneys and experts to ensure no hours being submitted on A.20-10-011 are submitted in this current request and vice versa.

	CPUC Discussion
<u>Issue 3 – Small Bus. Rate Design (including EDR) = 109.85 hours or 13.7%</u> <u>Issue 4 – Real-Time Pricing = 315.55 hours or 39.2%</u> <u>Issue 5 – Discovery/Workshops/Hearings = 160.5 hours or 20%</u> <u>Issue 6 – Procedural Participation = 25.25 hours or 3.1%</u>	

B. Specific Claim:*

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
Jennifer Weberski	2019	19.45	\$460	D.22-01-012	\$8,947	18.25 [3]	\$460.00	\$8,395.00
Jennifer Weberski	2020	81.1	\$470	D.22-01-012	\$38,117	74.06 [3]	\$470.00	\$34,808.20
Jennifer Weberski	2021	137.75	\$625	D.22-01-012	\$86,093.75	135.55 [3]	\$625.00	\$84,718.75
Jennifer Weberski	2022	13	\$655	D.22-01-012, plus a 5% step increase per Res. ALJ-393; <i>see</i> Comment 1	\$8,515	13	\$675.00 [5]	\$8,775.00
Paul Chernick	2019	3	\$400	D.22-01-012	\$1,200	2.52 [2], [3]	\$400.00	\$1,008.00
Paul Chernick	2020	63.75	\$430	D.22-01-012	\$27,412.50	54.59 [2], [3]	\$430.00	\$23,473.70
Paul Chernick	2021	181.6	\$465	D.22-09-024	\$84,444	159.48 [2], [3]	\$465.00	\$74,158.20
Paul Chernick	2022	12	\$520	D.22-09-024, plus a 5% step increase per Res. ALJ-393; <i>see</i> Comment 2	\$6,240	10.8 [2]	\$505.00 [6]	\$5,454.00

John Wilson	2020	69.5	\$360	D.22-01-012	\$25,020	58.77 [2], [3]	\$360.00	\$21,157.20
John Wilson	2021	172	\$380	D.22-08-046	\$65,360	153.63 [2], [3]	\$380.00	\$58,379.40
John Wilson	2022	15.5	\$400	D.22-08-046, plus a 5% step increase per Res. ALJ-393; <i>see</i> Comment 3	\$6,200	13.95 [2]	\$415.00 [7]	\$5,789.25
James Harvey	2021	13.5	\$210	D.22-09-024	\$2,835	13.5	\$210.00	\$2,835.00
James Birkelund	2019	5.8	\$495	D.20-02-061	\$2,871	5.68 [3]	\$495.00	\$2,811.60
James Birkelund	2020	6.05	\$510	D.21-06-011	\$3,085.50	5.61 [3]	\$510.00	\$2,861.10
James Birkelund	2021	5.9	\$650	D.22-08-046	\$3,835	5.74 [3]	\$650.00	\$3,731.00
James Birkelund	2022	4.25	\$680	D.22-08-046, plus a 5% step increase per Res. ALJ-393; <i>see</i> Comment 4.	\$2,890	4.25	\$705.00 [8]	\$2,996.25
Subtotal: \$373,065.75						Subtotal: \$341,351.65		
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
Jennifer Weberski	2019	3	\$215	50% of 2019 Rate	\$645	3	\$230.00 [9]	\$690.00
Jennifer Weberski	2022	25	\$327.5	50% of 2022 Rate	\$8,187.50	15 [4]	\$337.50 [9]	\$5,062.50
James Birkelund	2020	0.8	\$205	50% of 2020 Rate	\$164	0.8	\$255.00	\$204.00
Subtotal: \$8,996.50						Subtotal: \$5,956.50		
TOTAL REQUEST: \$382,062.25						SUBTOTAL AWARD: \$347,308.15 -5% general reduction [1]: 17,365.41 TOTAL AWARD = \$329,942.74		
*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.

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

ATTORNEY INFORMATION

Attorney	Date Admitted to CA BAR ³	Member Number	Actions Affecting Eligibility (Yes/No?) If "Yes", attach explanation
James M. Birkelund	March 2000	206328	No
Jennifer L. Weberski	Admitted (Connecticut, 1997; Washington D.C., 2003)	Conn. Bar No. 414546; D.C. Bar No. 481853. Res. ALJ-393, p. 6 (attorneys eligible for compensation can be licensed in any jurisdiction within the United States).	No

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

(attachments not attached to final Decision)

Attachment or Comment #	Description/Comment
Attachment 1	Certificate of Service
Attachment 2	Timesheets of SBUA Attorneys and Resource Insight, Inc. Experts
Comment 1	<p><u>2022 Hourly Rate for Attorney Jennifer L. Weberski</u></p> <p>The Commission set Ms. Weberski's 2021 rate at \$625 in D.22-01-012. For 2022, SBUA requests a step increase with the resultant rate for Ms. Weberski of \$655 per hour (625*1.05, rounded to the nearest five, per D.13-05-009). Resolution ALJ-393 (p. 5) states that "intervenor representatives remain eligible to claim up to two five percent annual 'step increases' within each labor role experience level, so long as their final requested rate does not exceed the maximum approved rate for that experience level." Ms. Weberski has not received a step increase for her experience level.</p>
Comment 2	<p><u>2022 Hourly Rate for Paul Chernick</u></p> <p>The Commission set Mr. Chernick's 2021 rate at \$465 in D.22-09-024 for the labor role of Level V Public Policy Analyst. For 2022, SBUA requests a</p>

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

Attachment or Comment #	Description/Comment
	<p>step increase with the resultant rate for Mr. Chernick of \$520 per hour (495*1.05, rounded to the nearest five, per D.13-05-009). Resolution ALJ-393 (p. 5) states that “intervenor representatives remain eligible to claim up to two five percent annual ‘step increases’ within each labor role experience level, so long as their final requested rate does not exceed the maximum approved rate for that experience level.” Mr. Chernick has not received a step increase for his experience level.</p>
Comment 3	<p><u>2022 Hourly Rate for John Wilson</u></p> <p>The Commission set Mr. Wilson’s 2021 rate at \$380 in D.22-09-024 for the labor role of Level IV Public Policy Analyst. For 2022, SBUA requests a step increase with the resultant rate for Mr. Wilson of \$400 per hour (380*1.05, rounded to the nearest five, per D.13-05-009). Resolution ALJ-393 (p. 5) states that “intervenor representatives remain eligible to claim up to two five percent annual ‘step increases’ within each labor role experience level, so long as their final requested rate does not exceed the maximum approved rate for that experience level.” Mr. Wilson has not received a step increase for his experience level.</p>
Comment 4	<p><u>2022 Hourly Rate for General Counsel James M. Birkelund</u></p> <p>The Commission set Mr. Birkelund’s 2021 rate at \$650 in D.22-08-047⁴ for the labor role of Legal Director III. For 2022, SBUA requests a step increase with the resultant rate for Mr. Birkelund of \$680 per hour (650*1.05, rounded to the nearest five, per D.13-05-009). Resolution ALJ-393 (p. 5) states that “intervenor representatives remain eligible to claim up to two five percent annual ‘step increases’ within each labor role experience level, so long as their final requested rate does not exceed the maximum approved rate for that experience level.” Mr. Birkelund has not received a step increase for his experience level.</p>
Comment 3	<p>For 2022 hourly rates, SBUA requests that the Commission apply any approved annual escalation in rates to SBUA’s attorneys and experts. Resolution ALJ-393 provides for an annual rate escalator that is automatically applicable (<i>see</i> p. 4); however, at the time of this filing, the Commission had not yet calculated the escalator for 2022.</p>

⁴ Correct decision number is D.22-08-047

D. CPUC Comments, Disallowances, and Adjustments

Item	Reason
[1] General Disallowance for Vague Allocation of Time By Issue	<p>SBUA's list of substantial contributions in Part II.A. was at times duplicative and not labeled in a manner consistent with the issues by which hours were allocated in Part III.A.c.</p> <p>For example, in Part. II.A., SBUA identifies 4 settlements as a substantial contribution under "overall" and then lists them again under "D.21-11-016 settlements" and "D.22-08-002 MGCC Study and RTP settlement." In Part II.A., SBUA separately identifies "marginal cost of service" and "transmission rate study" as substantial contributions, but apparently includes transmission rate study hours in marginal cost and cost of service hours in Part III.A.c. Conversely, the allocation of hours identifies both "revenue allocation" and small business rate design," whereas the contribution claims in Part II.A refer only to D.21-11-016 settlements.</p> <p>In addition, SBUA identifies contributions/activities that are procedural in nature and not tied to specific issues addressed in the decision. For example, SBUA claims a substantial contribution for "overall" and "initial application participation and evidentiary hearings" and subsequently allocates hours to "procedural participation and "discovery/workshops/hearings" equaling almost 25% of the total hours claimed. In both Parts II.A. and III.A.c., procedural activities should be allocated to specific issues addressed in the decision. To address the high percentage of non-substantive hours, we reduce the total award, after the adjustments described below, by 5%. We remind SBUA, per the Intervenor Compensation Program Guide at Part III.B.(5).(d) on p.25, submitted time records must provide separately recorded specific tasks and the corresponding issue in the proceeding the specific tasks addressed.</p>
[2] Chernick and Wilson - General Disallowance for Vagueness of Time Entries	<p>The description of hours for experts Chernick and Wilson periodically lacks a verb, leaving us in the dark as to what they were doing. For example, on 10/12, 12/13, and 10/14 in 2020, Mr. Chernick identifies 5.5 hours for "demand charges," but does not explain what task he was performing. Other examples include "BIP issues for settlement" on 10/20/21, and "data for RTP analysis" on 10/11/21. There are similar ambiguities with Mr. Wilson's time sheet record on 10/12 -10/14/21 as well as on other dates. Without knowing what activity was being performed, we cannot determine whether those hours are reasonable. Moreover, Mr. Chernick's hours include numerous references to "settlement" or "settlement call," without specifying which settlement he is referring to.</p> <p>In addition, there are various instances in which SBUA claims hours for both experts to attend the same event or perform similar activities. SBUA does not explain why two experts are necessary, whether their qualifications differ, or</p>

Item	Reason
	<p>whether they were addressing different issues. Both participated on the same issues in approximately the same percentages of total time.</p> <p>We remind SBUA, per the Intervenor Compensation Program Guide at Part III.B.(5).(d) on p.25, submitted time records must provide separately recorded specific tasks and the corresponding issue in the proceeding the specific tasks addressed. Due to the failure to provide the necessary detail about tasks associated with the hours claimed and to justify the use of two experts, Mr. Chernick's and Mr. Wilson's total hours are decreased by 10%.</p>
[3] Partial Compensation for Marginal Cost of Service Work	<p>Marginal Cost of Service: As noted previously in this decision, SBUA's claims for Marginal Cost & Cost of Service are only partially compensable. The Commission finds that after the adjustments identified in Comment [2] above, only 60% of the hours attributed to marginal cost of service are compensable.</p>
[4] Weberski Claim Preparation	<p>Weberski claimed 25 hours of intervenor compensation preparation time in 2022. Given that Weberski is an experienced lawyer and practitioner before the Commission, this is an unreasonable number of hours to claim for intervenor compensation claim preparation. Weberski's 2021 hours for claim preparation are reduced to 15.</p>
[5] Jennifer Weberski 2022 Rate	<p>SBUA requested a 2022 rate of \$655.00 for Jennifer Weberski. This includes the first 5% step increase. Using our calculation methodology, the 5% step increase, 3.31% 2022 escalation and rounding to the nearest \$5 increment:</p> <p>2022: $\\$625 \times 5\% = \\$31.25 + \\$625 = \\$655.00 \times 3.31\% = \\675.00</p> <p>We note the 2022 rate of \$655.00 previously adopted in D.23-09-019 did not include the 2022 3.31% escalation, which we apply here. We find the 2022 rate of \$675.00 reasonable and adopt it here.</p>
[6] Paul Chernick 2022 Rate	<p>SBUA requested a 2022 rate of \$520.00 for Paul Chernick. This includes the first 5% step increase. Using our calculation methodology, the 5% step increase, 3.31% 2022 escalation and rounding to the nearest \$5 increment:</p> <p>2022: $\\$465 \times 5\% = \\$23.25 + \\$465 = \\$490 \times 3.31\% = \\$505.00$</p> <p>We note the 2022 rate of \$490.00 previously adopted in D.23-10-016 did not include the 2022 3.31% escalation, which we apply here. We find the 2022 rate of \$505.00 reasonable and adopt it here. Additionally, we note the SBUA calculations in Part III.C.2 incorrectly uses \$495.00 as the 2021 base rate. D.22-09-024 verifies a 2021 rate of \$465.00 as reflected in our calculations.</p>
[7] John Wilson 2022 Rate	<p>SBUA requested a 2022 rate of \$400.00 for John Wilson. This includes the first 5% step increase. Using our calculation methodology, the 5% step increase, 3.31% 2022 escalation and rounding to the nearest \$5 increment:</p>

Item	Reason
	<p>2022: $\\$380 \times 5\% = \\$19 + \\$380 = \\$400 \times 3.31\% = \\$13.24 + \\$400 = \\$415.00$</p> <p>We find the 2022 rate of \$415.00 reasonable and adopt it here.</p>
[8] James Birkelund 2022 Rate	D.23-02-016 verified a rate of \$705.00 for James Birkelund. We apply the same rate here.
[9] Intervenor Compensation Claim Preparation Hours for Jennifer Weberski and James Birkelund	<p>SBUA's requested intervenor compensation claim preparation rates, which is awarded at $\frac{1}{2}$ preparer's normal rate, were incorrectly calculated for Jennifer Weberski's 2019 and 2022 rate, as well as James Birkelund's 2020 rate.</p> <p>The correct amounts are a 2019 rate of \$230.00 and 2022 rate of \$337.50 for Jennifer Weberski and a 2020 rate of \$255.00 for James Birkelund.</p> <p>We remind SBUA to verify calculations for requested awards as errors will provide incorrect totals and awards may erroneously appear as a reduction or increase as a result.</p>

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

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

FINDINGS OF FACT

1. Small Business Utility Advocates has made a substantial contribution to D.21-11-016 and D.22-08-002.
2. The requested hourly rates for Small Business Utility Advocates 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 are reasonable and commensurate with the work performed.
4. The total of reasonable compensation is \$329,942.74.

CONCLUSION OF LAW

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

ORDER

1. Small Business Utility Advocates is awarded \$329,942.74.
2. Within 30 days of the effective date of this decision, Pacific Gas and Electric Company shall pay Small Business Utility Advocates the total award. 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 December 24, 2022, the 75th day after the filing of Small Business Utility Advocates' request, and continuing until full payment is made.
3. The comment period for today's decision is waived.

This decision is effective today.

Dated November 30, 2023, at Sacramento, California.

ALICE REYNOLDS
President
GENEVIEVE SHIROMA
DARCIE L. HOUCK
JOHN REYNOLDS
KAREN DOUGLAS
Commissioners

APPENDIX**Compensation Decision Summary Information**

Compensation Decision:	D2311114	Modifies Decision?	No
Contribution Decision(s):	D2111016 and D2208002		
Proceeding(s):	A1911019		
Author:	ALJ Patrick Doherty		
Payer(s):	Pacific Gas and Electric Company		

Intervenor Information

Intervenor	Date Claim Filed	Amount Requested	Amount Awarded	Multiplier?	Reason Change/Disallowance
Small Business Utility Advocates	10/10/22	\$382,062.25	\$329,942.74	N/A	See Part III.D CPUC Comments, Disallowances and Adjustments

Hourly Fee Information

First Name	Last Name	Attorney, Expert, or Advocate	Hourly Fee Requested	Year Hourly Fee Requested	Hourly Fee Adopted
Jennifer	Weberski	Attorney	\$460	2019	\$460.00
Jennifer	Weberski	Attorney	\$470	2020	\$470.00
Jennifer	Weberski	Attorney	\$625	2021	\$625.00
Jennifer	Weberski	Attorney	\$655	2022	\$675.00
Paul	Chernick	Expert	\$465	2021	\$465.00
Paul	Chernick	Expert	\$520	2022	\$505.00
John	Wilson	Expert	\$380	2021	\$380.00
John	Wilson	Expert	\$400	2022	\$415.00
James	Harvey	Expert	\$210	2021	\$210.00
James	Birkelund	General Counsel	\$495	2019	\$495.00
James	Birkelund	General Counsel	\$510	2020	\$510.00
James	Birkelund	General Counsel	\$650	2021	\$640.00
James	Birkelund	General Counsel	\$680	2022	\$705.00

(END OF APPENDIX)