

Decision 23-11-117 November 30, 2023

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Update the
California Telephone Service (California
LifeLine) Program.

Rulemaking 20-02-008

**DECISION GRANTING COMPENSATION TO THE UTILITY REFORM NETWORK
FOR SUBSTANTIAL CONTRIBUTION TO DECISION (D). 22-05-014**

Intervenor: The Utility Reform Network (TURN)	For contribution to Decision (D.) 22-05-014
Claimed: \$22,743.75	Awarded: \$22,393.75
Assigned Commissioner: Genevieve Shiroma	Assigned ALJ: Stephanie Wang

PART I: PROCEDURAL ISSUES

A. Brief description of Decision:	In D. 22-05-014, the Commission adopted renewal process improvements and compliance with Assembly Bill 74.
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B. Intervenor must satisfy intervenor compensation requirements set forth in Pub. Util. Code §§ 1801-1812¹:

	Intervenor	CPUC Verification
Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):		
1. Date of Prehearing Conference:	March 10, 2020	Verified
2. Other specified date for NOI:	N/A	
3. Date NOI filed:	August 11, 2006 ²	Verified
4. Was the NOI timely filed?		Yes

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

² See comments in Part 1.C. (Additional Comments on Part 1) below.

	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.06-05-028	Verified
6. Date of ALJ ruling:	August 29, 2006 ³	Verified
7. Based on another CPUC determination (specify):	N/A	
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.04-04-003 A.05-02-027 R.19-01-011	No ⁴ Yes Yes
10. Date of ALJ ruling:	July 27, 2004 ⁵ November 4, 2005 July 26, 2019	No ⁴ Yes Yes
11. Based on another CPUC determination (specify):	N/A	
12. Has the Intervenor demonstrated significant financial hardship?		Yes
Timely request for compensation (§ 1804(c)):		
13. Identify Final Decision:	D.22-02-021	D. 22-05-014
14. Date of issuance of Final Order or Decision:	May 25, 2022	Verified
15. File date of compensation request:	July 22, 2022	Verified
16. Was the request for compensation timely?		Yes

C. Additional Comments on Part I:

#	Intervenor’s Comment(s)	CPUC Discussion
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³ See comments in Part 1.C. (Additional Comments on Part 1) below.

⁴ More than one year has expired between the date of July 27, 2004 when the ruling finding TURN eligible issued in R.04-04-003 and the commencement of R.06-05-028 (a predecessor to this Rulemaking). Therefore, the rebuttable presumption rule of §1804(b)(1) does not apply.

⁵ See comments in Part 1.C. (Additional Comments on Part 1) below.

#	Intervenor's Comment(s)	CPUC Discussion
B.3, B.6, B.10	TURN relies on its NOI from R.06-05-028, which was the Commission's early LifeLine proceeding before the current proceeding (R.20-02-008) and the prior LifeLine proceeding (R.11-03-013) since R.06-05-028, in subsequent orders instituting rulemakings, the Commission retained all intervenor compensation findings and filings. <i>See</i> , OIR (R.11-03-013) at p. 15; OIR (R.20-02-008) at p. 7. <i>See also</i> , e.g., Decisions 19-01-017 and 20-12-040 (R.11-03-013) (the Commission relied on TURN's NOI and showings from R.06-05-028).	Noted

PART II: SUBSTANTIAL CONTRIBUTION

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

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
<p>1. Background</p> <p>This proceeding is multifaceted and addresses multiple issues regarding the California LifeLine Program, including the modernization of the program's renewal processes. As of March 2020, the Commission suspended the renewal process as a consumer protection in response to the global COVID-19 pandemic. Therefore, for much of the time the Commission considered and adopted renewal process modifications, the renewal rules were suspended. As a result, some of the Commission's early modifications to the renewals process were implemented but their effectiveness has not been apparent while the renewal process was suspended. On July 1, 2022, the Commission reinstated the renewal process, and this process now includes those early modifications and the modification that are the subject of Decision 22-05-041.</p> <p>Here, in Decision 22-05-041, the Commission considered and adopted modifications to the California LifeLine renewal process that were the result of multiple sources. One source was</p>		Noted, D.22-05-014 is the correct decision number.

<p>the Renewals Working Group, which consisted of parties to this proceeding—including TURN—and was formed to propose modifications to the then-current renewals process. Another source was Assembly Bill 74 (2021, Gonzalez) (“AB 74”). For both of these sources, the Commission considered how it would incorporate either the suggestions from the Renewals Working Group or the AB 74 legislative directives to modernize the renewal process.</p>		
<p>2. AB 74 Compliance</p> <p>Joint Consumers advocated that the Commission need not take any additional measures to implement the legislative directives in Assembly Bill 74 (2021, Gonzalez) (codified in Pub. Util. Code sec. 878.6) because the Commission was already in full compliance with AB 74’s directives. The Commission adopted additional modifications based on the Staff Proposal but found that “the Staff Recommendations as modified by this decision comply with all of the requirements of AB 74 and Section 878.6.”</p>	<p>Joint Consumers Opening Comments on the Staff Proposal (Jan. 14, 2022) at pp. 2-4;</p> <p>Joint Consumers Reply Comments on the Staff Proposal (Jan. 28, 2022) at p. 1;</p> <p>D.22-05-041 at pp. 11-12, COL 4, OP 1.</p>	<p>Verified. D.22-05-014 agrees with the Joint Consumer’s position that we did not need to take any additional measures.</p>
<p>3. Renewal Rate Reporting</p> <p>TURN, as part of Joint Consumers, recommended that the Commission should adjust its reporting requirement of the California LifeLine renewal rate to differentiate between the subscriber renewal rate for subscribers who qualify for federal Lifeline from those subscribers who do not qualify for federal Lifeline. In response, “[t]he Commission concluded that this recommendation is reasonable and should be adopted.”</p> <p>Relatedly, Joint Consumers opposed NaLA’s arguments that Assembly Bill 74 (2021, Gonzalez) required California LifeLine subscriber renewal rates to be “on par” with federal Lifeline subscriber renewal rates and therefore the Commission should recalculate</p>	<p>Joint Consumers Opening Comments on the Staff Proposal (Jan. 14, 2022) at p. 4-6;</p> <p>D.22-05-041 at p. 11, COL 2.</p> <p>Joint Consumers Reply Comments on the Staff Proposal (Jan. 28, 2022) at p. 3 (discussing “on par” rates), pp. 3-5</p>	<p>Verified. D.22-05-014 agrees with the Joint Consumers Opening Comments on the Staff Proposal.</p>

the renewal rates. The Commission did not adopt NaLA's position.	(discussing recalculations); <i>See generally</i> , D.22-05-041.	
4. Personal Identifying Numbers (PINs) Joint Consumers opposed NaLA's interpretation that the Commission must eliminate the use of all Personal Identifying Numbers (PINs) in the subscriber renewal process by March 1, 2022. Instead, Joint Consumers clarified that Assembly Bill 74 (2021, Gonzalez) only required that the Commission eliminate the use of "Commission-issued" PINs, but that subscribers can continue to select their own PINs. The Commission generally agreed with Joint Consumers and did not adopt NaLA's interpretation.	Joint Consumers Reply Comments on the Staff Proposal (Jan. 28, 2022) at pp. 1-2; D.22-05-041 at pp. 11-12, FOF 1, COL 3, OP 1.	Verified. The Commission agrees with TURN's comments to not adopt NaLA's interpretation in D.22-05-014.
5. Renewal Working Group Proposals For background, TURN participated in a Renewals Working Group to make recommendations to modernize the renewals process. Some of the Renewals Working Group recommendations were adopted in Decision 21-09-023, while other recommendations required further consideration and were addressed in Decision 22-05-041. TURN, as part of Joint Consumers, supported the Commission's adoption of many of the additional Renewals Working Group recommendations. The Commission adopted the additional Renewal Working Group recommendations.	<i>See</i> , D.22-05-041 at pp. 2-3, fn. 2 (noting TURN's participation in the Renewals Working Group). Joint Consumers Opening Comments on the Staff Proposal (Jan. 14, 2022) at pp. 6-13; Joint Consumers Reply Comments on the Staff Proposal (Jan. 28, 2022) at pp. 5-7; D.22-05-014 at pp. 5-7, COL 1, OP 1.	Verified. D.22-05-014 verifies adopting recommendations from the Renewal Working Group.
6. Data Sharing Agreements Joint Consumers opposed Small LEC's proposal to delay the implementation of the California LifeLine data sharing agreements, and therefore delay the automatic renewals processes, until after the Commission held a	Joint Consumers Reply Comments on the Staff Proposal (Jan. 28, 2022) at pp. 6-8; D.22-05-014 at pp. 8-9.	Verified

workshop on the issue. The Commission agreed with Joint Consumers that a workshop was not needed to implement and the Commission “did not require the Commission’s staff to hold a workshop prior to implementation.”		
7. Black Out Dates TURN, with Joint Consumers, opposed NaLA’s position that the Commission must revise immediately the renewal “blackout dates.” Although, the Renewals Working Group had proposed a general revision to the renewal blackout dates, there was insufficient data to recommend specific revisions. Joint Consumers argued that the Commission need not address blackout dates at this time until after the Commission obtains more information. The Commission agreed with Joint Consumers and did not revise renewal blackout dates at this time.	Joint Consumers Reply Comments on the Staff Proposal (Jan. 28, 2022) at pp. 5-6; D.22-05-014 at pp. 7-8, COL 1, OP 1.	Verified
8. Future Workshop At the time the Commission sought to modernize the renewal process, the California LifeLine Program renewal rules were suspended in response to COVID-19. Joint Consumers encouraged the Commission to hold a workshop to discuss the effectiveness of the modernized renewal process after the renewal rules suspension is lifted and the rules go back into effect. The Commission agreed and stated its plans “to hold a workshop to discuss the renewal process after the renewals process suspension ends.”	Joint Consumers Opening Comments on the Staff Proposal (Jan. 14, 2022) at p. 1; D.22-05-014 at p. 7.	Verified

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	Verified

b. Were there other parties to the proceeding with positions similar to yours?	Yes	Noted
c. If so, provide name of other parties: Center for Accessible Technology, The Greenlining Institute		Noted
d. Intervenor's claim of non-duplication: TURN coordinated very closely with Center for Accessible Technology and The Greenlining Institute throughout this proceeding. Here, at every instance, TURN, Center for Accessible Technology, and The Greenlining Institute filed joint comments as "Joint Consumers" to avoid duplication. As TURN's time record reflects, TURN took the lead in coordinating efforts amongst the Joint Consumers, strategy development, and drafting comments. This ongoing coordination allowed all three organizations to leverage each other's resources and effectively address a broader array of consumer-impacting issues over the course of the proceeding. In a proceeding such as this where many stakeholder groups are encouraged to participate, some degree of duplication may be practically unavoidable. ⁶ TURN's timesheets reflect the benefits of this close coordination. With respect to Cal Advocates, Cal Advocates is an active party to this proceeding, but Cal Advocates did not file comments on the staff proposal or the proposed decision in this phase.		Noted

C. Additional Comments on Part II:

#	Intervenor's Comment	CPUC Discussion
B (c), B (d)	There are many other parties in the proceeding that sometimes have similar positions to TURN, however those parties did not file comments on the underlying staff proposal or proposed decision that developed the record for Decision 22-05-014.	Noted

⁶ See, i.e., D.96-08-040 (67 CPUC 2d 562, 575-576.X) (stating "because of the extraordinary level of participation required of both parties and intervenors throughout these proceedings, we find that a reduction in the amount awarded to intervenors based on duplication of effort is unwarranted. Section 1803(b) requires that the awarding of fees to intervenors "be administered in a manner that encourages the effective and efficient participation of all groups that have a stake in the public utility regulation process." Each of the intervenor groups clearly has a stake in the process of restructuring California's electrical services industry and we are grateful for their participation in these proceedings. Moreover, we rely on them to continue their effective and efficient participation in our proceedings as we move forward with the many implementation tasks ahead. [footnote omitted][¶] In a broad, multi-issue proceeding such as this, we expect to see some duplication of contribution. This duplication does not diminish the value of that contribution to the Commission. In our view, to deduct from an award of reasonable fees in this case would not encourage the effective and efficient participation of all stakeholders in the spirit of § 1801.3(b).")

PART III: REASONABLENESS OF REQUESTED COMPENSATION**A. General Claim of Reasonableness (§ 1801 and § 1806):**

	CPUC Discussion
<p>a. Intervenor’s claim of cost reasonableness:</p> <p>TURN’s request for intervenor compensation seeks an award of approximately \$22,743.75 as the reasonable cost of TURN’s participation in the proceeding. Considering the scope and quality of TURN’s work, and the breadth and depth of benefits achieved through TURN’s participation in the proceeding, TURN respectfully requests the Commission to conclude that the amount requested is reasonable.</p> <p>The Commission’s work in this docket advances California’s goal of making California LifeLine service available to the greatest number of Californians by improving the renewal process so LifeLine subscribers can more easily retain their LifeLine service. Both the Renewals Working Group’s recommendations and Assembly Bill 74’s (2021, Gonzalez) legislative directives impact LifeLine subscribers’ ability to renew their service. The changes made by the decision covered by this compensation request include modernizations and improvements to the policies and rules for this public purpose program to ensure transparency and efficiency. The decision also as sets the stage for monitoring the effectiveness of these renewal process modifications to improve renewal rates and future renewal process modernizations efforts as needed.</p> <p>As is often the case for telecommunications proceedings in recent years, it is more difficult to quantify the dollar impacts of TURN’s work here than is the case in Commission proceedings addressing rates. Here, TURN’s advocacy helped achieve benefits that were clear and substantial, though hard to quantify. As discussed above, TURN worked to ensure the efficient renewal processes for California LifeLine by participating in the Renewal Working Group and making recommendations to improve the renewal process. Further, TURN’s resources supported changes to the program that will increase the renewal rate for California LifeLine subscribers. Moreover, TURN also advocated for program rules to not unduly burden LifeLine subscribers, the California LifeLine Third-Party Administrator, the LifeLine providers, and the Commission Staff. TURN submits that such outcomes demonstrate benefits to Californians, including low-income Californians, which, though difficult to quantify, more than support a compensation award in the amount requested here.</p> <p>Therefore, TURN urges the Commission to find that TURN’s participation costs are reasonable considering the significant consumer benefits from a robust, comprehensive, and efficient California LifeLine Program.</p>	Noted
b. Reasonableness of hours claimed:	Noted.

	CPUC Discussion
<p>TURN seeks compensation for approximately 40 hours that Ashley L. Salas devoted to substantive issues in this proceeding. Ms. Salas is TURN's lead attorney on California LifeLine issues and managed TURN's policy development and substantive drafting of TURN's filings. Ms. Salas dedicated significant resources to supporting TURN's efforts in this proceeding. Ms. Salas participated in all aspects of the proceeding, including in California LifeLine Working Group Calls. She also coordinated TURN's efforts with Center for Accessible Technology and The Greenlining Institute.</p> <p>TURN seeks compensation for approximately 8 hours that Brenda D. Villanueva devoted to substantive issues in this proceeding. Mrs. Villanueva served as the managing attorney for this proceeding starting in 2022. Mrs. Villanueva assisted Ms. Salas in aspects of the proceeding, including strategy development.</p> <p>TURN seeks compensation for approximately 1.5 hours that Christine A. Mailloux devoted to this proceeding. Ms. Mailloux served as the managing attorney for this proceeding until 2021. Ms. Mailloux assisted Ms. Salas in aspects of the proceeding, including strategy development.</p> <p><i>Meetings or Discussions Involving More than one TURN Advocate</i></p> <p>A relatively small percentage of hours and hourly entries reflect internal and external meetings involving two or more of TURN's advocates. In past compensation decisions the Commission has deemed such entries as reflecting internal duplication that is not eligible for an award of intervenor compensation. This is not the case here. For the meetings that were among TURN's advocates, such meetings are essential to the effective development and implementation of TURN's strategy for this proceeding. None of the attendees are there in a duplicative role – each is an active participant, bringing his or her particular knowledge and expertise to bear on the discussions. As a result, TURN can identify issues and angles that would almost certainly never come to mind but for the “group-think” achievable in such settings.</p> <p>There were also meetings with other parties at which more than one attorney represented TURN on occasion. The Commission should understand that this is often essential in a case such as this one, with a wide range of issues that no single person is likely to master. TURN's requested hours do not include any for TURN advocates where their, his, or her presence at a meeting was not necessary in order to achieve the meeting's purpose. TURN submits that such meetings can be part of an intervenor's effective advocacy before the Commission, and that intervenor compensation can and should be awarded for the time of all participants in</p>	

			CPUC Discussion
<p>such meetings where, as here, each participant needed to be in the meeting to advance the intervenor’s advocacy efforts.</p> <p>For both internal and external meetings, TURN advocates on occasion did not stay for the entire meeting because of a schedule conflict. In past compensation decisions the Commission has deemed such discrepancies in time entries as grounds to reduce all advocates’ time for such meetings. This is not the case here. TURN submits that any time difference listed for internal or external meeting reflects the fact that an advocate could not stay for the entire length of the meeting due to a schedule conflict, which resulted in an advocate arriving late to a meeting or leaving early.</p> <p><u>Intervenor Compensation-Related Time</u></p> <p>TURN is requesting compensation for 6.5 hours devoted to compensation-related matters.</p> <p>TURN’s request for compensation for 6.5 hours for preparation of this claim is generally consistent with the number of hours found reasonable by the Commission in decisions addressing TURN’s intervenor compensation requests in prior proceedings.</p>			
c. Allocation of hours by issue:			Noted, totals 100.01%
DATA	Database Dipping – Work to advocate for and implement automatic renewal process involving the California LifeLine Third-Party Administrator (TPA) use of the Cal Fresh Confirm Solutions database.	14.67%	
AB 74	Assembly Bill 74 – Advocacy regarding the implementation of legislative directives in Assembly Bill 74 (2021, Gonzalez).	12.89%	
COVID	COVID-19 Renewal Rule Suspension – Work regarding the suspension of the California LifeLine renewal rules as a consumer protection in response to the global COVID-19 pandemic.	4.89%	
GROUP	Renewal Working Group Recommendations – Advocacy to implement the recommendations of the Renewal Working Group.	8.89%	
REN	Renewals – Work to modernize the LifeLine renewals process. Those identified with “REN” are generally associated with work spent on multiple, interrelated issues to create a record for this phase of the proceeding. TURN attempted to identify each entry with a specific code and therefore entries with a “REN” are limited. TURN does not believe allocation of these entries is	9.33%	

			CPUC Discussion
	required, but if the Commission chooses to allocate these entries to specific issues they would roughly break down as: DATA - 40%, AB 74 - 45%, COVID - 5%, GROUP - 10%.		
OPEN	Opening Comments on the Staff Proposal – Time entries that cover substantial work that cannot easily be identified with a specific activity code. Those identified with “OPEN” are generally associated with work spent on multiple, interrelated issues to create a record for this phase of the proceeding. TURN attempted to identify each entry with a specific code and therefore entries with a “OPEN” are limited. TURN does not believe allocation of these entries is required, but if the Commission chooses to allocate these entries to specific issues they would roughly break down as: DATA - 5%, AB 74 - 45%, COVID - 5%, GROUP - 45%.	22.67%	
REPLY	Reply Comments on the Staff Proposal – Time entries that cover substantial work that cannot easily be identified with a specific activity code. Those identified with “REPLY” are generally associated with work spent on multiple, interrelated issues to create a record for this phase of the proceeding. TURN attempted to identify each entry with a specific code and therefore entries with a “REPLY” are limited. TURN does not believe allocation of these entries is required, but if the Commission chooses to allocate these entries to specific issues they would roughly break down as: DATA - 15%, AB 74 - 65%, GROUP - 20%.	11.56%	
COOR	Coordination of Effort – Work to coordinate the efforts of the Joint Consumer coalition.	1.33%	
#	Combined Efforts – Time entries that cover substantial work that cannot easily be identified with a specific activity code, including work with the LifeLine Working Group. Those identified with “#” are generally associated with work spent on multiple, interrelated issues to create a record for this phase of the proceeding. TURN attempted to identify each entry with a specific code and therefore entries with a “#” are limited. TURN does not believe allocation of these entries is	2.22%	

			CPUC Discussion
	required, but if the Commission chooses to allocate these entries to specific issues they would roughly break down as: DATA - 40%, AB 74 - 40%, COVID - 10%, GROUP - 10%.		
COMP	COMP – Work spent on compensation request related matters.	11.56%	
		100%	

B. Specific Claim:*

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
Ashley L. Salas	2021	7.75	\$400.00	D.22-06-048	\$3,100.00	7.75	\$400.00	\$3,100.00
Ashley L. Salas	2022	32.25	\$415.00	Res. ALJ-393, 2021 Rate plus 3.3% COLA. See Comment 1.	\$13,383.75	32.25	\$415.00 [1]	\$13,383.75
Brenda D. Villanueva	2022	8.25	\$465.00	See Comment 2.	\$3,836.25	8.25	\$425.00 [2]	\$3,506.25
Christine Mailloux	2021	1.5	\$700.00	D.22-05-026	\$1,050.00	1.50	\$700.00	\$1,050.00
Subtotal: \$21,370.00						Subtotal: \$21,040.00		
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
Ashley L. Salas	2022	5.50	\$207.50	Half of 2022 Requested Rate	\$1,141.25	5.50	\$207.50	\$1,141.25
Brenda D. Villanueva	2022	1.00	\$232.50	Half of 2022 Requested Rate	\$232.50	1.00	\$212.50 [2]	\$212.50
Subtotal: \$1,373.75						Subtotal: \$1,353.75		
TOTAL REQUEST: \$22,743.75						TOTAL AWARD: \$22,393.75		
*We remind all intervenors that Commission staff may audit the records and books of the intervenors to the extent necessary to verify the basis for the award (§1804(d)). Intervenors must make and retain adequate accounting and other documentation to support all claims for intervenor compensation. Intervenors’ records should identify specific issues for which it seeks compensation, the actual time spent by each employee or consultant, the applicable hourly rates, fees paid to consultants and any other costs for which compensation was								

CLAIMED			CPUC AWARD
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 ⁷	Member Number	Actions Affecting Eligibility (Yes/No?) If “Yes”, attach explanation
Ashley L. Salas	December 2015	308374	No
Brenda Villanueva	January 2021	334217	No
Christine Mailloux	December 1993	167918	No

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

Attachment or Comment #	Description/Comment
Comment 1	<p>2022 Hourly Rate for Ashley L. Salas</p> <p>TURN filed an intervenor compensation claim in R.20-08-021 on April 25, 2022, that included a request that the Commission adopt an hourly rate of \$415 for TURN Attorney Ashley L. Salas in 2022, based on the Market Rate Study and guidance adopted in Res. ALJ-393. The Commission has yet to act upon that intervenor compensation claim. Rather than repeat the same showing here for the requested hourly rate for Ms. Salas, TURN refers the Commission to the initial showing TURN presented in R.20-08-021.</p>
Comment 2	<p>2022 Hourly Rate for Brenda D. Villanueva, Managing Director and Lead Counsel, Telecom</p> <p>Ms. Villanueva joined TURN as a Staff Attorney in October 2020, bringing with her six years of legal experience as a practicing attorney at the FCC, in addition to the telecom policy experience she gained through legal internships at the FCC, and during her nearly six years of working for the U.S. House of Representatives in Congressman Baca’s office. In D.22-06-038, the Commission agreed with TURN that Mrs. Villanueva should be considered a Level III Attorney under the hourly rate framework adopted in Resolution ALJ-393 and adopted an hourly rate of \$410 for her work at TURN in 2021. The Commission explained, “The hourly rate of \$410 places Villanueva midway between the range approved for attorneys with 5-7 years and is justified based on Villanueva’s 6 years of practice as an</p>

⁷ 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>attorney. We approve the rate here. This leaves TURN significant room to justify an increase to Villanueva's rate over the next four years within this level, as Villanueva's expertise, tasks, and organizational responsibilities increase." (D.22-06-038, pp. 59-60.)</p> <p>Pursuant to the Commission's invitation in D.22-06-038, TURN now seeks an increase to Mrs. Villanueva's hourly rate in 2022 beyond the COLA that otherwise would apply. At the end of 2021, Mrs. Villanueva assumed the responsibilities held for many years by TURN Managing Attorney Christine Mailloux, who departed TURN. As of 2022, Mrs. Villanueva oversees TURN's telecommunications advocacy before the CPUC, FCC, NTIA, California Legislature and U.S. Congress, including sector-wide policy development, legislative and legal strategy, and supervision of TURN's telecommunications advocacy team. In addition to her own casework, she coordinates case prioritization, external government outreach, assignments, and workload management for TURN's telecommunications attorneys, experts, and analysts. She also works with TURN's Race and Equity Team to provide impactful race impact analysis to all of TURN's telecommunications advocacy.</p> <p>Given this significant expansion in Mrs. Villanueva's expertise, tasks, and organizational responsibilities, TURN submits that a rate of \$465 is appropriate for her work in 2022. The Commission's 2022 hourly rate range for a Level III Attorney is \$319.98 - \$536.62 (calculated as the 2021 range of \$309.76 - \$519.48 adjusted by the 3.3% COLA for 2022). The requested rate reasonably reflects Mrs. Villanueva's significantly expanded responsibilities at TURN in 2022.</p>
Attachment 1	Certificate of Service
Attachment 2	Timesheet for TURN's Advocates
Attachment 3	TURN Hours Allocated by Issue

D. CPUC Comments, Disallowances, and Adjustments

Item	Reason
[1]	D.23-04-020 established a 2022 rate of \$415 for Salas.
[2]	D.22-06-038 established a 2021 rate of \$410 for Villanueva. D.23-04-020 approved a 2022 rate of \$425 for Villanueva.

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. The Utility Reform Network has made a substantial contribution to D.22-05-014.
2. The requested hourly rates for The Utility Reform Network's representatives, as adjusted herein, are comparable to market rates paid to experts and advocates having comparable training and experience and offering similar services.
3. The claimed costs and expenses are reasonable and commensurate with the work performed.
4. The total of reasonable compensation is \$22,393.75.

CONCLUSION OF LAW

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

ORDER

1. The Utility Reform Network is awarded \$22,393.75.
2. Within 30 days of the effective date of this decision, the California Public Utilities Commission shall pay The Utility Reform Network 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 October 5, 2022, the 75th day after the filing of The Utility Reform Network's request, and continuing until full payment is made.

3. The comment period for today's decision is waived.

This decision is effective today.

Dated November 30, 2023, at Sacramento, California.

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

APPENDIX**Compensation Decision Summary Information**

Compensation Decision:	D2311117	Modifies Decision?	No
Contribution Decision(s):	D2205014		
Proceeding(s):	R2002008		
Author:	ALJ Wang		
Payer(s):	California Public Utilities Commission		

Intervenor Information

Intervenor	Date Claim Filed	Amount Requested	Amount Awarded	Multiplier?	Reason Change/Disallowance
The Utility Reform Network	July 22, 2022	\$22,743.75	\$22,393.75	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
Ashley	Salas	Attorney	\$400	2021	\$400.00
Ashley	Salas	Attorney	\$415	2022	\$415.00
Brenda	Villanueva	Attorney	\$465	2022	\$425.00
Christine	Mailloux	Attorney	\$700	2021	\$700.00

(END OF APPENDIX)