ALJ/CR2/avs **Date of Issuance 1/31/2024**

Decision 24-01-045 January 25, 2024

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

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| Application of Pacific Gas and Electric Company for Approval of its Electric Vehicle Charge 2 Program. (U39E.) | Application 21-10-010 |

**DECISION GRANTING COMPENSATION TO THE UTLITY REFORM NETWORK FOR SUBSTANTIAL CONTRIBUTION TO DECISION 22-12-054**

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| **Intervenor:** The Utility Reform Network (“TURN”) | **For contribution to Decisions (D.):** D.22-12-054 |
| **Claimed: $ 214,972.50** | **Awarded: $ 193,375.15** |
| **Assigned Commissioner: John Reynolds** | **Assigned ALJ: Colin Rizzo[[1]](#footnote-1)** |

**PART I: PROCEDURAL ISSUES**

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| **A. Brief description of Decision:** | D.22-12-054 approves $52,248,000 in funding for Pacific Gas and Electric Company (PG&E) to implement phase 1 of its Electric Vehicle Charge 2 (EVC2) program, from January 1, 2023, to December 31, 2026, and support the installation of approximately 2,822 Level 2 and Direct Current Fast Charger ports at multi- family housing, workplace, and public destination sites in PG&E’s service territory. This decision sets an equity requirement that PG&E spend at least 65 percent of program funding in underserved communities. This decision advances California’s deep decarbonization and ambitious transportation electrification goals. |

1. **Intervenor must satisfy intervenor compensation requirements set forth   
   in Pub. Util. Code §§ 1801-1812:[[2]](#footnote-2)**

|  | **Intervenor** | **CPUC Verification** |
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| **Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):** | | |
| 1. Date of Prehearing Conference: | 12/1/2021 | Verified |
| 2. Other specified date for NOI: | N/A | N/A |
| 3. Date NOI filed: | 12/17/21 | Verified |
| 4. Was the NOI timely filed? | | Yes |
| **Showing of eligible customer status (§ 1802(b))**  **or eligible local government entity status (§§ 1802(d), 1802.4):** | | |
| 5. Based on ALJ ruling issued in proceeding number: | R.20-08-021 | Verified |
| 6. Date of ALJ ruling: | 12-11-20 | Verified |
| 7. Based on another CPUC determination (specify): | N/A | 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.20-08-021 | Verified |
| 10. Date of ALJ ruling: | 12-11-20 | Verified |
| 11. Based on another CPUC determination (specify): | N/A | N/A |
| 12. Has the Intervenor demonstrated significant financial hardship? | | Yes |
| **Timely request for compensation (§ 1804(c)):** | | |
| 13. Identify Final Decision: | D.22-12-054 | Verified |
| 14. Date of issuance of Final Order or Decision: | 12-19-22 | Verified |
| 15. File date of compensation request: | 2/16/23 | Verified |
| 16. Was the request for compensation timely? | | Yes |

**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):**

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| **Intervenor’s Claimed Contribution(s)** | **Specific References to Intervenor’s Claimed Contribution(s)** | **CPUC Discussion** |
| **1. EVC2 Cost:** Decision 22-11-040[[3]](#footnote-3) establishes a $53 million, 3 year, EV infrastructure (charging stations) program that will run from 2023-2025. TURN opposed PG&E’s initial request for a $370 million dollar program. In response to TURN and other parties’ analysis and advocacy, the authorized budget was reduced by over $300 million. | - TURN Testimony (Ex.TURN-01), pp. 23-28.  - TURN Opening Brief, p. 4.  “We find that the limited funding in phase 1 satisfies the statutory requirements by minimizing costs and maximizing benefits. PG&E’s total $275.8 million budget for the EVC2 proposal far exceeds its estimated phase 1 costs of $48.1 million.” D.22-12-054, p.19. | Verified |
| **2. Multi-Phase Program Structure**  TURN argued that by considering the application in two phases, the Commission would “ensur[e] it is only passing the most necessary costs of EV charging infrastructure on to ratepayers with full knowledge of all relevant factors, including the potential role for ratepayers through the statewide rebate program under consideration by the Commission. TURN also demonstrated that bifurcation would provide near-term funding while ensuring that longer-term spending considers future funding sources, which the Commission agreed with. | - TURN Opening Brief, p. 2-3.  - TURN Supplemental Testimony (Ex.TURN-02), pp. 1-4.  - “Approving limited funding in phase 1 satisfies applicable statutory requirements and previous Commission direction by minimizing costs, maximizing benefits, and advancing California’s near-term EV adoption and GHG reduction goals, without placing an undue burden on ratepayers.” D.22-12-054, p.70, COL 4.  - “TURN Opening Brief, p. 7.  We find that authorizing phase 1 of the EVC2 program provides sufficient market and regulatory certainty to bridge the near-term TE infrastructure gap between now and 2025. ” D.22-12-054, p.19. | Verified |
| **3.** **Deployment Targets**  TURN supported PG&E’s proposed phase 1 deployment targets for DCFC and MFH ports. However, TURN recommended rejecting all funding for workplace charging because PG&E failed to demonstrate that ratepayer funding for workplace charging is necessary and will result in additional EV adoption, based on the results of the ECVN pilot. While the Commission decline to adopt TURN’s recommendation to reject workplace charging, it agreed with TURN that the program should be focused on charging locations with the greatest impact on EV adoption and mandated a 60/40 spilt between public and workplace charging for the non-MFH program segment. | - TURN Opening Brief, p. 15-18.  - “While we decline to adopt TURN’s proposal to eliminate support for workplace charging, we agree that the EVC2 program should focus funding on the sectors where new deployments are needed to have the greatest impact on EV adoption. … PG&E shall implement phase 1 of the EVC2 program according to its proposed deployment targets and with a 60-/40-percent split between public destination and workplace ports for that market segment.” D.22-12-054, p.26. | Verified |
| **4.** **Per Port Costs**  TURN raised the issue that PG&E’s proposed per port cost caps were inconsistent with the cost caps adopted in the recent decisions regarding SCE and SDG&E’s EV infrastructure programs because those programs included to-the-meter (TTM) costs that were not included in PG&E’s program costs due to the recent passage of AB 841. TURN analyzed SCE and SDG&E’s costs, along with PG&E’s AB 841 implementation cost workpapers in the GRC to develop a cost for TTM infrastructure to support its proposal for cost caps that are consistent with the other two utilities, which the commission adopted. TURN also supported higher per port cost caps for MFH sites in prioritized communities, but challenged PG&E’s proposal to for a $16,500 price cap, which the Commission adopted. | - TURN Testimony (Ex.TURN-01), pp. 32-33.  - D.22-12-054, p. 36. “We agree with the proposal to limit per-port costs to those established in prior decisions, pursuant to direction provided in D.21-07-028.”  - D.22-12-054, Appendix A, Table 1: Approved Phase 1 Deployment and Average Per-Port Cost Targets.  - TURN Testimony (Ex.TURN-01), p. 33.  - D.22-12-054, p. 35. | Verified |
| **5. Program Structure/Utility Ownership:**  TURN reviewed and analyzed the results of the EVCN pilot and Fast Charge pilot and addressed the results at length in testimony. This analysis informed the Commission’s evaluation of PG&E’s request and informed TURN’s positions, especially TURN’s recommendation that the Commission reject PG&E’s proposal to own 50% of the charging stations deployed through the program. Instead, TURN recommended that PG&E’s ownership of charging stations be limited to MFH sites in low-income communities. The Commission partially agreed and limited PG&E’s ownership to 33% of the infrastructure in prioritized communities (disadvantaged and low-income communities), consistent with TURN’s proposal. TURN’s recommendation which will save ratepayers considerable capital costs which reduces the upfront cost of the program and future costs of the program, in the form of reduced rate based. | - TURN Testimony (Ex.TURN-01), pp. 39-40.  - “We agree with Cal Advocates and TURN that PG&E’s proposal for 50 percent utility ownership is far too high.” D.22-12-054, p. 35. | Verified |
| **6. Equity Measures**  TURN consulted with its internal community organizing and outreach advocates and with the Greenlining institute to develop its extensive testimony addressing equity issues and provided the following recommendations that were adopted by the Commission.  **A)** **Equitable charging pricing:** TURN recommended PG&E explore pathways to allow MFH participants enrolled in the California Alternate Rates for Energy (CARE) program to realize fuel cost savings similar to CARE customers in single-family homes. The Commission agreed and included this issue in the list of equable pricing policies PG&E should work with its program advisory council to develop.  **B) Priority Community definition:** TURN recommend against PG&E’s proposal to include adjacent census tracts in one of the statute’s underserved communities categories because it would unreasonably expand the statutory definition. The Commission agreed and directed PG&E to not expand the statutory priority community definition. | - TURN Reply Brief, p. 11  “Cal Advocates and TURN recommend directing PG&E to explore pathways to allow MFH participants enrolled in the California Alternate Rates for Energy (CARE) program to realize fuel cost savings similar to CARE customers in single-family homes. … Cal Advocates and TURN recommend directing PG&E to explore pathways to allow MFH participants enrolled in the California Alternate Rates for Energy (CARE) program to realize fuel cost savings similar to CARE customers in single-family homes.” D.22-12-054, p. 38.  - TURN Testimony (Ex.TURN-01), p. 45 & TURN Reply Brief, p. 12.  - D.22-12-054, p. 41. | Verified |
| **7. Non-Infrastructure Costs**  TURN challenged some of PG&E’s proposed IT and administrative costs as excessive and demonstrated that PG&E did not provide adequate justification for these costs. The Commission agreed and adopted a 10% cap for non-EV infrastructure costs. | - Ex. TURN-01, p.49.  -“We approve PG&E’s proposed phase 1 budget for the three tools but agree that PG&E fails to sufficiently justify the administrative, information technology (IT), and evaluation portion of its requested budget. We find that a 10 percent cap on the budget for administrative, IT, and evaluation costs is more appropriate and more closely aligns with other TE programs.” D.22-12-054, p.59. | Verified |
| **8. New Construction Rebates**  TURN recommended that  PG&E’s proposed new construction rebates of $4,000 be lowered to an average of $3,500 per port to align with the Charge Ready 2 decision, and enable the budget to support a larger number of MFH sites. The Commission agreed and adopted TURN’s proposal. | - Ex. TURN-01, p.48.  -“We agree with Cal Advocates, NDC, NRDC, and TURN that lowering new construction rebates to an average of $3,500 per port is reasonable.” D.22-12-054, p. 35, see also p.67, FOF 15. | Verified |

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

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|  | **Intervenor’s Assertion** | **CPUC Discussion** |
| **a. Was the Public Advocate’s Office of the Public Utilities Commission (Cal Advocates) a party to the proceeding?[[4]](#footnote-4)** | 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:**  National Diversity Coalition (NDC), Cal Advocates, & Small Business Utility Advocates | | Noted |
| **d. Intervenor’s claim of non-duplication:**  TURN coordinated with Cal Advocates throughout the proceeding, including conferring on issue positions, settlement, and schedule. TURN also coordinated with NDC regarding the issues of minimizing costs and maximizing benefits and proposals to promote EV adoption in underserved communities. As a general matter, TURN either offered unique positions in this proceeding, or, where our positions overlapped with Cal Advocates or other intervenors, unique analysis in support or opposition of those positions.  As is apparent from the multiple entries coded as “Coord” in the time sheets, TURN engaged in multiple meetings and discussions with other parties in order to minimize duplication, allocate issues, and coordinate strategies. TURN took reasonable steps to keep any duplication to a minimum, and to ensure that when it did happen, our work served to complement and assist the showings of the other parties. TURN coordinated with Cal Advocates on cross examination issues in order to avoid duplication.  The Commission should find that TURN’s participation was efficiently coordinated with the participation of Cal Advocates and other intervenors so as to avoid undue duplication and to ensure that to the extent duplication occurred, it served to supplement, complement, or contribute to the showing of the other intervenor. And consistent with such a finding, the Commission should determine that all of TURN’s work is compensable consistent with the conditions set forth in Section 1802.5. | | Noted |

1. **Additional Comments on Part II:**

| **#** | **Intervenor’s Comment** | **CPUC Discussion** |
| --- | --- | --- |
| 1. | **Compensation for Partial Success**:  The Commission has interpreted the Section 1802 definition, in conjunction with Section 1801.3, so as to effectuate the legislature’s intent to encourage effective and efficient intervenor participation. The statutory provision of “in whole or in part,” as interpreted by multiple Commission decisions on intervenor compensation requests, has established as a general proposition, that when a party makes a substantial contribution in a multi-issue proceeding, it is entitled to compensation for time and expenses even if it does not prevail on some of the issues.  The standard for an award of intervenor compensation is whether TURN made a substantial contribution to the Commission’s decision, not whether TURN prevailed on a particular issue. See, for example, D.98-04-028 (awarding TURN full compensation in CTC proceeding, even though TURN did not prevail on all issues); D.98-08-016, pp. 6, 12 (awarding TURN full compensation in SoCalGas PBR proceeding); D.00-02-008, pp. 4-7, 10 (awarding TURN full compensation even though TURN unsuccessfully opposed settlement); D.08-04-004, p. 5-6; D.09-04-027, p. 4 (TURN’s efforts “contributed to the inclusion of these issues in the Commission’s deliberation” and caused the Commission to “add more discussion on the issue, in part to address TURN’s comments.”); D.10-06-046, p. 5.  In D.22-12-054, the Commission adopted TURN’s primary positions regarding reducing the size of the program, utility ownership of charging infrastructure, modifying the program structure to greater emphasize MFH sites, the priority community definition, and adopting a phased approach. The Commission should compensate TURN for all work in this proceeding, despite the fact that the Commission did not adopt all of TURN’s recommendations on certain other issues, such as adopting budget set aside for CBO run equity projects, removing workplace charging sites from the program, and further reducing the per port budget caps. | Noted |

**PART III: REASONABLENESS OF REQUESTED COMPENSATION**

1. **General Claim of Reasonableness (§ 1801 and § 1806):**

|  | **CPUC Discussion** |
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| **a. Intervenor’s claim of cost reasonableness:**  TURN’s request for intervenor compensation seeks an award of approximately $215,000, as the reasonable cost of our participation in this proceeding. TURN submits that these costs are reasonable in light of the importance of the issues TURN addressed and the benefits to ratepayers from well-designed EV charging infrastructure programs.  TURN’s participation in this proceeding contributed to a reduction in the authorized costs for the EVC2 program, from over $370 million proposed in PG&E’s application to approximately $51 million, reducing the impact on rates by approximately $320 million. TURN’s contributions also resulted in modifications to the cost recovery and treatment of some costs, which reduced the capital costs of the program, which will result in PG&E’s ratepayers paying a substantially lower revenue requirement and total cost over the program term and the 20+ years of cost recovery for certain infrastructure. TURN’s contributions to the proceeding also improve the ability of the Commission to measure the impact of utility infrastructure investments on future electric vehicle adoption and charging station utilization. Per TURN’s suggestions, the Commission also limited utility ownership of charging stations which reduces the risk of stranded costs that would be paid by PG&E’s ratepayers and reduces ratepayer capital costs for the program. The Commission’s adoption of certain structural changes proposed by TURN such as a multi-phased approach, greater emphasis on Multi-family housing (MFH) sites, and a rejection of PG&E’s proposal to expand the priority community definition will result in a program that is more targeted to the communities requiring significant subsidies to induce deployment of charging infrastructure.  All of the other benefits of TURN’s participation cannot be quantified as they involved policy issues. However, TURN’s participation contributed to the development of a EVC2 program that is better designed, less risky for ratepayers, and targeted to primarily fill gaps in the private market and lead to increased EV adoption. TURN urges the Commission to recognize that these outcomes are important in this proceeding, and are likely to provide substantial benefits, albeit some benefits may be hard to quantify in dollars.  For all of these reasons, the Commission should find that TURN's efforts  have been productive. | Noted, however, see Part III.D CPUC Disallowances and Adjustments. |
| **b. Reasonableness of hours claimed:**  In this request TURN seeks compensation for approximately 175 hours of expert witness time and approximately 280 hours of attorney time. This amount of resources was warranted and reasonable in light of a number of factors:  1) the direct cost of PG&E’s proposed EVC2 program of over $370 million;  2) the policy significance of creating a well-designed and sustainable transportation electrification (TE) program to support the Governor’s ambitious TE adoption goals;  3) PG&E’s proposal was comprised of three subprograms targeting different site types, each with unique attributes that required analysis;  4) the robustness of the evidentiary record in this proceeding (including evidentiary hearings in which TURN played an active role) and the large number of parties involved;  5) the necessity to ensure that the program would provide valuable data to inform future TE programs and investments; and  6) the wide breath of issues addressed in this proceeding and that fact that TURN filed detailed testimony both analyzing the EVC2 pilot and PG&E’s application, supplemental testimony in response to an ALJ ruling regarding possible bifurcation of the program, an opening brief, and reply brief and opening and reply comments on the proposed decision. TURN also participated in the workshop related to this application.  **STAFF TIME**  TURN primarily devoted the resources of one staff attorney and TURN’s in-house energy analyst, who served as an expert witness to this proceeding in order to address key issues related to the deployment of TE infrastructure including, the light duty electric vehicle market, EV technology, cost forecasting and program design. TURN’s energy analyst also conducted comprehensive analysis of the pilot results to inform TURN’s recommendations. In the following subsections, TURN describes the responsibilities of the different staff members and expert witness and explains the reasonableness of the hours and effort devoted to this proceeding.  **Attorney Time**  Elise Torres  Ms. Torres was TURN’s lead attorney in this proceeding and represented TURN at the prehearing conference, and took the lead on drafting the TURN’s reply brief and opening and reply comments on the PD. Ms. Torres assisted TURN’s expert with discovery, developing TURN’s positions, including extensive work researching and developing TURN’s testimony regarding equity issues, and reviewed and edited a preliminary draft of TURN’s original testimony. Ms. Torres took the lead on drafting TURN’s Reply Brief and Opening and Reply Comments on the Proposed Decision. Ms. Torres also represented TURN in ex parte meetings with President Reynolds advisor. Ms. Torres devoted approximately 170 hours to this proceeding.  Katy Morsony  Ms. Morsony represented TURN in this proceeding while Ms. Torres was out on parental leave from February-July 2022. Ms. Morsony worked with Mr. Borden on his original testimony, the development of his supplemental testimony, and took the lead on drafting TURN’s opening brief. Ms. Morsony represented TURN in evidentiary hearings and in a settlement discussion. Ms. Morsony devoted approximately 105 hours to this proceeding.  Consultation with other TURN Attorneys on Limited Issues  Mr. Borden and Ms. Morsony benefited from consultation with TURN staff attorney Marcel Hawiger regarding Mr.Borden’s cost effectiveness analysis for the pilot and EVC2 program and the relationship between this analysis and the Commission’s avoided cost calculator.  Ms. Torres and Mr. Borden also benefited from consultation with TURN’s General Counsel, Robert Finkelstein, on the tax implications of utility infrastructure spending which informed TURN’s recommendation to have PG&E’s shareholders refund the tax benefits from its ownership of charging stations in the EVCN pilot.  Approximately 1 hour of Mr. Finkelstein and 1 hour of Mr. Hawiger’s time is included in this request.  **Expert Witness Time**  Eric Borden  TURN’s in-house energy analyst, Mr. Eric Borden, conducted TURN’s analyses in this case. Mr. Borden reviewed and analyzed PG&E’s application and extensive data collected during the pilot program. Mr. Borden conducted extensive analysis of pilot data including charging station utilization and use (load shifting) patterns. Mr. Borden addressed numerous issues related to the size of PG&E’s proposal in relation to the port need in its service territory, ratepayer risks due to technology risks and stranded costs, air quality and GHG reduction benefits of TE, the potential downward pressure on rates from the program, and proposed bifurcated program with a phase 1 sized and designed intended to improve potential TE adoption while better minimizing the risks of stranded costs. Mr. Borden testified on behalf of TURN in evidentiary hearings. Mr. Borden also assisted Ms. Morsony with preparations for cross examination and with the briefs. Mr. Borden devoted approximately 175 hours to this proceeding.  In mid-2022 Mr. Borden left his position at TURN to join the consulting firm Synapse Energy Economics. After his departure from TURN, Mr. Borden continued to act as an expert witness for TURN in this proceeding.  **Advocate**  Constance Slider Pierre  Ms. Slider Pierre is the Organizing Director at TURN. She advised Ms. Torres and Mr. Borden on the development of TURN’s equity policy positions in this proceeding. Among other responsibilities, Ms. Slider Pierre is responsible for directly supporting TURN’s consumer hotline, as well as TURN’s online and direct mail member inquiries, and manages an average of nearly 1,000 calls per year from customers on energy and telecommunication issues. Furthermore, she conducts trainings of community-based organizations and health and social service agencies on policies impacting utility consumers and develops digestible educational content on energy and telecommunications issues to support public education and engagement before the California State Legislature and the California Public Utilities Commission. She drew from these experiences, as well as years of experience prior to joining TURN working with low income communities, to inform TURN’s equity proposals here. Ms. Slider Pierre devoted approximately 1.5 hours to this proceeding.  **Legal Support Staff**  Stephen Green, TURN Legal Assistant  TURN includes in this request 4 hours spent by TURN Legal Assistant Stephen Green in 2021 and 2022 to assist Ms. Torres and Mr. Borden in a paralegal capacity. As TURN’s timesheets reflect, Mr. Green helped compile and analyze data regarding pending PG&E rate increases which enabled Mr. Borden’s analysis regarding the affordability impacts of the program and informed TURN’s advocacy. Mr. Green also assisted with discovery management.  **Coordination among staff and presence of multiple TURN staff members at meetings:**  A relatively small percentage of hours reflect internal and external meetings involving two or more of TURN’s staff members. The Commission should recognize such meetings do not reflect internal duplication, but rather are essential to effective and efficient coverage of a large litigation case that involves multiple programs and issues.  There are a limited number of hours devoted to internal planning meetings. Such meetings are essential to the effective development and implementation of TURN’s strategy in these cases. Strategy planning meetings with multiple staff are essential, as each staff member contributes particular knowledge and expertise to develop complex case strategy that require a certain amount of “group-think.”  **Compensation Related Hours**  TURN is also seeking compensation for 14.5 hours devoted to compensation related matters, primarily 13.5 hours associated with the preparation of this request by Ms. Torres. TURN assigned the task to Ms. Torres despite her relatively high hourly rate because of her in-depth familiarity with the proceeding and her experience with compensation requests ensured that the request could be prepared in a relatively small number of hours and a lower total cost, even at the relatively high hourly rate. Due to the fact that this compensation request address a significant Commission decision and work related to a plethora of issues, the amount of time dedicated to preparing this compensation request is reasonable. | Noted. |
| **c. Allocation of hours by issue:**   |  |  |  | | --- | --- | --- | | **Code** | **Description** | **Allocation of Time** | | Equity | Attorney and expert witness time spent researching and drafting Equity proposals TURN’s testimonies and briefs. | 10% | | Affordability “Afford” | Attorney and expert witness time spent researching and drafting TURN’s testimony regarding affordability issues. Also includes limited paralegal hours reviewing recent PG&E filings and collecting data regarding PG&E pending rate increases for use in testimony. | 3.5% | | General Hearing Work  (GH) | Attorney and expert witness time spent preparing for and participating in 2 days of evidentiary hearings, including the development of cross-examination questions and exhibits for multiple witnesses and TURN’s witness’ time testifying in evidentiary hearings. Also includes attorney time spent preparing for and attending the pre-hearing conference (PHC). | 8% | | # | Work related to multiple substantive issue areas that is not easily allocated to specific issues, including time spent researching and drafting portions of various of TURN’s pleadings. | 7% | | Pilot | Time spent analyzing data from the EV Charge Network pilot to evaluate results and develop lessons learned to apply to EVC2, and time spent drafting Testimony regarding pilot results. Also includes time spent analyzing per ports costs and utilization rates from the pilot and compiling data for use in TURN’s testimony. | 5% | | Costs | Attorney and expert witness time includes time spent reviewing & analyzing PG&E's program costs, including unit costs, cost recovery proposals and per port costs and developing and advocating for alternative proposals. Also includes time spent researching and developing a reasonable average per port cost cap. Also includes attorney and expert time spent researching and drafting TURN’s comments on PD regarding per port costs requirements and PG&E's total cost proposals. | 9% | | Discovery “Disc” | Time spent researching and drafting data requests and responding to data requests to TURN from PG&E and other parties | 8% | | General Participation "GP" | General Participation work essential to participation that typically spans multiple issues and/or would not vary with the number of issues that TURN addresses, including research related to various aspects TE that informed TURN’s pleadings. includes time spent review and analyzing the application, testimony, supplemental testimony and rebuttal testimony and the time spent reviewing other parties testimonies. Also includes time spent reviewing and analyzing the PD and revised PD, researching and drafting Opening and Reply Comments on the Proposed Decision, and reviewing other party comments on the PD. Also includes participation in status conferences. | 28% | | Opening Brief “OB” | Attorney and expert time spent researching and drafting TURN’s Opening Brief addressing multiple substantive issue areas that is not easily allocated to specific issues. | 6% | | Reply Brief “RB” | Attorney and expert time spent researching and drafting TURN’s Reply Brief addressing multiple substantive issue areas that is not easily allocated to specific issues. Also includes time spent reviewing and analyzing other party Opening Briefs and identifying issues to respond. | 6.5% | | Settlement “Sett” | Includes a very limited number of hours dedicated to exploring an initial settlement with PG&E. Also includes time spent meeting with other consumer advocacy groups to discuss a potential settlement proposal. | 0.5% | | Cost Effectiveness (C-E) | Attorney and expert witness time spent developing TURN’s cost-effectiveness model to evaluate the application addressing cost-effectiveness of PG&E’s proposal in testimony. | 6% | | Coordination “Coord” | Attorney and expert witness time related to coordination with other parties, primarily Cal Advocates and the National Diversity Coalition. | 3% | | Noted, however, see Part III.D CPUC Disallowances and Adjustments.  We remind TURN, per the Intervenor Compensation Program Guide at p.26, “Time records must not excessively label work as of a “General” issue type (general work on the proceeding)” and must be associated with substantive issues. This guidance applies to both the “#” and “GP” codes referenced herein.  We further remind TURN, per the Intervenor Compensation Program Guide at p.25 that “Time records must not combine hours for several specific tasks in one timesheet entry.” |

1. **Specific Claim:\***

| **Claimed** | | | | | | | | | | **CPUC Award** | | | |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **ATTORNEY, EXPERT, AND ADVOCATE FEES** | | | | | | | | | | | | | |
| **Item** | **Year** | **Hours** | | **Rate $** | **Basis for Rate\*** | | **Total $** | | **Hours** | | **Rate $** | **Total $** |
| Elise Torres, TURN Staff Attorney | 2021 | 31.75 | | $450.00 | D.21-12-049 | | $14,287.50 | | 26.3 [1], [3], [4] | | $450.00 [2] | $11,835.00 |
| Elise Torres, TURN Staff Attorney | 2022 | 140.5 | | $465.00 | Res. ALJ-393, 2021 Rate plus 2022 COLA. See Comment 1. | | $65,332.50 | | 121.75[1], [3], [4] | | $465.00 [2] | $56,613.75 |
| Elise Torres, TURN Staff Attorney | 2023 | 0.5 | | $510 | New Rate, see Comment 8 | | $255 | | 0.5 | | $510.00 [2] | $255.00 |
| Eric Borden, TURN Energy Policy Analyst | 2021 | 21.75 | | $430.00 | D.21-12-049 | | $9,352.50 | | 19.20  [3] | | $430.00 [5] | $8,256.00 |
| Eric Borden, TURN Energy Policy Analyst | 2022 | 137 | | $445.00 | Res. ALJ-393, 2021 Rate plus 2022 COLA. See Comment 2. | | $60,965.00 | | 131.30 [3], [6] | | $445.00 [5] | $58,428.50 |
| Eric Borden, Synapse Energy Economics | 2022 | 17.00 | | $260.00 | See Comment 2. | | $4,420.00 | | 16.40  [3] | | $260.00 | $4,264.00 |
| Katy Morsony, TURN Staff Attorney | 2022 | 105.25 | | $515.00 | Res. ALJ-393, 2021 Rate plus 2022 COLA. See Comment 3. | | $54,203.75 | | 95.25  [3], [4] | | $515.00 [7] | $49,053.75 |
| Marcel Hawiger, TURN Staff Attorney | 2022 | 1 | | $670.00 | Res. ALJ-393, 2021 Rate plus 2022 COLA. See Comment 4. | | $670.00 | | 1 | | $670.00 [8] | $670.00 |
| Robert Finkelstein, TURN General Counsel | 2022 | 1 | | $805.00 | Res. ALJ-393, 2021 Rate plus 2022 COLA. See Comment 5. | | $805.00 | | 1 | | $805.00 [9] | $805.00 |
| Constance Slider Pierre, TURN Organizing Director | 2022 | 1.50 | | $205.00 | Res. ALJ-393, 2021 Rate plus 3.3% COLA. See Comment 6. | | $307.50 | | 1.5 | | $205.00 | $307.50 |
| ***Subtotal: $210,598.75*** | | | | | | | | | | ***Subtotal:* $190,488.50** | | | |
| **OTHER FEES**  **Describe here what OTHER HOURLY FEES you are Claiming (paralegal, travel \*\*, etc.):** | | | | | | | | | | | | | |
| **Item** | **Year** | **Hours** | | **Rate $** | **Basis for Rate\*** | | **Total $** | | **Hours** | | **Rate $** | **Total $** |
| Stephen Green, TURN Legal Assistant | 2021 | .5 | | $130 | D.22-05-026 | | $65.00 | | 0.5 | | $130.00 | $65.00 |
| Stephen Green, TURN Legal Assistant | 2022 | 4.75 | | $135 | Res. ALJ-393- New Rate. See Comment 8. | | $641.25 | | 4.35  [4] | | $135.00 | $587.25 |
| ***Subtotal: $706.25*** | | | | | | | | | | ***Subtotal: $652.25*** | | | |
| **INTERVENOR COMPENSATION CLAIM PREPARATION \*\*** | | | | | | | | | | | | | |
| **Item** | **Year** | **Hours** | | **Rate $** | **Basis for Rate\*** | | **Total $** | | **Hours** | | **Rate $** | **Total $** |
| Elise Torres TURN Staff Attorney | 2021 | 1 | | $225.00 | 1/2 of 2021 Rate | | $225.00 | | 1 | | $225.00 | $225.00 |
| Elise Torres TURN Staff Attorney | 2023 | 13.5 | | $255.00 | 1/2 of 2023 Requested Rate | | $3,442.50 | | 7.88 [11], [12] | | $255.00 | $2,009.40 |
| ***Subtotal: $3,667.50*** | | | | | | | | | | ***Subtotal: $2,234.40*** | | | |
| ***TOTAL REQUEST: $214,972.50*** | | | | | | | | | | ***TOTAL AWARD: $193,375.15*** | | | |
| \*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[[5]](#footnote-5)** | | | **Member Number** | | **Actions Affecting Eligibility (Yes/No?)**  **If “Yes”, attach explanation** | | | | | |
| Elise Torres | | | December 2011 | | | 280443 | | No | | | | | |
| Marcel Hawiger | | | January 1998 | | | 194244 | | No | | | | | |
| Robert Finkelstein | | | June 1990 | | | 146391 | | No | | | | | |
| Katy Morsony | | | December 2011 | | | 281538 | | No | | | | | |

1. **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 for TURN’s Attorneys & Experts |
| Attachment 3 | TURN Hours Allocated by Issue |
| Comment 1 | **Hourly Rate for Elise Torres – 2022**  TURN requests that the Commission apply the annual escalation methodology adopted in Res. ALJ-393 to determine the 2022 hourly rate for Elise Torres. This annual escalation methodology is based on the annual percentage change in the Bureau of Labor Statistics Employment Cost Index, Table 5, for the Occupational Group “Management, Professional, and Related excluding Incentive Paid Occupations.” (Res. ALJ-393, p. 4; Intervenor Compensation Market Rate Study, Final Report, p. 8). The percent change for this occupational group for the 12-months ended December 2021 is 3.3%. See https://www.bls.gov/news.release/eci.t05.htm.  TURN accordingly requests a 2022 hourly rate of $450, based on escalating the 2021 rate of $450 by 3.3%, which equals $465 (rounded to the nearest $5 increment, as is the Commission's practice).  TURN has previously requested this hourly rate for Ms. Torres in a compensation request filed on January 19, 2023 in R.18-12-006. |
| Comment 2 | **Hourly Rate for Eric Borden, TURN Energy Policy Analyst – 2022**  For Eric Borden’s work **through June 20, 2022**, TURN requests that the Commission authorize an hourly rate of $445. This rate results from adjusting Mr. Borden’s 2021 rate of $430, authorized by the Commission in D.21-12-049, by the annual escalation methodology adopted in Res. ALJ-393. This annual escalation methodology is based on the annual percentage change in the Bureau of Labor Statistics Employment Cost Index, Table 5, for the Occupational Group “Management, Professional, and Related excluding Incentive Paid Occupations.” (Res. ALJ-393, p. 4; Intervenor Compensation Market Rate Study, Final Report, p. 8). The percent change for this occupational group for the 12-months ended December 2021 is 3.3%. *See* [*https://www.bls.gov/news.release/eci.t05.htm*](https://www.bls.gov/news.release/eci.t05.htm). TURN accordingly requests a 2022 hourly rate equal to $430 increased by 3.3%, which is $445 (when rounded to the nearest $5 increment).  For Mr. Borden’s work **after June 20, 2022**, TURN requests that the Commission authorize an hourly rate of $260. Mr. Borden became an employee of Synapse Energy Economics Inc. as of June 21, 2022. He continued working for TURN as an expert witness in this proceeding, but as an outside consultant rather than a member of TURN’s staff. The requested hourly rate of $260 is the actual billing rate charged by Synapse Energy Economics Inc. for Mr. Borden’s services to TURN in 2022. The Commission should have no trouble approving this rate as it is below the low end of the hourly rate range for Mr. Borden’s labor role of Public Policy Analyst – Level IV, as determined by the Commission in D.21-12-049. |
| Comment 3 | **Hourly Rate for Katy Morsony – 2022**  TURN requests that the Commission apply the annual escalation methodology adopted in Res. ALJ-393 to determine the 2022 hourly rate for Katy Morsony. This annual escalation methodology is based on the annual percentage change in the Bureau of Labor Statistics Employment Cost Index, Table 5, for the Occupational Group “Management, Professional, and Related excluding Incentive Paid Occupations.” (Res. ALJ-393, p. 4; Intervenor Compensation Market Rate Study, Final Report, p. 8). The percent change for this occupational group for the 12-months ended December 2021 is 3.3%. See https://www.bls.gov/news.release/eci.t05.htm.  TURN accordingly requests a 2022 hourly rate of $515, based on escalating the 2021 rate of $500 by 3.3%, which equals $515 (rounded to the nearest $5 increment, as is the Commission's practice).  TURN has previously requested this hourly rate for Ms. Morsony in a compensation request filed on January 19, 2023 in R.18-12-006. |
| Comment 4 | **Hourly Rate for Marcel Hawiger – 2022**  TURN requests that the Commission apply the annual escalation methodology adopted in Res. ALJ-393 to determine the 2022 hourly rates for Hawiger. This annual escalation methodology is based on the annual percentage change in the Bureau of Labor Statistics Employment Cost Index, Table 5, for the Occupational Group “Management, Professional, and Related excluding Incentive Paid Occupations.” (Res. ALJ-393, p. 4; Intervenor Compensation Market Rate Study, Final Report, p. 8). The percent change for this occupational group for the 12-months ended December 2021 is 3.3%. See https://www.bls.gov/news.release/eci.t05.htm.  For Mr. Hawiger, TURN accordingly requests a 2022 hourly rate of $670, based on escalating the 2021 rate of $650 by 3.3%, which equals $671, or $670 rounded to the nearest $5.  TURN has previously requested this hourly rate for Mr. Hawiger in a compensation request filed on June 1, 2022 in R.20-05-012. |
| Comment 5 | **Hourly Rate for Robert Finkelstein – 2022**  TURN requests that the Commission apply the annual escalation methodology adopted in Res. ALJ-393 to determine the 2022 hourly rate for Robert Finkelstein. This annual escalation methodology is based on the annual percentage change in the Bureau of Labor Statistics Employment Cost Index, Table 5, for the Occupational Group “Management, Professional, and Related excluding Incentive Paid Occupations.” (Res. ALJ-393, p. 4; Intervenor Compensation Market Rate Study, Final Report, p. 8). The percent change for this occupational group for the 12-months ended December 2021 is 3.3%. See https://www.bls.gov/news.release/eci.t05.htm.  TURN accordingly requests a 2022 hourly rate of $805, based on escalating the 2021 rate of $780 by 3.3%, which equals $805 (rounded to the nearest $5 increment, as is the Commission's practice).  TURN has previously requested this hourly rate for Mr. Finkelstein in a compensation request filed in A.22-04-016. |
| Comment 6 | **Hourly Rate for Constance Slider Pierre – 2022**  Pursuant to the requirements of ALJ-393, TURN hereby submits its request for a 2022 hourly rate for TURN Organizing Director, Constance Slider Pierre. (TURN has yet to submit a request for a 2021 hourly rate for Ms. Slider Pierre.)  **Intervenor Representative: Constance Slider Pierre Labor Role: Advocate – Community Development Program Director Level: V 2021 Hourly Rate Range: $147.88 - $245.68 (Res. ALJ-393) 2022 Hourly Rate Range: $152.76 - $253.79 (Res. ALJ-393, 3.3% 2022 COLA)**  **Requested Hourly Rate - 2022: $205** Current Resume: Submitted with the compensation request filed in A.21-11-017  Justification for the Requested Hourly Rate:  Ms. Slider Pierre has a Master of Public Policy and Bachelor of Arts in Government from California State University, Sacramento, and a Bachelor of Arts degree in Broadcast and Electronic Communications from California State University, San Francisco.  Since joining TURN as Organizing Director in 2019, Ms. Slider Pierre has designed and implemented organizing strategies and campaigns to build public support for TURN regulatory and legislative activities. She advocates for TURN’s policy agenda by organizing delegation visits and policy briefings, preparing educational materials, and maintaining regular contact with elected officials and opinion leaders. She is responsible for directly supporting TURN’s consumer hotline, as well as TURN’s online and direct mail member inquiries, and manages an average of nearly 1,000 calls per year from customers on energy and telecommunication issues. Furthermore, she conducts trainings of community based organizations and health and social service agencies on policies impacting utility consumers and develops digestible educational content on energy and telecommunications issues to support public education and engagement before the California State Legislature and the California Public Utilities Commission.  Prior to joining TURN, Ms. Slider Pierre worked from late 2016 though 2019 as the Director of Organizing and Community Engagement at Housing California, a statewide advocacy organization focused on advancing legislative policy to expand affordable housing and end homelessness in California. During this time, she developed and led Housing California’s statewide organizing program that annually educated and engaged thousands of residents across California in legislative campaigns that led to budgetary and legislative wins, such as the 2016 No Place Like Home Initiative that infused $2 billion of new funding to support people experiencing homelessness in acquiring housing and supportive services; and Propositions 1 & 2 that infused $6 billion from the state budget into affordable housing development, preservation and supportive services. She was also integral to the passage of AB 2343, which expanded noticing for renters, and AB 2319, which halted discrimination of tenants based on source of income.  Ms. Slider Pierre got her organizing start in the late 1990s, co-leading efforts at the Berkeley Marina for living wages for workers. After that, she worked from 2005-2007 as an Organizer for Unite HERE (Hotel Employees & Restaurant Employees), Local 49, Sacramento, an organized union representing close to 1,000,000 low-wage workers in the hotel and restaurant industries- including more than 5,000 in Sacramento. She then served as Manager for the Democratic Party of Sacramento County in 2008. From late 2008 through 2011, she served as the Director of the Coalition on Regional Equity (CORE). There she created and maintained a broad-based regional coalition with over 25 organizations to work on land use issues affecting the health of lower income communities and communities of color in the 9 counties that make up the Sacramento region. As the Director of CORE, Ms. Slider Pierre consulted and advised local, regional, and state-level decision makers on regional land use policies impacting the health of low income communities throughout the region. Ms. Slider Pierre also spent 8 years (from 2004-2012) as the President and Senior Organizer for the Avondale Glen Elder Neighborhood Association in Sacramento, where she worked as a community activist and represented the community on the Sacramento Redevelopment Agency board. Among other victories, she sustained and won a five-year organizing campaign with the Avondale Glen Elder Neighborhood Association opposing the Sacramento Natural Gas Storage Project before the CPUC. From 2012-2016, she led JP Consulting, a boutique consulting firm that advised nonprofit organizations and funders on strategic campaign development. In this role, she provided successful strategic planning for the development of a bridge organization to support social justice work in the Sacramento region.  The Market Rate Study Hourly Rate Chart instructs that a Community Development Program Director is an advocate in a senior management position who “provides leadership and management to one or more programs and participates in the overall management of (non-profit) organization”; who coordinates, plans and develops comprehensive programs for implementing the organization's goals; who provides “[o]n-going in-depth review and analysis of program operations, community needs and program resources; and who “represents the organization to community, agencies, the media, and participants.” The Hourly Rate Chart further requires a Level V Community Development Program Director to have a Bachelor’s Degree and 15+ years of experience.  Ms. Slider Pierre satisfies all of these requirements. She has two Bachelor’s Degrees, in Government and Broadcast and Electronic Communications, plus a Master of Public Policy Degree. Moreover, she has more than 15 years of experience conducting policy analysis and developing and managing programs and campaigns to advance the policy goals of the organizations and communities she has served; providing community policy education and leadership training; and providing policy briefings and testimony to legislators and other state and local decision makers on policies impacting lower income communities and communities of color.  Given Ms. Slider Pierre’s education and experience, TURN submits that an hourly rate near the median of the market rate range established in Res. ALJ-393 is reasonable for her work before the Commission in 2022. Accordingly, TURN requests that the Commission authorize a 2022 hourly rate of $205 for Ms. Slider Pierre.  TURN has previously requested this hourly rate for Ms. Slider Pierre in a compensation request filed in A.21-11-017 and submitted her Resume with that compensation request. |
| Comment 7 | **Hourly Rate for Stephen Green – 2022**  TURN filed an intervenor compensation claim in P.21-10-003 on May 20, 2022, that included a request that the Commission adopt a 2022 hourly rate of $135 for TURN Legal Assistant Stephen Green, 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 Mr. Green, TURN refers the Commission to the showing presented in P.21-10-003. |
| Comment 8 | **Hourly Rate for Elise Torres – 2023**  TURN requests that the Commission adopt a 2023 hourly rate of $510 for Elise Torres.  In D.21-12-049, the Commission adopted a rate of $450 for Ms. Torres’ work in 2021, recognizing him as an Attorney – Level III. For 2022, TURN requests that the Commission adjust Ms. Torres’ authorized 2021 rate by the annual escalation methodology adopted in Res. ALJ-393, which is based on the annual percentage change in the Bureau of Labor Statistics Employment Cost Index, Table 5, for the Occupational Group “Management, Professional, and Related excluding Incentive Paid Occupations.” (Res. ALJ-393, p. 4; Intervenor Compensation Market Rate Study, Final Report, p. 8). The percent change for this occupational group for the 12-months ended December 2021 is 3.3%. *See* [*https://www.bls.gov/news.release/eci.t05.htm*](https://www.bls.gov/news.release/eci.t05.htm). The resulting 2022 rate for Ms. Torres is $465.  The 2023 rate requested by TURN is equal to the rate for Ms. Torres’ work in 2022, adjusted by both the annual escalation methodology adopted in Resolution (Res.) ALJ-393 and the first 5% step increase for Ms. Torres’ in the Attorney – Level III experience tier. The annual escalation rate for 2023 is 4.5%. *See https://www.bls.gov/news.release/eci.t05.htm*.  Res. ALJ-393 permits intervenor representatives to claim up to two 5% annual “step increases” within each labor role experience tier, as long as their final requested rate does not exceed the maximum approved rate for that experience level. (Res. ALJ-393, p. 5). The maximum approved rate for an Attorney – Level III is $519.48 for work conducted in 2021, which escalates to $560.77 in 2023 by applying the 3.3% 2022 COLA and then the 4.5% 2023 COLA.  The requested 2023 rate for Elise Torres of $510 is below the maximum 2023 rate for an Attorney – Level III. |

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

| **Item** | **Reason** |
| --- | --- |
| [1] Disallowance for organization of community meeting | Submitted timesheets reflect 0.25 hours spent on 11/16/2021 on the organization of a community meeting.  Submitted timesheets also reflect 8 entries in 2022 spent on the organization of a community meeting. These entries contain 7.75 hours of time devoted to this activity.  This activity does not make substantive contribution to the decision and time spent preparing for such meetings is not compensable.[[6]](#footnote-6) |
| [2] E. Torres 2021, 2022, and 2023 rate | D.21-12-049 verified a 2021 rate of $450.00. We apply the same rate here.  Based on the approved 2021 rate of $450.00 above, using our calculation methodology and including the 3.31% escalation factor and rounding to the nearest $5 increment:  2021: $450.00  2022: $450.00 x 1.0331 = $465.00  Based on the approved 2022 rate of $465.00 above, using our calculation methodology and including the 4.46% escalation factor and 5% step increase and rounding to the nearest $5 increment:  2022: $465.00  2022: $465.00 x 1.0446 x 1.05 = $510.00  We therefore find hourly rates for Torres of $465 in 2022 and $510 in 2023 reasonable and adopt them here. |
| [3] Lack of attribution to relevant issues | The hours listed under “#” and “General Participation” total 34.7% of this request. We remind TURN, per the Intervenor Compensation Program Guide at p. 26, “Time records must not excessively label work as of a “General” issue type (general work on the proceeding)” and must be associated with substantive issues.”  Hours compensated under these categories have been adjusted downward by 20% due to noncompliance with the Intervenor Compensation Program guide and Rule of Practice and Procedure 17.4 (b)(3). We have disallowed 29.8 hours from compensation due to this lack of association with substantive issues.  This results in a disallowance of 13.7 hours (4.1 in 2021, 9.6 in 2022) for E. Torres, 8.1 hours (2.55 in 2021, 4.95 in 2022, and 0.6 in 2022 as a Synapse Employee) for E. Borden, 8.9 hours in 2022 for K. Morsony, and 0.4 hours in 2022 for S. Green. |
| [4] Multiple tasks on a single line | Submitted timesheets reflect 22 lines comprised of more than one task. We remind TURN, per the Intervenor Compensation Program Guide at p. 25, “Time records must not combine hours for several specific tasks in one timesheet entry.”  Hours compensated under these categories have been adjusted downward by 10% due to noncompliance with the Intervenor Compensation Program guide.[[7]](#footnote-7) We have disallowed 3.6 hours from compensation due to this attribution of multiple tasks to a single line.  This results in a disallowance of 2.5 hours (1.1 in 2021, 1.4 in 2022) for E. Torres and in a reduction of 1.1 2022 hours for K. Morsony. |
| [5] E. Borden 2021 and 2022 rate | D.21-12-049 and D.23-05-032 verified a 2021 and 2022 rate of $430.00 and $445.00. We apply the same rates here. |
| [6] Disallowance for research on covered conductor | Submitted timesheets reflect 0.75 hours spent on 1/5/2022 researching the cost of covered conductor. The installation of covered conductors is not within the scope of the vehicle electrification programs contemplated. The hours requested for this task are disallowed. |
| [7] K. Morsony 2022 rate | D.23-10-017 verified a 2022 rate of $515.00. We apply the same rate here. |
| [8] M. Hawiger 2022 rate | D.23-03-042 verified a 2022 rate of $670.00. We apply the same rate here. |
| [9] R. Finkelstein 2022 rate | D.23-04-022 verified a 2022 rate of $805.00. We apply the same rate here. |
| [10] R. Finkelstein 2022 rate | D.23-04-022 verified a 2022 rate of $805.00. We apply the same rate here. |
| [11] Excessive hours for Icomp preparation | Normally, we compensate intervenors for their time spent preparing an intervenor compensation request without discussion. However, given TURN’s significant expertise as an intervenor in numerous proceedings before this Commission, the relatively straightforward set of issues in this proceeding, and the lesser number of hours taken by TURN to prepare more complicated intervenor compensation requests (e.g. D.23-10-017), we find the hours taken to prepare this claim to be excessive. As such, we have reduced the compensable time for preparing this claim by 3 hours. |
| [12]  Noncompliance with the Intervenor compensation guidebook | As noted in comments 3 and 4, this request was not prepared in accordance with the Intervenor compensation guidebook. As such, we adjust the hours eligible for compensation downward by 25%. This results in a reduction of 2.63 hours. |

**PART IV: OPPOSITIONS AND COMMENTS**

**Within 30 days after service of this Claim, Commission Staff**

**or any other party may file a response to the Claim (*see* § 1804(c))**

|  |  |
| --- | --- |
| **A. Opposition: Did any party oppose the Claim?** | No |

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

**FINDINGS OF FACT**

1. The Utility Reform Network has made a substantial contribution to D.22-12-054.
2. The requested hourly rates for The Utility Reform Network’s representatives are comparable to market rates paid to experts and advocates having comparable training and experience and offering similar services.
3. The claimed costs and expenses, as adjusted herein, are reasonable and commensurate with the work performed.
4. The total of reasonable compensation is $193,375.15.

**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 $193,375.15.
2. Within 30 days of the effective date of this decision, Pacific Gas and Electric Company 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 May 2, 2023, the 75th day after the filing of The Utility Reform Network’srequest, and continuing until full payment is made.
3. The comment period for today’s decision is waived.

This decision is effective today.

Dated January 25, 2024, at Sacramento, California.

ALICE REYNOLDS

President

GENEVIEVE SHIROMA

DARCIE L. HOUCK

JOHN REYNOLDS

KAREN DOUGLAS

Commissioners

**APPENDIX**

**Compensation Decision Summary Information**

|  |  |  |  |
| --- | --- | --- | --- |
| **Compensation Decision:** | D2401045 | **Modifies Decision?** | No |
| **Contribution Decision(s):** | D2212054 | | |
| **Proceeding(s):** | A2110010 | | |
| **Author:** | ALJ Rizzo | | |
| **Payer(s):** | Pacific Gas and Electric Company | | |

**Intervenor Information**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Intervenor** | **Date**  **Claim Filed** | **Amount Requested** | **Amount Awarded** | **Multiplier?** | **Reason Change/Disallowance** |
| The Utility Reform Network | 2/16/2023 | $214,972.50 | $193,375.15 | 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** |
| Elise | Torres | Attorney | $450.00 | 2021 | $450.00 |
| Elise | Torres | Attorney | $465.00 | 2022 | $465.00 |
| Elise | Torres | Attorney | $510.00 | 2023 | $510.00 |
| Eric | Borden | Expert | $430.00 | 2021 | $430.00 |
| Eric | Borden | Expert | $260.00 | 2022 | $260.00 |
| Katy | Morsony | Attorney | $515.00 | 2022 | $515.00 |
| Marcel | Hawiger | Attorney | $670.00 | 2022 | $670.00 |
| Robert | Finkelstein | Attorney | $805.00 | 2022 | $805.00 |
| Constance | Slider Pierre | Advocate | $205.00 | 2022 | $205.00 |
| Stephen | Green | Legal Assistant | $130.00 | 2021 | $130.00 |
| Stephen | Green | Legal Assistant | $135.00 | 2022 | $135.00 |

**(END OF APPENDIX)**

1. This proceeding was reassigned to ALJ Colin Rizzo on February 15, 2023 [↑](#footnote-ref-1)
2. All statutory references are to California Public Utilities Code unless indicated otherwise. [↑](#footnote-ref-2)
3. The appropriate decision number for this request is D.22-12-054. [↑](#footnote-ref-3)
4. The Office of Ratepayer Advocates was renamed the Public Advocate’s Office of the Public Utilities Commission pursuant to Senate Bill No. 854, which the Governor approved on June 27, 2018.  [↑](#footnote-ref-4)
5. This information may be obtained through the State Bar of California’s website at <http://members.calbar.ca.gov/fal/MemberSearch/QuickSearch>. [↑](#footnote-ref-5)
6. Time spent preparing for these types of meetings is disallowed pursuant to D.10-04-024, D.04-09-050, and D.04-08-091. [↑](#footnote-ref-6)
7. This disallowance was previously applied to TURN in D.23-07-016 [↑](#footnote-ref-7)