

Decision 25-01-026 January 16, 2025

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

Order Instituting Rulemaking to Further Develop a Risk-Based Decision-Making Framework for Electric and Gas Utilities.

Rulemaking 20-07-013  
(Filed July 16, 2020)

**DECISION GRANTING COMPENSATION TO THE PROTECT OUR COMMUNITIES FOUNDATION FOR SUBSTANTIAL CONTRIBUTION TO DECISION 24-05-064**

<b>Intervenor:</b> The Protect Our Communities Foundation	<b>For contribution to Decision (D.) 24-05-064</b>
<b>Claimed:</b> \$62,760 <sup>1</sup>	<b>Awarded:</b> \$54,542.50
<b>Assigned Commissioner:</b> John Reynolds	<b>Assigned ALJ:</b> Jonathan Lakey

**PART I: PROCEDURAL ISSUES**

<b>A. Brief description of Decision:</b>	D.24-05-064 addressed several Phase 3 issues regarding updates to the Risk-Based Decision-Making Framework (RDF), including “evaluation of post-test years; uncertainty-transparency pilot; tail risk-consequence modeling; climate change; risk scaling; discount rates; Risk Assessment and Mitigation Phase (RAMP) reporting templates; and tranches.” D.24-05-064, p. 2.
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**B. Intervenor must satisfy intervenor compensation requirements set forth in Pub. Util. Code §§ 1801-1812<sup>2</sup>:**

	<b>Intervenor</b>	<b>CPUC Verification</b>
<b>Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):</b>		
1. Date of prehearing conference:	09/15/2020	Verified
2. Other specified date for NOI:	N/A	
3. Date NOI filed:	10/15/2020	Verified

<sup>1</sup> The correct amount claimed is \$65,103.00.

<sup>2</sup> All statutory references are to California Public Utilities Code unless indicated otherwise.

	<b>Intervenor</b>	<b>CPUC Verification</b>
4. Was the NOI timely filed?		Yes
<b>Showing of eligible customer status (§ 1802(b)) or eligible local government entity status (§§ 1802(d), 1802.4):</b>		
5. Based on ALJ ruling issued in proceeding number:	R.18-12-005	Verified
6. Date of ALJ ruling:	04/27/2020	Verified that a Ruling of April 17, 2019 made a preliminary finding of The Protect Our Communities Foundation’s (PCF) eligibility to claim intervenor compensation subject to providing additional information. PCF subsequently filed additional information and the finding of PCF’s eligibility was made in D.20-04-017, issued on 04/27/2020.
7. Based on another CPUC determination (specify):	D.20-04-017	Verified; we note an independent analysis of the law and facts made the final determination of PCF’s eligibility pursuant to §1802(h).
8. Has the Intervenor demonstrated customer status or eligible government entity status?		Yes
<b>Showing of “significant financial hardship” (§1802(h) or §1803.1(b)):</b>		
9. Based on ALJ ruling issued in proceeding number:	R.18-12-005	Verified

	<b>Intervenor</b>	<b>CPUC Verification</b>
10. Date of ALJ ruling:	04/27/2020	Verified that a Ruling of April 17, 2019 made a preliminary finding of The Protect Our Communities Foundation's (PCF) eligibility to claim intervenor compensation subject to providing additional information. PCF subsequently filed additional information and the finding of PCF's eligibility was made in D.20-04-017, issued on 04/27/2020.
11. Based on another CPUC determination (specify):	D.20-04-017	Verified; we note an independent analysis of the law and facts made the final determination of PCF's eligibility pursuant to §1802(h).
12. Has the Intervenor demonstrated significant financial hardship?		Yes
<b>Timely request for compensation (§ 1804(c)):</b>		
13. Identify Final Decision:	D.24-05-056	D.24-05-064
14. Date of issuance of Final Order or Decision:	6/06/2024	Verified
15. File date of compensation request:	8/05/2024	Verified
16. Was the request for compensation timely?		Yes

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

#	Intervenor’s Comment(s)	CPUC Discussion
5-7	<p>The Protect Our Communities Foundation (“PCF”) meets the definition of a Category 3 customer under the Public Utilities Code as a “representative of a group or organization authorized pursuant to its articles of incorporation or bylaws to represent the interests of residential customers...” (Pub. Util. Code § 1802, subd. (b)(1)(C).) Article 3, Section 3.3 of PCF’s Bylaws specifically authorizes the organization to represent the interests of Southern California residential utility ratepayers in proceedings before the Commission and to seek intervenor compensation for doing so. PCF advocates for just and reasonable rates and against unreasonably costly or unnecessary utility projects. PCF advocates for fair and reasonable energy practices, policies, rules, and laws, for the protection of natural resources from the impacts of largescale energy and industrial infrastructure projects, and in support of sustainable, clean, locally-based energy systems. PCF is a San Diego, California based nonprofit public benefit corporation organized for charitable and public purposes within the meaning of Section 501(c)(3) of the Internal Revenue Service Code.</p> <p>PCF also qualifies as an environmental group within the scope of Section 1802(b)(1)(C) because it represents the interests of customers with a concern for the environment.</p>	Noted

#	Intervenor’s Comment(s)	CPUC Discussion
	<p>A copy of PCF’s current Bylaws are on file with the Commission in R.13-12-010. In R.13- 12-010, PCF was found to have satisfied eligibility requirements in the September 26, 2014, Administrative Law Judge’s Ruling on Protect Our Communities Foundation’s Amended Showing of Significant Financial Hardship. A copy of PCF’s current Bylaws, as well as a copy of PCF’s current Articles of Incorporation, is also on file in A.15-09-013. In A.15-09-013, PCF was found to have satisfied eligibility requirements in D.19-04-031, Decision Granting Compensation to Protect Our Communities for Substantial Contribution to Decision 18-06-028 (April 25, 2019).</p>	
<p>9-11</p>	<p>PCF continues to meet the Commission’s longstanding definition of significant financial hardship. PCF is a nonprofit public benefit corporation organized exclusively for charitable, educational and public purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code. PCF represents the interests of a specific constituency: San Diego and other Southern California area residential utility ratepayers, the majority of whom do not have the financial ability to represent themselves and whose interests are often not adequately represented in Commission proceedings. Although PCF’s constituents’ rates are among the highest in the nation, the rates for any one household remains small when compared to the resources</p>	<p>Noted</p>

#	Intervenor’s Comment(s)	CPUC Discussion
	<p>necessary to participate effectively before this Commission. Pursuant to Public Utilities Code section 1802(h), PCF certifies that the economic interest in the proceeding of any individual PCF constituent is small compared to the cost of effective participation in this proceeding.</p> <p>Moreover, the Commission has repeatedly determined that PCF’s participation without an award of intervenor compensation imposes a significant financial hardship, including in proceeding A.21-05-011/014 on October 28, 2021. PCF’s circumstances have not changed in any relevant respect since the above determination was made. Pub. Util. Code, § 1803, subd. (b)(1) (“A finding of significant financial hardship shall create a rebuttable presumption of eligibility for compensation in other commission proceedings commencing within one year of the date of that finding.”).</p>	

**PART II: SUBSTANTIAL CONTRIBUTION**

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

Intervenor’s Claimed Contribution(s)	Specific References to Intervenor’s Claimed Contribution(s)	CPUC Discussion
<p><b><u>The Commission adopted PCF’s recommendation to require the Utilities to present annual cost-benefit ratios (CBR) in each GRC post-test year.</u></b></p>	<p>“We adopt a new RDF requirement that the IOUs must present CBRs for each GRC post-test year... Parties generally supported this requirement, and it will add transparency and aid in decision making.” D.24-05-64, p. 14.</p>	<p>Verified</p>

<p>In D.24-05-064, the Commission adopted the requirement that the Utilities must provide CBRs in post-test years for all controls and mitigations, as PCF recommended. PCF provided detailed analysis establishing the need for the Commission to standardize post-test year analysis and to require more granular post-test year analysis that will allow the commission to trace programs from the RAMP to the GRC to the RSAR. PCF demonstrated in comments that Utilities’ post-test year analysis were inconsistent and had not been compliant with Risk-Based Decision-Making Framework (RDF) mandates The Commission’s adopted requirement will allow for parties to trace programs throughout the RDF cycle as the RDF has long required and as PCF recommended.</p>	<p>“The Commission should adopt a new ‘Row 26’ to add language to the RDF included in Appendix A of D.22-12-027 as follows: GRC Post-Test Year Reporting: All Controls and Mitigation programs must include CBRs in each of the GRC post-test years and by Tranche.” D.24-05-064, p. 117 (Conclusion of Law 2).</p> <p>“Parties expressed a range of views regarding SPD’s tranche granularity proposal for post-test year purposes.” D.24-05-064, p. 14.</p> <p>PCF Reply Comments on Phase 3 Roadmap (April 3, 2023<sup>3</sup>), p. 5-6 (“SDG&amp;E and SoCalGas continue to flout the fundamental RDF requirement that programs be traceable from the RAMP to the GRC to the RSAR... although three years ago the Energy Division recognized that SDG&amp;E and SoCalGas must begin to reference programs and projects in order to allow for meaningful tracking throughout the GRC cycle, the difficulties tracking programs and projects over time with respect to SDG&amp;E and SoCalGas persist”).</p> <p>PCF Comments on Workshop #1 (August 10, 2023), p. 2-4 (“The Commission has been clear that risk reduction programs should be traceable from the RAMP to the GRC to the RSAR ‘on a project-by-project’ basis since the Commission first established the RDF, with greater transparency required in 2020”); <i>see also</i>, D.24-05-064, p. 6 (“the Protect Our Communities Foundation (PCF)...filed comments</p>	
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<sup>3</sup> We note the correct file date is April 21, 2023.

	<p>regarding workshop #1 and the SPD proposal”).</p>	
<p><b><u>PCF successfully opposed the Utilities’ attempts to avoid longstanding RDF requirements with respect to compliance-based risk reduction measures.</u></b></p> <p>The Commission rejected Southern California Edison’s (SCE) repeated attempts to avoid providing risk spend efficiency calculations for compliance activities, which PCF directly opposed. SCE argued in both its comments on the Phase III Roadmap and comments on the PD that the Utilities should not be required to provide such calculations. PCF provided detailed analysis to establish that including CBRs for compliance activities has long been required by the RDF, and that SCE’s claims to the contrary would decrease transparency and should be rejected.</p>	<p>“We adopt a new RDF requirement that the IOUs must present CBRs for each GRC post-test year as well as an aggregate CBR for the entire post-test year period and the entire GRC period... We also clarify that compliance activities, if these are currently established measures that are modifying risk, are controls” D.24-05-064, p. 14–15.</p> <p>PCF Reply Comments on Phase 3 Roadmap (April 21, 2023), p. 3 (“The Commission should flatly reject SCE’s request for ‘further discussion’ regarding its baseless claim that the ‘utilities do not need to provide an RSE for compliance activities.’ After nearly a decade, no excuse exists for SCE’s continued ‘struggle to understand’ why risk assessment should be comprehensive or why quantifying risk reduction promotes transparency and accountability for how the utilities are spending ratepayer funds”).</p> <p>PCF Reply Comments on PD (May 21, 2024), p. 3–4 (“Including cost benefit ratios for compliance activities provides critical context to the Utilities, the Commission, and the public, about whether the Utilities are cost-effectively prioritizing risk mitigation measures. Further, only with an understanding and transparent account of the costs and benefits of controls will the Utilities be able to meaningfully rank, prioritize, and optimize their risk mitigation programs. SCE’s suggestion that risk mitigation programs should be siloed from compliance programs would produce absurd results and render the RDF unreliable”).</p>	<p>Verified</p>



<p><b><u>The Commission adopted PCF’s recommendation to revise the proposed decision to add clarifying language to Finding of Fact #2.</u></b></p> <p>PCF recommended that Finding of Fact # 2 be revised to clarify that annual CBR’s are required for both controls and mitigation measures, and the Commission adopted PCF’s recommendation by revising Finding of Fact #2.</p>	<p>“Requiring the IOUs to present CBRs <i>for all controls and mitigations</i> by tranche for each GRC post-test year as well as an aggregate CBR for the entire post-test year period and the entire GRC period will add transparency and aid in decision making” D.24-05-064, p. 111 (Finding of Fact 2) (emphasis added); <i>compare</i> April 26, 2024 Proposed Decision at p. 111 (Finding of Fact #2 did not contain language “for all controls and mitigations”).</p> <p>“The Commission should adopt a new ‘Row 26’ to add language to the RDF included in Appendix A of D.22-12-027 as follows: GRC Post-Test Year Reporting: All Controls and Mitigation programs must include CBRs in each of the GRC post-test years and by Tranche.” D.24-05-064, p. 117 (Conclusion of Law 2).</p> <p>PCF Comments on Phase 3 Proposed Decision (May 16, 2024), p. 13-14 (“to comply with the Commission’s procedural mandate that decisions contain separately stated findings of fact on all material issues, Finding of Fact number 2 should be revised to accurately reflect the PD’s conclusion that both controls and mitigation measures require annual CBRs”).</p>	<p>Verified</p>
<p><b><u>The Commission required the Utilities to utilize the quintile tranche granularity approach for which PCF advocated.</u></b></p> <p>D.24-05-064 adopted the Quintile Tranche Granularity Approach and rejected the</p>	<p>“We adopt SPD’s proposed tranche granularity approach as a best practice and require IOUs to use this approach to determine tranches in most cases... Our requirements will enhance transparency and support flexibility.” D.24-05-064, p. 26; <i>id.</i> at p. 119 (Conclusion of Law 15).</p>	<p>Verified</p>

<p>Utilities’ arguments in opposition, which aligned the Phase 3 decision with the requirements of the RDF that PCF advocated for upholding throughout Phase 3. PCF provided citations and analysis of existing RDF mandates to establish the need for increased tranche granularity and PCF’s participation established that tranche granularity will facilitate compliance with longstanding RDF transparency requirements. PCF’s participation supplemented SPD’s recommendation and PCF’s comments provided support for the Commission to adopt the quintile granularity approach and to reject the Utilities’ arguments.</p>	<p>“Improvement is needed in utility data availability and collection to support RDF analyses to address potential data gaps and support implementation of the LoRE/CoRE quintile approach.” D.24-05-064, p. 113 (Finding of Fact 14).</p> <p>“There is an urgent need to ensure that the IOUs provide more granular reporting tranches than they have in the past.” D.24-05-064, p. 113 (Finding of Fact 23).</p> <p>PCF Comments on Workshop #1 (August 10, 2023), p. 4 (“At a minimum, the level of granularity should facilitate compliance with existing RDF mandates such as those discussed in the sections above. The Commission has repeatedly explained that the RDF process it established in 2014 was intended to ‘result in additional transparency and participation on how the safety risks for energy utilities are prioritized’ and to ‘provide accountability for how these safety risks are managed, mitigated and minimized’”).</p> <p>PCF Comments on PD (May 16, 2024), p. 3-5 (supporting adoption of the Quintile Tranche Granularity Approach as standard practice).</p> <p>PCF Reply Comments on PD (May 21, 2024), p. 2-3 (rebutting Utility arguments against adoption of the Quintile Tranche Granularity Approach).</p>	
<p><b><u>PCF enriched the record by providing support in the record for the Commission to reject PG&amp;E’s proposal and to impose restrictions on risk scaling.</u></b></p>	<p>“PCF supports TURN’s recommendation to use a linear risk scale for risk scaling and argues that a linear risk scale increases transparency and understandability.” D.24-05-064, p. 96.</p>	<p>Verified</p>

<p>PCF enriched the record by providing detailed analysis in support of TURN’s recommendation that the Commission adopt a linear risk scaling function as best practice. PCF’s comments described how adopting the recommendation would further the purposes of the RDF and demonstrated that PG&amp;E’s proposed market-based approach to risk scaling would thwart the Commission’s goals of consistency, transparency, and understandability. In D.24-05-064, the Commission adopted the use of a linear scaling function as a standard practice and rejected PG&amp;E’s proposed changes to risk scaling, as PCF recommended.</p>	<p>“We are persuaded of the need to impose restrictions on risk scaling within the RDF... We adopt the following modification to Row 7 of the RDF.” D.24-05-064, p. 97.</p> <p>“Applying linear risk scaling is not necessary for all mitigations but is necessary in some cases to promote transparency.” D.24-05-064, p. 115 (Finding of Fact 32).</p> <p>PCF Comments on Workshop #4 (November 6, 2023), p. 2–3 (“mandating linear risk scaling as a minimum requirement will allow the Commission and Intervenors to better understand the utilities’ risk spending requests”); p. 5–6 (“PG&amp;E advocates for minimal restrictions on how risk adjusted levels are determined, as it requests utilities be permitted—but not limited—to using a market-based approach. This lack of restrictions on how risk adjusted levels are determined is not in line with basic notions of transparency and understandability that have guided the RDF thus far”); <i>see also</i>, D.24-05-064, p. 7 (“PCF... filed comments in response to the October 12, 2024 ALJ ruling... PCF... filed reply comments”).</p> <p>PCF Reply Comments on Workshop #4 (November 13, 2023), p. 2–5.</p>	
<p><b><u>The Commission adopted PCF’s recommendation that the Utilities utilize a single discount rate in numerator and denominator (among other approaches) in order to increase the transparency and</u></b></p>	<p>“EPUC/IS, PCF, and TURN argue that, for the sake of transparency, consistency, and understandability, the numerator and denominator should both use the same discount rate.” D.24-05-064, p. 100.</p>	<p>Verified</p>

<p><b><u>understandability of Utility risk quantification.</u></b></p> <p>PCF provided detailed legal analysis establishing that use of a single discount rate in the numerator and denominator of CBR calculations will further the Commission’s RDF goals of transparency and understandability. In D.24-05-064, the Commission addressed the concerns raised by PCF and others and required that Utilities to utilize three different methods of calculation CBRs, two of which (The Societal Discount Rate Scenario and the WACC Discount Rate Scenario) mandate the use of a single discount rate in both the numerator and denominator as PCF advocated for.</p>	<p>“On the question of how the choice of discount rate should be impacted by the different types of benefits... PCF again noted that having different discount rates for the different benefit components reduces transparency.” D.24-05-064, p. 101.</p> <p>“However, several parties noted concerns that regarding CBRs with different discount rates in the numerator and denominator and specifically identified challenges of transparency, understandability, and the possible introduction of ‘bias.’ To ameliorate concerns about both uncertainty in selecting a discount rate as well as concerns about the understandability and transparency of using dual discount rates, the approach we adopt here is to direct the IOUs to use three discount rate scenarios for mitigations” D.24-05-064, p. 102.</p> <p>PCF Comments on Workshop #5 (December 1, 2023), p. 2–6 (explaining why the use of different discounting values in the numerator and denominator of a CBR does not align with the longstanding goals of the RDF).</p>	
<p><b><u>PCF advocated for and made multiple recommendations regarding adoption of RAMP reporting templates, and the Commission authorized the Commission’s staff and parties to prepare and propose recommendations to refine RAMP reporting templates, allowing for PCF’s recommendations to be considered more fully in the future.</u></b></p>	<p>“PCF and TURN are in support of use of the templates, with PCF claiming that SDG&amp;E’s and SoCalGas’ 2021 RAMP Reports failed to contain the minimum information necessary for the parties and the Commission to track risk reduction programs from the RAMP to the GRC and through to the Risk Spend Accountability Report (RSAR) as required by previous Commission decisions.” D.24-05-064, p. 106.</p>	<p>Verified</p>

<p>In D.24-05-064, the Commission acknowledged the benefits of a Mitigation Reporting Template and authorized the preparation of a Mitigation Project Selection Template and a Mitigation project Progress template, as recommended by PCF. PCF provided legal analysis demonstrating the benefits of reporting templates throughout Phase III by participating in all workshops and communicating with Cal Advocates and others, and by providing historical context to show why the templates would promote the Commission’s original goals in establishing the RDF. PCF proposed improvements to Cal Advocates template with respect to GHG emissions, and D.24-05-064 allows for further consideration of PCF’s proposed improvement. PCF also recommended that the Commission should avoid unnecessary ambiguity if it defines the term “project.” PCF recommended that the Commission allow intervenors, rather than just the Utilities, to contribute to any adopted template. The Commission adopted a procedural outcome that authorizes both staff and parties to participate in the technical working that will eventually develop the templates, allowing for each of PCF’s recommendations and other parties proposals to be considered more fully in the future.</p>	<p>“PCF agrees with Cal Advocates that the Commission should require the use of the templates beginning with 2025 filings and continuing with annual updates.” D.24-05-064, p. 108.</p> <p>“PCF suggests the addition to the Mitigation Project Selection template of a variable that tracks the greenhouse gas (GHG) emissions associated with each mitigation and suggests that the information on alternative measures should be presented on the same axis as the measure itself.” D.24-05-064, p. 108.</p> <p>“On the question of if the term ‘project’ needs to be defined within the RDF, parties are split... PCF supports the use of the common, dictionary definition of the term ‘project’ and requests that, should the Commission define the term ‘project,’ it should take care to avoid creating unnecessary ambiguity on whether risk reduction proposals constitute projects.” D.24-05-064, p. 109.</p> <p>“There is a need to consider whether or not the RDF requires a definition for the term ‘project.’” D.24-05-064, p. 117 (Finding of Fact 44).</p> <p>“On the question of whether risk mitigation data at the project level can help decisionmakers address the concern of rising utility rates in California, PCF and TURN argue that project level data increases accuracy in costing mitigations and ensuring the prioritization of the most cost-effective mitigations.” D.24-05-064, p. 109.</p> <p>“We are persuaded of the benefit of receiving the information Cal Advocates</p>	
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	<p>proposes in the templates.” D.24-05-064, p. 110.</p> <p>“However, the process, timing, and lexicon for the Risk Mitigation templates need further development in this or a successor proceeding. Parties are not in agreement on a definition of project or how such a definition should guide the IOUs in their development of RAMP and GRC filings... We intend to explore the application of a definition of project and the RMAR in this or a successor proceeding. To support the further refinement of the Mitigation Project Selection template and the Mitigation Project Progress template, we authorize continuation of the Technical Working Group (TWG) established in D.21-11-009. We authorize Commission’s staff and parties participating in the TWG to prepare and propose recommendations for refining the Mitigation Project Selection template and Mitigation Project Progress template for consideration of inclusion within the RDF. IOUs will also be afforded the opportunity to formally propose alternative templates that achieve the same goal of transparency, consistency across IOUs, and ease of use when it comes to assessing the data that informs selection and reporting progress of mitigations. Opportunities for workshop discussions and formal comment on all proposals will be provided.” D.24-05-064, p. 110.</p> <p>“The Commission should authorize the RDF TWG established in D.21-11-009 to consider whether or not the RDF requires a definition of the term “project”, and to prepare and propose recommendations for refining the Mitigation Project Selection template</p>	
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	<p>and Mitigation Project Progress template for consideration of inclusion within the RDF.” D.24-05-064, p. 123 (Conclusion of Law 32).</p> <p>PCF Reply Comments on Phase 3 Roadmap (April 21, 2023), p. 2.</p> <p>PCF Comments on Workshop #1, (August 10, 2023), p. 8 (“PCF requests an opportunity for intervenors to contributed to a reporting template for the post-test year information. At a minimum, the template should ensure that the Commission, intervenors, and the public can understand how the utilities quantify, rank, prioritize, and optimize risk mitigation”).</p> <p>PCF Comments on Workshop #5 (December 1, 2023), p. 6–7 (“Utilizing the Mitigation Project Selection template will promote the fundamental requirement of the RDF that programs be traceable from the RAMP to the GRC to the RSAR... The Mitigation Project Progress template should be required for RAMP and GRC filings. As explained in Section III.12, utilities have failed to provide the minimum information necessary for the parties and the Commission to evaluate their prior RAMP reports as required by the Commission”); <i>see also</i>, D.24-05-064, p. 7 (“On December 1, 2023...PCF... filed comments in response to the November 2, 2023 ALJ Ruling.”).</p> <p>PCF Reply Comments on PD (May 21, 2024), p. 4–5 (“Past RDF decisions support Cal Advocates’ comments and make clear that project level information is necessary in order to manage and minimize risks identified in a the Utilities’ RAMP and GRC submissions so that programs can be meaningfully</p>	
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	<p>tracked through the RDF process. The need for templates to report at the project level remains particularly critical for San Diego Gas &amp; Electric Company (SDG&amp;E) and Southern California Gas Company (SoCalGas), whose failure to adhere to the RDF’s fundamental mandates led the Commission to conclude in their last GRC that answers to the ‘core questions of what spending is proposed to mitigate risks, and how has past spending reduced risk per dollar spent’ as required by the Commission’s RAMP decisions have not been ‘readily available’ to the Commission in any SDG&amp;E and SoCalGas general rate case to date”).</p>	
<p><b><u>PCF enriched the record by providing detailed analysis and factual citations to historical treatment of the Utilities’ assessment of climate change risks in the RDF process, and the Commission recognized PCF’s concerns on behalf of ratepayers and required that climate hazards analysis requirements be flexible so that they can be updated and reconsidered in the future.</u></b></p> <p>PCF explained that the RDF has long required quantitative consideration of climate change risks to the public resulting from the Utilities’ operations, and that ratepayers should not be forced to bear the expense of mitigating climate change risks caused by the Utilities’ operations without first minimizing the Utilities’</p>	<p>“[W]hile it is important that utilities and the Commission consider climate change impacts on utility short term safety risks, we must do so in a balanced and measured way that allows for adjustment and flexibility as we learn more. Because mitigating safety risks has substantial cost implications to ratepayers, it is critical that we not overestimate the impact of climate change on such risks. Finding an appropriate balance between considering climate-induced additional risks but not overestimating this will be critical” D.24-05-064, p. 86–87.</p> <p>“Currently, the RDF permits but does not require the IOUs to consider quantitative climate risk data when using the RDF to develop their RAMP filings... This decision does not eliminate or significantly change this current authorization but rather clarifies it." D.24-05-064 p. 87.</p>	<p>Verified</p>



<p>contributions to climate change impacts. PCF enriched the record by providing a counternarrative to the Utilities’ incentive to profit from increased climate change mitigation capital expenditures while ignoring the fact that their own operations exacerbate climate change impacts. Although the Commission did not adopt PCF’s position in full, D.24-05-064 adopted PCF’s recommendations in part by recognizing the impact of climate change mitigation on ratepayers, allowing for adjustment and flexibility in the future as more information is learned, and by determining that Utilities are authorized to consider quantitative climate risk data.</p>	<p>“Quantitatively considering climate hazards in RAMP filings is not a simple or straightforward task.” D.24-05-064, p. 115 (Finding of Fact 23).</p> <p>“Testing the integration of quantitative climate data into RAMP analyses will support Commission development of further guidance in this important area as determined necessary.” D.24-05-064, p. 115 (Finding of Fact 27).</p> <p>“...The IOUs should seek to avoid, if possible, any long-term asset investment strategy that would be at risk in the future because of climate change impacts.” D.24-05-064, p. 121 (Conclusion of Law 25).</p> <p>“The Commission should require all utility Climate Pilot White Papers to: (a) describe in detail the approach taken, data sources used, analysis, and lessons learned; (b) only use data sources that meet the standards developed in R.18-04-019 and provide workpapers; and (c) consider the risk reduction benefits of any climate adaptation investments resulting from CAVA analyses funded in previous GRC decisions and any adaptation-related resiliency or similar investments funded through previous GRC decisions or other relevant decisions that may reduce RAMP risks.” D.24-05-064, p. 122 (Conclusion of Law 27).</p> <p>PCF Comments on Phase 3 Roadmap (April 03, 2023), p. 6 (“The Commission must ensure utility shareholders do not benefit – in the form of profits on capital expenditures or otherwise - from the very climate change impacts utility operations exacerbate”); p. 2–8 (“SDG&amp;E’s and SoCalGas’s excuse for failing to</p>	
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	<p>quantify climate change impacts remain illogical and fails to comply with the Commission’s RDF and the requirements of California law. SDG&amp;E’s and SoCalGas’ operations emit methane and, in SDG&amp;E’s case, cause wildfires, both of which of course exacerbate climate change and adverse climate change impacts. Climate change is a direct risk to public safety resulting from utility operations, and must be addressed to comport with the RDF, directives by the California Governor and Legislature and, as described below, climate science dictates”).</p> <p>PCF Comments on Workshop #3 (October 13, 2023), p. 2–4 (“The Commission has not, however, allowed the utilities to decide whether or not to quantify risk reduction. Rather, the Commission has required that the utilities quantify risk reduction since its earliest RDF decisions, and climate risk reductions are no exception. As the Commission found in D.16-08-018, ‘without quantifying risk reduction, no meaningful ranking, prioritization or optimization of risk mitigations is possible, and the Commission’s goals and processes set forth in D.14-12-025 are compromised.’ Thus, once a utility identifies a risk like climate change, as SDG&amp;E and SoCalGas acknowledged in their 2016 RAMP reports (the first RAMP reports), a quantitative analysis is already required”); <i>see also</i>, D.24-05-064, p. 7 (“PCF... filed opening comments on the questions regarding Workshop #3”).</p>	
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**B. Duplication of Effort (§ 1801.3(f) and § 1802.5):**

	<b>Intervenor’s Assertion</b>	<b>CPUC Discussion</b>
<b>a. Was the Public Advocate’s Office of the Public Utilities Commission (Cal Advocates) a party to the proceeding?</b>	Yes.	Verified
<b>b. Were there other parties to the proceeding with positions similar to yours?</b>	Yes.	Verified
<b>c. If so, provide name of other parties:</b> EPUC/IS, TURN, MGRA, Cal Advocates		Verified
<b>d. Intervenor’s claim of non-duplication:</b>  Phase 3 of this proceeding included six separate workshops which dealt with multiple issues. Where PCF and other intervenors shared similar positions, PCF’s participation did not duplicate the work of other intervenors because PCF focuses on the interests of Southern California ratepayers who have been subject to unique circumstances with the Commission’s RDF process procedurally and because SDG&E and SoCalGas have not adhered to RDF requirements as closely as their counterparts PG&E and SCE. Thus, the interests PCF represents remain dissimilar to and are not adequately represented by parties that advocate for California ratepayers as a whole or that are focused on wildfire risk specifically. Pub. Util. Code, § 1801.3(f). Additionally, PCF supplemented, complimented, and contributed to the arguments of other intervenors by performing conceptually different analysis to support its position. Intervenor Compensation Program Guide, p. 21 (intervenors avoid duplication when they perform conceptually different analysis to support their position); Pub. Util. Code, § 1802.5 (full compensation where participation “materially supplements, complements, or contributes to the presentation of another party”).  Specifically, PCF used its years of experience working on SDG&E and SoCalGas RAMP filings to demonstrate how improvements could be made to the RDF to ensure that SDG&E and SoCalGas comply with longstanding RDF requirements. PCF made numerous, diverse, and robustly supported arguments and recommendations that other parties did not make, such as highlighting the benefits of requiring Utilities to provide CBRs for compliance activities. PCF was the only party to highlight SDG&E and SoCalGas’s history of filing insufficient RAMP reports, further demonstrating the need for increased Utility restrictions within the RDF like those adopted in D.24-05-064. PCF emphasized the RDF’s central goals of promoting transparency and understandability and advocated for improvements to the RDF that benefited San Diego and Southern California ratepayers who have	Noted	

<p>yet to realize the transparency benefits the Commission intended by the RDF. PCF’s extensive experience in SDG&amp;E’s and SoCalGas’s RAMP proceedings, combined with its otherwise unrepresented mission of advocating for specifically San Diego and Southern California ratepayers, gave PCF a unique and valuable viewpoint in this proceeding, thus supplementing the record even where intervenors held similar views.</p>	
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**C. Additional Comments on Part II:**

#	Intervenor’s Comment	CPUC Discussion
II(A)	<p><b>Substantial Contribution.</b> Pursuant to Section 1802(j), “Substantial contribution” means that, in the judgment of the commission, the customer’s presentation has substantially assisted the commission in the making of its order or decision because the order or decision has adopted in whole or in part one or more factual contentions, legal contentions, or specific policy or procedural recommendations presented by the customer.”</p>	Noted
II(A)	<p><b>Substantial Contribution Includes Enriching Deliberations or the Record.</b> Past Commission decisions instruct that intervenors substantially contribute when they have “provided a unique perspective that enriched the Commission’s deliberations and the record.” (D.05-06-027, p. 5); when they have “assisted the Commission in the decision-making process” (D.19-10-019, p. 3-4); when they provide a full discussion of the matters at issue so as to allow the Commission “to fully consider the consequences of adopting or rejecting” the parties’ proposals (D.08-04-004,</p>	Noted

#	Intervenor’s Comment	CPUC Discussion
	p. 5-6); and when they offer alternative evaluations of the disputes addressed (D.19-10-019, p. 5-6).	
II(A)	<p><b>Substantial Contribution Includes Procedural Outcomes.</b>                      The Commission recognizes that “[p]rocedural outcomes are statutorily recognized as substantial contribution.” (D.19-10-019, p. 7.)</p>	Noted
II(B)(d)	<p><b>No Duplication.</b>                      No reduction to PCF’s compensation due to duplication is warranted given the standard adopted by the Commission in D.03-03-031 and consistent with Public Utilities Code Sections 1801.3(b) &amp; (f), 1802(j), 1802.5, and 1803. Section 1803 sets forth the requirements for awarding intervenor compensation. Pub. Util. Code, § 1803; D.03-03-031, p. 12-14. An award of compensation for reasonable fees for participation in a proceeding is required when an intervenor (1) complies with Section 1804 and(2) “satisfies both of the following requirements: (a) The customer’s presentation makes a substantial contribution to the adoption, in whole or in part, of the commission’s order or decision. (b) Participation or intervention without an award of fees or costs imposes a significant financial hardship.” Pub. Util. Code, § 1803. Section 1801.3(f) seeks to avoid only (1) “unproductive or unnecessary participation that duplicates the</p>	Noted

#	Intervenor’s Comment	CPUC Discussion
	<p>participation of similar interests otherwise adequately represented” or (2) “participation that is not necessary for a fair determination of the proceeding.” Pub. Util. Code, § 1801.3, subd. (f); D.03-03-031, p. 15-18. The “duplication language contained in the first dependent clause requires the compensation opponent to establish three elements – duplication, similar interests, and adequate representation.” D.03-03-031, p. 18. Section 1802.5 provides for full compensation where participation “materially supplements, complements, or contributes to the presentation of another party.” Pub. Util. Code. § 1802.5; <i>see also</i> D.03-03-031, p. 14.</p>	

**PART III: REASONABLENESS OF REQUESTED COMPENSATION**

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

	CPUC Discussion
<p><b>a. Intervenor’s claim of cost reasonableness:</b></p> <p>PCF’s fees are small compared to the benefits California ratepayers will ultimately realize as the result of PCF’s contributions to this proceeding, which resulted in increased transparency requirements. As noted in D.24-05-064, p. 86, mitigating safety risks has substantial cost implications to ratepayers. While it is impossible in this case to provide an actual dollar value of the benefit to ratepayers of PCF’s participation, PCF’s fees are small compared to the benefits California ratepayers will ultimately realize from PCF’s contributions to this proceeding. PCF’s successful advocacy, such as recommending the inclusion of yearly CBR’s in post-test year analysis and that the Utilities should utilize linear risk scaling, led to assurances by the Commission that in the future there will be a transparent and open assessment of utility risk quantification and asset allocation, allowing both the Commission and intervenors to better understand and</p>	<p>Noted</p>

	CPUC Discussion												
<p>assess Utility spending on risk mitigation measures. Thus, PCF’s contributions to this proceeding are reasonable because they serve to reduce the significant cost of mitigating safety risks by allowing the Commission and parties to better understand the Utilities’ risk related decision making so that the Commission can hold the Utilities accountable for how the Utilities spend ratepayer funds in the future.</p>													
<p><b>b. Reasonableness of hours claimed:</b></p> <p>All of the hours claimed in this request were reasonably necessary to PCF’s participation towards D.24-05-064.</p> <p>In an effort to minimize costs and ensure the reasonableness of hours claimed in this proceeding, PCF staff attorney Jonathan Webster, whose rates are significantly lower than Ms. Dickenson’s, prepared the first drafts of comments that led to D.24-05-064. Ms. Dickenson’s background and participation in previous related proceedings, including SDG&amp;E’s and SoCalGas’s 2019 GRC and their 2019 and 2021 RAMP proceedings, as well as matters related to wildfire mitigation plan requirements, dramatically reduced the number of hours spent drafting comments and otherwise supervising Mr. Webster’s participation in Phase 3. PCF’s knowledge gained from Ms. Dickenson’s participation in other proceedings allowed PCF to participate and advocate efficiently with respect to the issues decided in D.24-05-064.</p> <p>PCF does <u>not</u> claim time spent on any administrative matters, such as time spent filing and serving comments. To further minimize costs, Mr. Webster, under Ms. Dickenson’s supervision, performed the majority of the work preparing this request for intervenor compensation.</p> <p>Nor does PCF claim any time spent by Mr. Webster that was necessary for him to get up to speed on this proceeding. PCF has reduced its hours claimed to ensure reasonableness.</p>	<p>Noted; <i>see</i> Part III.D CPUC Comments, Disallowances, and Adjustments above.</p>												
<p><b>c. Allocation of hours by issue:</b></p> <p>Below are the total hours spend on each issue identified in the phase 3 scoping memo, as well as hours spend commenting on the phase 3 road map and proposed decision.</p> <table border="1" data-bbox="203 1724 1117 1885"> <thead> <tr> <th><u>Issue</u></th> <th><u>Total Hours</u></th> <th><u>% of Hour</u></th> <th><u>Description</u></th> </tr> </thead> <tbody> <tr> <td>RM</td> <td>11.7</td> <td>7%</td> <td>Phase 3 Roadmap</td> </tr> <tr> <td>PT</td> <td>5.3</td> <td>3%</td> <td>Evaluation of Post-Test Years</td> </tr> </tbody> </table>	<u>Issue</u>	<u>Total Hours</u>	<u>% of Hour</u>	<u>Description</u>	RM	11.7	7%	Phase 3 Roadmap	PT	5.3	3%	Evaluation of Post-Test Years	<p>Noted; totals 99%.</p>
<u>Issue</u>	<u>Total Hours</u>	<u>% of Hour</u>	<u>Description</u>										
RM	11.7	7%	Phase 3 Roadmap										
PT	5.3	3%	Evaluation of Post-Test Years										

				CPUC Discussion
TP	0	0%	Transparency Pilot	
TR	0	0%	Tail Risk: Consequence Modeling	
CC	43.9	27%	Climate Change	
RS	26.4	16%	Risk Scaling	
DR	13.75	8%	Discount Rates	
RT	8.35	5%	RAMP Reporting Templates	
TG	6	4%	Tranche Granularity	
PD	36.7	22%	Proposed Decision	
GP	11.9	7%	General Participation	

**B. Specific Claim:\***

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
Malinda Dickenson [Legal Director, Attorney]	2023	42	\$700/hr	See Comment #1	\$29,400	42.00	\$635.00 [1]	\$26,670.00
Malinda Dickenson [Legal Director, Attorney]	2024	7.6	\$730/hr	See Comment #1	\$5,548	7.60	\$660.00 [2]	\$5,016.00
Jonathan Webster [Law Fellow]	2023	78.1	\$235/hr	See Comment #2	\$16,010.50 <sup>4</sup>	77.35 [5]	\$150.00 [3]	\$11,602.50
Jonathan Webster [Attorney]	2023	7.2	\$270/hr	See Comment #2	\$1,944	7.20	\$270.00 [3]	\$1,944.00
Jonathan Webster [Attorney]	2024	29.1	\$280/hr	See Comment #2	\$8,148	29.10	\$280.00 [4]	\$8,148.00

<sup>4</sup> The correct total is \$18,353.50.



CLAIMED						CPUC AWARD		
<i>Subtotal: \$61,050.50<sup>5</sup></i>						<i>Subtotal: \$53,380.50</i>		
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
Jonathan Webster	2024	8.3	\$140/hr	½ 2024 rate	\$1,162	8.30	\$140.00	\$1,162.00
Malinda Dickenson	2024	1.5	\$365/hr	½ 2024 rate	\$547.50	0.00 [6]	\$330.00 [2]	\$0.00
<i>Subtotal: \$1,709.50</i>						<i>Subtotal: \$1,162.00</i>		
<b><i>TOTAL REQUEST: \$62,760<sup>6</sup></i></b>						<b><i>TOTAL AWARD: \$54,542.50</i></b>		

\*We remind all intervenors that Commission staff may audit the records and books of the intervenors to the extent necessary to verify the basis for the award (§1804(d)). Intervenors must make and retain adequate accounting and other documentation to support all claims for intervenor compensation. Intervenors’ records should identify specific issues for which it seeks compensation, the actual time spent by each employee or consultant, the applicable hourly rates, fees paid to consultants and any other costs for which compensation was claimed. The records pertaining to an award of compensation shall be retained for at least three years from the date of the final decision making the award.

\*\*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 <sup>7</sup>	Member Number	Actions Affecting Eligibility (Yes/No?) If “Yes”, attach explanation
Malinda Dickenson	2002	222564	No
Jonathan Webster	2023	351823	No

**C. Attachments Documenting Specific Claim and Comments on Part III<sup>8</sup>:**

Attachment or Comment #	Description/Comment
Attachment #1	Certificate of Service
Attachment #2	Timesheet and Categorization

<sup>5</sup> The correct subtotal is \$63,393.50.

<sup>6</sup> The correct total request is \$65,103.00.

<sup>7</sup> This information may be obtained through the State Bar of California’s website at <http://members.calbar.ca.gov/fal/MemberSearch/QuickSearch>.

<sup>8</sup> Attachments not included in final Decision.

Attachment or Comment #	Description/Comment
Attachment #3	Malinda Dickenson Resume
Attachment #4	Jonathan Webster Resume
Comment #1	<p><b>Malinda Dickenson basis for 2023 and 2024 rates: \$700/hr, \$730/hr, respectively.</b></p> <p>Ms. Dickenson has more than 13 years of experience in the legal director role of the Commission’s hourly rate chart, which includes 9 years as principal of her own law firm plus nearly 5 years as PCF’s General Counsel and then Legal &amp; Executive Director. Ms. Dickenson’s nearly 14 years of experience in the legal director role qualifies her for the upper range of Level IV, which applies to 10-15 years of legal director experience. The Commission hourly rate chart provides a median rate of \$699.57 and a high-end rate of \$860.03 for Level IV legal directors in 2024. These rates include overhead costs. Ms. Dickenson’s 2024 rate of \$730, which is just above the median and far below the upper range for Level IV Legal Directors, is lower than what can be justified based on Ms. Dickenson’s nearly 14 years of experience in the legal director role.</p> <p>Legal directors with comparable and less experience than Ms. Dickenson have been awarded rates exceeding Ms. Dickenson’s \$730 rate. Mr. Birkelund was awarded \$705 for 2022 rates (D.23-02-016, p. 10), which equals \$765 per hour in 2024 dollars, \$735 in 2023 dollars, and \$680 in 2021 dollars, utilizing the Commission’s approved COLA for 2023 and 2024 and the Commission’s established practice of rounding to the nearest five-dollar increment. Mr. Birkelund has two years less experience in the legal director role than Ms. Dickenson. (See D.22-08-046, p. 17.) Ms. Elliott, who had 13 years of legal director experience in 2021, was awarded a rate of \$700 for 2021 which equates to \$785 in 2024 dollars and \$755 in 2023 dollars, utilizing the Commission’s approved COLA for 2022 and 2023 and the Commission’s established practice of rounding to the nearest five-dollar increment. (D.23-08-043, p. 31.)</p> <p>Ms. Dickenson’s rate is also justified by her experience as an Attorney. Ms. Dickenson’s resume is attached and has been updated from previous claims to clarify that Ms. Dickenson is a lawyer with close to 22 years of experience that is directly related to her work before the Commission. (See Comment #3, <i>infra</i> (last paragraph).) The Commission hourly rate chart provides a median rate of \$680.95 and a high-end rate of \$773.67 for Level V Attorneys in 2024. These rates include overhead costs. Ms. Dickenson’s 2024 rate of \$730 falls in between the median and high values for Level V Attorneys, which is extremely conservative based on Ms. Dickenson’s nearly 22 years of directly related experience in 2023.</p> <p>The requested 2024 rate for Ms. Dickenson also aligns with the newly updated rate of \$700/hour for 2023.</p>

Attachment or Comment #	Description/Comment
	<p>Ms. Dickenson’s resume and this justification have been updated since Ms. Dickenson was awarded a 2022 rate of \$610 per hour in D.23-08-020 and D.23-10-018 which were in turn based on the 2021 rate of \$590 per hour in D.22-10-030. PCF appreciates that in D.23-11-050, the Commission identified the basis for its interpretation of Ms. Dickenson’s previous resume which led to D.22-10-030 and invited Ms. Dickenson to provide additional information by citing to the Intervenor Compensation Guide at page 22 which “advises intervenors seeking a higher hourly expert rate to identify a decision approving a higher rate or to provide updated credentials for its expert to supplement the record.” (D.23-11-043, p. 4.) Accordingly, Ms. Dickenson’s resume and this justification have been updated to clarify a less comprehensive description of her experience in the previous version of Ms. Dickenson’s resume. Ms. Dickenson’s current resume unequivocally establishes that Ms. Dickenson has nearly 22 years of experience that is directly related to her work before the Commission.</p>
<p>Comment #2</p>	<p><b>Jonathan Webster basis for 2023 Law Fellow rate, 2023 Attorney 0-1 Year rate, and 2024 Attorney 0-1 Year rate: \$205, \$270, and \$280/hour respectively.</b></p> <p>Jonathan Webster is a Staff Attorney at The Protect Our Communities Foundation. PCF is requesting a rate of \$280 per hour for Mr. Webster for 2024, \$270 per hour for 2023, and \$205 per hour for 2023 prior to his admission to the state bar. Mr. Webster graduated from the University of San Diego School of Law in May of 2023 and was admitted to the California bar on December 5, 2023. Mr. Webster joined PCF as a Law Fellow after law school and was promoted to Staff Attorney upon his admission to the State Bar of California. Mr. Webster performs his job duties with the skill of lawyers with much more experience: he prepares briefs, participates in meet and confers, performs legal research, analyzes evidence, prepares data requests, assists in the drafting of testimony, attends workshops, and drafts comments, while under the supervision of an experienced attorney.</p> <p><b>Mr. Webster’s 2023 Rate (Attorney 0-1 Year) (\$270/hr):</b></p> <p>Mr. Webster’s 2023 rate (\$270/hr) is based on the Commission’s hourly rate chart and the rates awarded for attorneys with 0-1 years of experience. For 2023, the range for 0-1 years of attorney experience is \$193.45 (low), \$251.87 (median), and \$317.95 (high).</p> <p>The requested rate is consistent with past Commission precedent regarding rates for Attorneys with 0-1 years experience. In D.23-08-043 and D.22-09-022, the Commission approved a 2021 rate of \$250 for Rebecca Ruff immediately after being admitted to the bar, which equals \$270 per</p>

Attachment or Comment #	Description/Comment
	<p>hour in 2023 dollars utilizing the Commission’s approved COLA for 2022 and 2023 and the Commission’s established practice of rounding to the nearest five-dollar increment. Additionally, in D.24-02-044, the Commission awarded a rate of \$275 an hour to Marna Anning for 2022 and a rate of \$285/hour for 2023. Both Ms. Ruff and Ms. Anning have comparable experience to Mr. Webster.</p> <p>The rate of \$270 per hour is slightly above the 2023 median rate for a Level 1 Attorney and well below the high end of the range, and supported by Ms. Webster’s background, experience, and education in areas of laws and procedures relevant to CPUC matters, including environmental law and utility regulations.</p> <p>Mr. Webster graduated from the University of San Diego School of Law in 2023 with Certificates of Specialization in Environmental Law and with a Bachelor of Arts in Environmental studies from The University of California at Santa Barbara in 2013. Mr. Webster was a member of both the Journal of Climate and Energy Law and the Environmental Law Society while in law school.</p> <p>During law school Mr. Webster obtained a variety of legal experience directly relevant to his work before the CPUC. Mr. Webster took classes relevant to environmental and energy law, such as Administrative Law, Energy Law and Policy, Environmental Law and Policy, and Water Law. Mr. Webster received the CALI Award (awarded to highest achiever) in his Energy Law and Policy Course. Mr. Webster was a member of the Energy Policy Initiative Center’s (EPIC) Environmental Law Clinic, in which he worked with the California Air Resources Board (CARB) on a confidential project. In Summer 2022, he interned with the Honorable Judge Ronald F. Frazier in the San Diego Superior Court, where he worked on CEQA litigation as well as Judge Frazier’s general course load. In Spring 2023, Mr. Webster interned with the Honorable Judge Thomas J. Whelan in the United States District Court for the Southern District of California. Mr. Webster’s extensive experience working alongside government agencies such as CARB, coupled with his experience working in both the State and Federal court system, provided him with directly relevant experience and makes him well position to meaningfully contribute to CPUC proceedings.</p> <p><b>Mr. Webster’s 2023 Rate (Pre-Bar Law Fellow) (\$205/hr):</b></p> <p>The requested rate is consistent with the Commission’s past decisions granting rates to Pre-Bar Law Graduates with similar experience to Mr. Webster. In 2021, the Commission approved a 2020 rate of \$190 per hour for Rebecca Ruff, a law school graduate who was yet to be admitted to the state bar and who had comparable training and experience to Mr. Webster (D.21-07-025, p. 20). Estimating directly from Rebecca Ruff’s 2020 rate of \$190 per hour, the rate after applying 2021-2023 escalation would total \$205 an hour. PCF arrived at this number by utilizing the Commission’s</p>

Attachment or Comment #	Description/Comment
	<p>approved escalation rates and rounding to the nearest five-dollar increment pursuant to the Commission’s established practice (2020 rate of \$190 * 0% escalation = \$190/ hour in 2021. 2021 rate of \$190 * 1.0331 escalation in 2022 = \$196.29/ hour in 2022. 2022 rate of \$196.29 * 1.0446 escalation in 2023 = \$205/hour in 2023). Thus, Mr. Webster’s requested rate of \$205 per hour in 2023 is reasonable when compared to past Commission decisions, especially given Mr. Webster’s experience in legal areas related to the CPUC which are summarized above.</p> <p><b>Mr. Webster’s 2024 Rate (Attorney 0-1 Year):</b>                      To calculate Mr. Webster’s 2024 rate, PCF utilized the Commission approved COLA for 2024. Given a 2023 rate of \$270/hr and an escalation of 4.07%, PCF requests a rate of \$280/hr for 2024 for Mr. Webster (<math>270 * 1.0407 = 280.99</math>, which equals 280 when rounded to nearest 5).</p>

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

Item	Reason
[1] Dickenson’s 2023 Hourly Rate	<p>D.24-03-030 approved a 2023 hourly rate of \$635.00 for Dickenson.</p> <p>PCF requests a new classification for Dickenson. Following the review of Dickenson’s resume, we continue to classify Dickenson as Legal Director IV. We note the Commission has not applied any step increases for Dickenson as a Legal Director IV. We remind PCF that the Commission allows individuals an annual 5% “step increase” twice within each labor role, upon request. <i>See</i> D.07-01-009 at page 1.</p>
[2] Dickenson’s 2024 Hourly Rate	<p>D.24-03-030 approved a 2023 hourly rate of \$635.00 for Dickenson. We apply the 2024 escalation factor of 4.07% to the 2023 rate, resulting in a 2024 rate of \$660.00 for Dickenson.</p>
[3] Webster’s 2023 Hourly Rates	<p>PCF requests two 2023 rates within this claim for Webster, one rate as a law fellow and one rate as an attorney. We find it reasonable to establish a pre-CA BAR rate and post-CA BAR rate for Webster in 2023. Webster received a bachelor’s degree in environmental studies from U.C. Santa Barbara and a Juris Doctor from the University of San Diego, School of Law in May 2023.</p> <p>Prior to passing the CA-BAR, Webster gained approximately one year of experience in various roles such as a student attorney, judicial extern, and law fellow. We classify Webster’s pre-BAR work as a Legal - Paralegal - Level I (0-1 years) with the rate range of \$97.52 - \$150.48. We approve a 2023</p>

Item	Reason
	<p>hourly rate of \$150.00 for Webster’s pre-CA BAR rate. This is the highest possible rate for a paralegal with under two years of experience.</p> <p>Webster was admitted to the CA-BAR on December 5, 2023, and since then has practiced with PCF as a staff attorney. The 2023 rate range for Legal - Attorney - I (0-1 years) is \$193.45 - \$317.95. We approve a 2023 hourly rate of \$270.00 for Webster’s post-BAR experience.</p>
[4] Webster’s 2024 Hourly Rate	We apply the 2024 escalation factor of 4.07% to Webster’s 2023 rate as an Attorney - I, resulting in a 2024 rate of \$280.00 for Webster.
[5] Webster’s 2023 Pre-BAR Disallowance	<p>Webster’s 2023 claimed hours are reduced by 0.75 hours for the activities below:</p> <p><u>Excessive Hours Claimed (0.75):</u>                      Webster logged a total of 5.00 hours on 9/13/2023 for attending the “Phase 3 Workshop #3 on Climate Change”. However, records indicate that this workshop lasted approximately 4.25 hours. Therefore, we disallow 0.75 hours of the combined total from the following time entries:</p> <ul style="list-style-type: none"> <li>• 9/13/2023 - Attend Climate Change workshop - Morning</li> <li>• 9/13/2023 - Attend Climate Change workshop - Afternoon</li> </ul>
[6] Dickenson’s 2024 Intervenor Compensation Claim Preparation (IComp Prep) Disallowances	<p>Dickenson’s 2024 IComp Prep hours are reduced by 1.50 hours for the activities below:</p> <p><u>Internal Duplication (1.50):</u>                      We also find Dickenson’s hours to be unnecessary and duplicative of work completed by Webster. Therefore, we disallow the following hours:</p> <ul style="list-style-type: none"> <li>• 8/05/2024 - Supervise preparation of IC claim: review and revise draft claim</li> </ul>

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

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

**FINDINGS OF FACT**

1. The Protect Our Communities Foundation has made a substantial contribution to D.24-05-064.
2. The requested hourly rates for The Protect Our Communities Foundation's representatives, as adjusted herein, are comparable to market rates paid to experts and advocates having comparable training and experience and offering similar services.
3. The claimed costs and expenses, as adjusted herein, are reasonable and commensurate with the work performed.
4. The total of reasonable compensation is \$54,542.50.

**CONCLUSION OF LAW**

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

**ORDER**

1. The Protect Our Communities Foundation is awarded \$54,542.50.
2. Within 30 days of the effective date of this decision, Pacific Gas and Electric Company, Southern California Edison Company, San Diego Gas & Electric Company, and Southern California Gas Company shall pay The Protect Our Communities Foundation their respective shares of the award, based on their California-jurisdictional gas and electric revenues for the 2023 calendar year, to reflect the year in which the proceeding was primarily litigated. If such data is unavailable, the most recent gas and electric revenue data shall be used. Payment of the award shall include compound interest at the rate earned on prime, three-month non-financial commercial paper as reported in Federal Reserve Statistical Release H.15, beginning October 19, 2024, the 75<sup>th</sup> day after the filing of The Protect Our Communities Foundation's request, and continuing until full payment is made.

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

This decision is effective today.

Dated January 16, 2025, at San Francisco, California.

ALICE REYNOLDS

President

DARCIE L. HOUCK

JOHN REYNOLDS

KAREN DOUGLAS

Commissioners

Commissioner Matthew Baker recused himself from this agenda item and was not part of the quorum in its consideration.



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

<b>Compensation Decision:</b>	D2501026	<b>Modifies Decision?</b>	No
<b>Contribution Decision(s):</b>	D2405064		
<b>Proceeding(s):</b>	R2007013		
<b>Author:</b>	ALJ Lakey		
<b>Payer(s):</b>	Pacific Gas and Electric Company, Southern California Edison Company, San Diego Gas & Electric Company, and Southern California Gas Company		

**Intervenor Information**

<b>Intervenor</b>	<b>Date Claim Filed</b>	<b>Amount Requested</b>	<b>Amount Awarded</b>	<b>Multiplier?</b>	<b>Reason Change/Disallowance</b>
The Protect Our Communities Foundation	8/05/2024	\$62,760 <sup>1</sup>	\$54,542.50	N/A	See Part III.D CPUC Comments, Disallowances, and Adjustments above.

**Hourly Fee Information**

<b>First Name</b>	<b>Last Name</b>	<b>Attorney, Expert, or Advocate</b>	<b>Hourly Fee Requested</b>	<b>Year Hourly Fee Requested</b>	<b>Hourly Fee Adopted</b>
Malinda	Dickenson	Attorney <sup>9</sup>	700	2023	\$635.00
Malinda	Dickenson	Attorney <sup>9</sup>	730	2024	\$660.00
Jonathan	Webster	Advocate <sup>10</sup>	205	2023	\$150.00
Jonathan	Webster	Attorney <sup>11</sup>	270	2023	\$270.00
Jonathan	Webster	Attorney <sup>11</sup>	280	2024	\$280.00

**(END OF APPENDIX)**


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<sup>9</sup> Dickenson is classified as a Legal Director – IV.

<sup>10</sup> Webster is classified as a Paralegal – I (pre-BAR rate).

<sup>11</sup> Webster is classified as an Attorney – I (post-BAR rate).