

Decision 25-01-029 January 16, 2025

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of The Utility Reform
Network for Award of Intervenor
Compensation for Substantial
Contributions to Resolution SPD-15.

Application 24-05-001

**DECISION GRANTING COMPENSATION TO THE UTILITY REFORM NETWORK
FOR SUBSTANTIAL CONTRIBUTION TO RESOLUTION SPD-15**

Summary

This decision grants intervenor compensation to The Utility Reform Network for its substantial contributions to Commission Resolution (Res.) SPD-15. The proceeding is closed.

1. Background

1.1. Purpose of this Proceeding

On March 8, 2024, the Commission issued Resolution (Res.) SPD-15 which established a Commission program and program guidelines for expediting the

undergrounding of the distribution equipment of large electrical corporations pursuant to Senate Bill (SB) 884 (McGuire; Stats. 2022, Ch. 819).

On May 2, 2024, The Utility Reform Network (TURN) filed Application (A.) 24-05-001, seeking intervenor compensation for its contribution to the review of SPD-15.

1.2. Procedural Background of SPD-15 and TURN's Involvement

On February 24, 2023, the Commission's Safety Policy Division (SPD) and the Office of Energy Infrastructure Safety held a joint public workshop to facilitate discussion of SB 884 requirements and invited parties to provide informal comments to a series of questions.¹

On March 10, 2023, TURN submitted comments on the workshop.²

On September 13, 2023, SPD staff circulated a draft Staff Proposal for the SB 884 Program to stakeholders and received informal comments on September 27, 2023, including from TURN.³

On November 9, 2023, the Commission posted draft Res. SPD-15⁴ and first noticed the draft document on the Daily Calendar on November 15, 2023.⁵

¹ Res. SPD-15 at 1-4; <https://www.cpuc.ca.gov/-/media/cpuc-website/divisions/safety-policy-division/documents/final-resolution-spd15-adopting-the-commissions-guidelines-for-the-senate-bill-sb-884-program.pdf>

² Application 24-05-001 at Attachment 7.

³ Res. SPD-15 at 4; <https://www.cpuc.ca.gov/-/media/cpuc-website/divisions/safety-policy-division/documents/final-resolution-spd15-adopting-the-commissions-guidelines-for-the-senate-bill-sb-884-program.pdf>; Application 24-05-001 at Attachment 10.

⁴ See draft Res. SPD-15 at <https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M520/K786/520786970.pdf>

⁵ See the Commission's Daily Calendar on November 15, 2023 at: <https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M520/K863/520863586.PDF>

On December 28, 2023, TURN and several other stakeholders submitted opening comments on the draft Res. SPD-15.

On January 11, 2024, TURN and several other stakeholders submitted reply comments on the draft Res. SPD-15.

1.3. Procedural Background and Issues for the Instant Application

On June 24, 2024, a prehearing conference was held to discuss the issues of law and fact, determine the need for hearing, and discuss the schedule for resolving A.24-05-001.

On August 9, 2024, the Assigned Commissioner's Scoping Memo and Ruling identified the following issues to be determined:

1. Is TURN eligible to receive intervenor compensation?
2. Is the intervenor compensation application timely?
3. If TURN's intervenor compensation claim is timely, did TURN make substantial contributions to Resolution SPD-15?
4. If TURN made substantial contributions to Resolution SPD-15, what is the reasonable compensation for the contributions?

2. Submission Date

This matter was submitted on August 9, 2024, upon issuance of the Assigned Commissioner's Scoping Memo and Ruling.

3. Discussion

The Intervenor Compensation Guide directs intervenors to utilize the Intervenor Compensation Claim Form (Intervenor Compensation Program Guide (2017) §III(A)(2).) The form submitted by TURN is attached as Attachment

A and includes the Commission's evaluation of the claim for Res. SPD-15 and award.

4. Summary of Public Comment

Rule 1.18 of the Commission's Rules of Practice and Procedure (Rule) allows any member of the public to submit written comment in any Commission proceeding using the "Public Comment" tab of the online Docket Card for that proceeding on the Commission's website. Rule 1.18(b) requires that relevant written comment submitted in a proceeding be summarized in the final decision issued in that proceeding.

No relevant public comment has been received.

5. Comments on Proposed Decision

Per Rule 14.6(c)(6), the Commission may reduce or waive the period for public review and comment for a decision on a request for compensation pursuant to Public Utilities Code Section 1801 et seq. Because this is a decision on a request for compensation, we waive the comment period.

6. Assignment of Proceeding

Commissioner Karen Douglas is the assigned Commissioner and Eric Fredericks is the assigned Administrative Law Judge for the proceeding.

Findings of Fact

1. The Utility Reform Network has made a substantial contribution to Resolution SPD-15.

2. The requested hourly rates for The Utility Reform Network's representatives, as adjusted in Attachment A, are comparable to market rates paid to experts and advocates having comparable training and experience and

offering similar services, and/or reflect the actual rates billed to, and paid by the intervenor, for consultant services rendered.

3. The claimed costs and expenses, as adjusted in Attachment A, are reasonable and commensurate with the work performed.

4. The total of reasonable compensation is \$143,961.25.

Conclusions of Law

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

IT IS ORDERED:

1. The Utility Reform Network is awarded \$143,961.25.

2. Within 30 days of the effective date of this decision, Pacific Gas and Electric Company, Southern California Edison, and San Diego Gas & Electric Company shall pay The Utility Reform Network their respective shares of the award, based on their California-jurisdictional electric revenues for the 2023 calendar year, to reflect the year in which the Resolution SPD-15 and Senate Bill 884 program guidelines were primarily developed. 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 July 16, 2024, the 75th day after the filing of The Utility Reform Network's request, and continuing until full payment is made.

3. Application 24-05-001 is closed.

This decision is effective today.

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

ALICE REYNOLDS

President

DARCIE L. HOUCK

JOHN REYNOLDS

KAREN DOUGLAS

MATTHEW BAKER

Commissioners

ATTACHMENT A

Intervenor: The Utility Reform Network (TURN)	For contribution to Resolution Safety Policy Division (SPD)-15
Claimed: \$145,471.25	Awarded: \$143,961.25
Assigned Commissioner: Karen Douglas	Assigned ALJ: Eric Fredericks

PART I: PROCEDURAL ISSUES

A. Brief description of Decision:	SPD-15 establishes a CPUC program and program guidelines to implement Senate Bill (SB) 884 relating to the Commission’s review of any large electrical corporation’s 10-year distribution infrastructure undergrounding plan and its related costs.
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B. Intervenor must satisfy intervenor compensation requirements set forth in Pub. Util. Code §§ 1801-1812:

	Intervenor	CPUC Verification
Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):		
1. Date of Prehearing Conference:	N/A	
2. Other specified date for NOI:	N/A	
3. Date NOI filed:	N/A (see comments)	
4. Was the NOI timely filed?		Since Res. SPD-15 is not a “formal proceeding,” in which intervenor compensation claims can be filed (see Section 1801.3(a)), TURN, in accordance with our guideline, ⁶ has initiated the subject application so that the claim can be resolved. The NOI was filed timely as an attachment to the application, consistent with our requirements.

⁶ See the Intervenor Compensation Program Guide at 27.

	Intervenor	CPUC Verification
Showing of eligible customer status (§ 1802(b)) or eligible local government entity status (§§ 1802(d), 1802.4):		
5. Based on ALJ ruling issued in proceeding number:	A.21-12-007	Verified
6. Date of ALJ ruling:	5/31/22	Verified
7. Based on another CPUC determination (specify):		
8. Has the Intervenor demonstrated customer status or eligible government entity status?		Yes
Showing of “significant financial hardship” (§ 1802(h) or § 1803.1(b)):		
9. Based on ALJ ruling issued in proceeding number:	A.21-12-007	Verified
10. Date of ALJ ruling:	5/31/22	Verified
11. Based on another CPUC determination (specify):		
12. Has the Intervenor demonstrated significant financial hardship?		Yes
Timely request for compensation (§ 1804(c)):		
13. Identify Final Decision:	SPD-15	Verified
14. Date of issuance of Final Order or Decision:	3/8/24	Verified
15. File date of compensation request:	5/2/24	Verified
16. Was the request for compensation timely?		Yes

C. Additional Comments on Part I:

#	Intervenor’s Comment(s)	CPUC Discussion
I.B.3	In D.98-11-049, the Commission determined that an NOI incorporated in the timely-filed Request for Compensation for work on an advice letter is itself timely filed. TURN has attached to this compensation request the NOI for this proceeding. This approach is consistent with the instructions in the CPUC’s Intervenor Compensation Program Guide (Revised 4/17), p. 27.	Verified

#	Intervenor’s Comment(s)	CPUC Discussion
II.B.5, 6, 9, 10	The cited ALJ Ruling was issued within one year prior to the commencement of this informal proceeding with the November 17, 2022 joint letter from the CPUC and OEIS announcing the start of the SB 884 implementation process.	Verified

PART II: SUBSTANTIAL CONTRIBUTION

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

Intervenor’s Claimed Contribution(s)	Specific References to Intervenor’s Claimed Contribution(s)	CPUC Discussion
<p>TURN urged the CPUC not to allow utilities to seek to re-litigate GRC decisions regarding the appropriate scope and cost of undergrounding.</p> <p>TURN 12/28/23 Comments on Draft SPD-15, p. 15 and App. A Redline, p. 8; TURN 9/27/23 Comments on Staff Proposal, pp. 6-7.</p>	<p>SPD-15 removed language from Draft SPD-15 that would have allowed re-litigation of prior GRC decisions. SPD-15, pp. 17-18 and Att. 1, p. 8, removing the provision that TURN recommended be stricken.</p>	Verified
<p>TURN recommended that Draft SPD-15 be modified so that utilities provide a methodology to ensure cost savings from avoided costs are passed onto ratepayers.</p> <p>TURN 12/28/23 Comments on Draft SPD-15, pp. 13-14 and App. A Redline, p. 8, item 4(a). See also TURN 9/27/23 Comments on Staff Proposal, p. 5.</p>	<p>SPD-15 amended the Resolution and adopted guidelines in accordance with TURN’s proposal.</p> <p>SPD-15, p. 18 and Att. 1, p. 8, item 4(c).</p>	Verified

Intervenor’s Claimed Contribution(s)	Specific References to Intervenor’s Claimed Contribution(s)	CPUC Discussion
<p>TURN recommended that the Guidelines require utilities to provide estimates of the full revenue requirement and bill impacts of their proposals for each year that the proposal would affect rates.</p> <p>TURN 12/28/23 Comments on Draft SPD-15, pp. 14-15 and App. A Redline, p. 8, item 3. See also TURN 9/27/23 Comments on Staff Proposal, p. 6.</p>	<p>SPD-15 amended the Resolution and adopted TURN’s recommended language.</p> <p>SPD-15, pp. 18-19 and Att. 1, p. 8, item 3.</p>	<p>Verified</p>
<p>TURN’s redline of the Draft SPD-15 Guidelines recommended that each section of the utility application indicate the person who sponsors the section and would serve as a witness if evidentiary hearings are required.</p> <p>TURN 12/28/23 Comments on Draft SPD-15, App. A Redline, p. 6 (under heading “Application Type”).</p>	<p>SPD-15’s Guidelines adopted TURN’s recommended language.</p> <p>SPD-15, Att. 1, p. 6.</p>	<p>Verified</p>
<p>TURN’s redline of the Draft SPD-15 Guidelines recommended an amendment to the “Feasibility Score by Project” element to require the utility to define each</p>	<p>SPD-15’s Guidelines adopted TURN’s recommended language.</p> <p>SPD-15, Att. 1, p. 17.</p>	<p>Verified</p>

Intervenor’s Claimed Contribution(s)	Specific References to Intervenor’s Claimed Contribution(s)	CPUC Discussion
<p>level of the feasibility scale.</p> <p>TURN 12/28/23 Comments on Draft SPD-15, App. A Redline, p. 16.</p>		
<p>TURN’s redline of the Draft SPD-15 Guidelines recommended amendments to four rows requiring information regarding “System Hardening Alternative[s]” to clarify that the information was required on a per-project basis and for each mitigation or combination of mitigations considered in place of undergrounding.</p> <p>TURN 12/28/23 Comments on Draft SPD-15, App. A Redline, pp. 16-17.</p>	<p>SPD-15’s Guidelines adopted language very similar to TURN’s recommended language.</p> <p>SPD-15, Att. 1, pp. 17-18.</p>	<p>Verified</p>
<p>TURN recommended that the 9/13/23 Staff Proposal (precursor to Draft SPD-15) be modified to amend language that would automatically add a 10% contingency to approved cost caps.</p> <p>TURN 9/27/23 Comments on Staff Proposal, p. 5 and App. A, pp. 13 and 14 (amending Conditions for Approval, items 1 and 7).</p>	<p>The Guidelines adopted in SPD-15 did not include a contingency adder to the total and unit cost cap conditions.</p> <p>SPD-15, Att. 1 Guidelines, p. 11, items 1 and 3.</p>	<p>Verified</p>

Intervenor’s Claimed Contribution(s)	Specific References to Intervenor’s Claimed Contribution(s)	CPUC Discussion
<p>TURN recommended that, in light of the accelerated timing for issuance of a decision, utilities be required to respond to data requests regarding their applications within three business days, instead of the customary ten.</p> <p>TURN 9/27/23 Comments on Staff Proposal, p. 7.</p>	<p>SPD-15 adopted a five business day turnaround for responses to discovery requests.</p> <p>SPD-15, pp. 7-8 and Att. 1 Guidelines, p. 5.</p>	<p>Verified</p>
<p>TURN recommended that the CPUC staff conduct a pre-application review of the utility application and not start the 9-month decision-making clock until the utility has submitted a complete application.</p> <p>TURN 3/10/23 Post-Workshop Comments, p. 6; TURN 9/27/23 Comments on Staff Proposal, p. 7.</p>	<p>SPD-15 adopted a Staff pre-application review process including a provision that if the application omits material information, the Commission or Staff may require the utility to re-submit the application and re-start the 9-month clock for the Commission’s review.</p> <p>SPD-15, pp. 7 and Att. 1 Guidelines, p. 5.</p>	<p>Verified</p>
<p>TURN recommended that Draft SPD-15 be modified to require a process to ensure that the utility’s implementation of a conditionally-approved plan satisfied all conditions imposed in the Phase 2 decision. The process TURN recommended was an expedited application process to be completed</p>	<p>The Commission agreed with TURN and other intervenors that a process was needed to ensure compliance with the Phase 2 conditions, although did not adopt the expedited application process TURN recommended.</p> <p>SPD-15, pp. 5, 16.</p>	<p>Verified</p>

Intervenor’s Claimed Contribution(s)	Specific References to Intervenor’s Claimed Contribution(s)	CPUC Discussion
<p>before costs could be added to rates.</p> <p>TURN 12/28/23 Comments on Draft SPD-15, pp. 3-7.</p>		
<p>TURN recommended that the Guidelines require utility applications to provide <i>project</i>-level detail (not the program-level information typically provided in GRCs) about proposed undergrounding projects in their applications, consistent with the statutory language.</p> <p>TURN 3/10/23 Post-Workshop Comments, p. 2; Joint Intervenor (TURN, Cal Advocates, MGRA) 4/26/23 Letter, App. A, p. 1 (first bullet).</p>	<p>SPD-15 requires utility applications to submit project level information in “granular detail,” including geographically explicit information about project locations and scopes.</p> <p>SPD-15, p. 12 and Att. 1 Guidelines, p. 9, items 11 and 12.</p>	Verified
<p>TURN recommended that utilities be required to demonstrate that they are prioritizing projects where they are most cost-effective, including adopting a cost-effectiveness threshold that all projects must meet or exceed. TURN recommended that the cost-benefit ratio (CBR) adopted in D.22-12-027 be</p>	<p>SPD-15 adopted a condition requiring that the average CBR for completed projects in the relevant two-year period exceed an adopted CBR threshold, with CBRs to be calculated pursuant to D.22-12-027. SPD-15 described this condition as encouraging utilities to prioritize projects that provide the greatest risk reduction benefits.</p> <p>SPD-15, pp. 9-10 (item 6), 11.</p>	Verified

Intervenor’s Claimed Contribution(s)	Specific References to Intervenor’s Claimed Contribution(s)	CPUC Discussion
<p>used as the measure of cost-effectiveness.</p> <p>TURN 3/10/23 Post-Workshop Comments, pp. 2, 4, 5 (responses to questions 1, 3 and 4); Joint Intervenor (TURN, Cal Advocates, MGRA) 4/26/23 Letter, App. A, p. 2 (top bullet).</p>		
<p>TURN recommended that the Commission adopt steadily declining unit cost caps as a way to meet the statutory expectation that undergrounding costs will decline over time.</p> <p>TURN 3/10/23 Post-Workshop Comments, p. 4 (response to question 4); Joint Intervenor (TURN, Cal Advocates, MGRA) 4/26/23 Letter, App. A, p. 3 (top bullet)</p>	<p>SPD-15 adopted an annual unit cost cap condition.</p> <p>SPD-15, pp. 9 (item 5), 11.</p>	<p>Verified</p>
<p>TURN and other intervenors recommended that the CPUC determine its SB 884 implementation rules in a formal rulemaking proceeding or, alternatively in an informal process that begins with issuance of a staff proposal for comment before a draft resolution is issued for comment.</p>	<p>The Commission followed a decision-making process very similar to the Joint Intervenor alternative proposal that began with issuing a Staff proposal for comment.</p> <p>SPD-15, p. 4.</p>	<p>Verified</p>

Intervenor’s Claimed Contribution(s)	Specific References to Intervenor’s Claimed Contribution(s)	CPUC Discussion
Joint Intervenor (TURN, Cal Advocates, MGRA) 4/26/23 Letter, p. 3.		

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

	Intervenor’s Assertion	CPUC Discussion
a. Was the Public Advocates Office of the Public Utilities Commission (Cal Advocates) a party to the proceeding?	Yes.	Yes
b. Were there other parties to the proceeding with positions similar to yours?	Yes.	Yes
c. If so, provide name of other parties: Mussey Grade Road Alliance (MGRA), Cal Advocates, and California Farm Bureau (CFB).		Noted
d. Intervenor’s claim of non-duplication: Particularly in the early stages of this proceeding, TURN, Cal Advocates and MGRA coordinated in order to present a common position on the key principles for the implementation of SB 884, as embodied in Appendix A to the April 26, 2023 letter from these three parties to the CPUC Commissioners and the OEIS Director. These cooperating parties believed their principles would gain more attention and have more impact if presented in a joint submission by these three key parties. It was also a more efficient use of intervenor time to collaborate on a single document rather than present three separate submissions to the CPUC. TURN was the primary drafter of Appendix A to that letter (the Joint Statement of Key Principles), with editing support from the other parties. (Cal Advocates took the lead on the body of the letter, with editing support from TURN.) After that letter was submitted, TURN joined with Cal Advocates and MGRA in meetings with SPD staff members and CPUC Commissioner offices to discuss the common principles the cooperating parties were espousing, again for the purpose of amplifying our collective voices and shared perspective in shaping the implementation process. TURN was able to devote less time and effort to preparation for those meetings because the parties coordinated to divide up responsibility for speaking to		Noted

	Intervenor’s Assertion	CPUC Discussion
	<p>different topics. In the meetings, TURN’s focus was on the first, second, and fifth principles in Appendix A. TURN believes these coordination efforts with respect to the 4/26/23 letter and subsequent meetings were successful in making TURN’s participation more efficient and impactful. The three cooperating parties continued coordination efforts after the release of the Staff Proposal on 9/13/23 and Draft SPD-15 on 11/9/23. While the parties were in general alignment on positions, the parties did not duplicate efforts as each of the parties took a different approach and made different arguments for their positions in their pleadings. TURN focused extensively on preparing redlines of its specific recommended changes to the wording of the two sets of CPUC proposals, in the belief that such redlines would be of particular use to the CPUC staff and would provide clarity about the changes TURN was recommending. Cal Advocates, MGRA, and CFBA did not take this approach. TURN also focused more than the other parties on details of the process for approval of rate recovery and related ratemaking issues. In sum, TURN’s coordination with other parties promoted efficiency and clarity in the decision-making process, and TURN’s unique arguments and presentations supported the development of a stronger record for the Commission’s final decision, as reflected in the numerous substantial contributions identified above. For these reasons, TURN submits that the Commission should find no undue duplication between TURN’s participation and that of other parties.</p>	

C. Additional Comments on Part II:

#	Intervenor’s Comment	CPUC Discussion
II.A	<p><u>Partial success.</u> Although TURN was not successful on all issues and recommendations it presented in its comments to OEIS, TURN’s partial success satisfies the definition of “substantial contribution under PU Code Sec. 1802(j) (“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.” (emphasis added)). 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 or recommendation. For example, the Commission has recognized that it “may benefit from an intervenor’s participation even where the Commission did not adopt any of</p>	Noted

#	Intervenor’s Comment	CPUC Discussion
	<p>the intervenor’s positions or recommendations.” D.08-04-004 (in the review of SCE’s contract with Long Beach Generation, A.06-11-007), pp. 5- 6. Similarly, in D.09-04-027, awarding intervenor compensation for TURN’s efforts in the SCE AMI proceeding (A.07-07-026), the Commission found TURN to have made a substantial contribution even on issues where TURN did not prevail, as 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.09-04-027, p. 4.</p>	

PART III: REASONABLENESS OF REQUESTED COMPENSATION

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

	CPUC Discussion
<p>a. Intervenor’s claim of cost reasonableness:</p> <p>This request seeks an award of \$145,471.25 as the reasonable cost of our participation in this important proceeding. These costs are reasonable in light of the quality of TURN’s work and the contributions of TURN to SPD-15.</p> <p>This statutory implementation proceeding does not determine cost recovery, so it is difficult for TURN to identify with any precision the monetary benefit of TURN’s participation in this proceeding. The 10-year undergrounding programs that may be submitted pursuant to SPD-15 are likely to have proposed costs in the tens of billions of dollars. Promoting a robust process for review of the utility plans and their associated costs is key to ensuring that the ratepayer dollars provide a benefit sufficient to justify their impact on customer bills. While the dollar value of TURN’s substantial contributions is uncertain, TURN submits that our participation should result in significant benefits to ratepayers far exceeding the costs of TURN’s participation</p> <p>In sum, the Commission should conclude that TURN’s request is reasonable given the cost of the undergrounding programs at issue and the adopted outcomes.</p>	<p>Noted</p>
<p>b. Reasonableness of hours claimed:</p>	<p>Noted</p>

	CPUC Discussion
<p>TURN requests compensation for 184 hours of substantive work related to the CPUC’s implementation of SB 884 and the adoption of SPD-15. TURN’s work consisted of: careful analysis of a unique and complex statute and its legislative history; participation in a CPUC workshop to discuss key implementation issues and the submission of post-workshop comments; development of a joint set of recommended implementation principles with Cal Advocates and MGRA, submitted to the CPUC in a 4/26/23 submission and addressed in follow-up meetings with CPUC staff and commissioner offices; careful analysis of the 9/13/23 Staff Proposal that was clearly influenced by the joint principles; submission of detailed comments on the Staff Proposal, including a redline showing TURN’s recommended changes; careful analysis of the 11/9/23 Draft of SPD-15; submission of detailed opening comments on Draft SPD-15, including a redline with TURN’s recommended changes; submission of reply comments responding to PG&E’s detailed recommendations relating to the conditions for approval of proposed undergrounding plans; and meetings with commissioner offices and CPUC Staff to discuss TURN’s recommended changes to Draft SPD-15. TURN is not claiming here any hours specifically devoted to OEIS’s parallel proceeding to implement SB 884.</p> <p>TURN’s team was led by its attorney, Director of Regulatory Strategy Thomas Long, who has 35 years of experience in CPUC regulatory matters and more than eight years of experience related to quantitative risk analysis and utility wildfire mitigation efforts, both in CPUC and OEIS proceedings. Mr. Long prepared or supervised the preparation of all of TURN’s written submissions and led TURN’s participation in the workshop and in meetings with CPUC staff and commissioner offices. Joining Mr. Long in TURN’s advocacy was TURN’s Staff Attorney Katy Morsony, who like Mr. Long, has eight years of experience related to CPUC proceedings addressing quantitative risk analysis and wildfire risk. Ms. Morsony’s analysis also benefitted from her work as an advocate for TURN’s positions in the legislative process leading to the enactment of SB 884. TURN’s Managing Attorney, Hayley Goodson, used her considerable experience in CPUC ratemaking cases to provide advice to the team regarding cost recovery issues.</p> <p>Because of the extensive background and expertise of Mr. Long, Ms. Morsony, and Ms. Goodson with respect to the many issues presented by the implementation of SB 884, TURN was able to be highly efficient in this case by avoiding the need to spend time learning about these issues for the first time in this proceeding.</p>	

				CPUC Discussion
<p>TURN is requesting compensation for 9.5 hours that it devoted to preparation of this request for compensation, including the associated Application and Notice of Intent to Claim Compensation. This is a reasonable number of hours for preparing a compensation request of this magnitude. Mr. Long prepared this request because of his involvement in all aspects of the work for which compensation is requested.</p> <p>In sum, the Commission should find that the number of hours claimed is fully reasonable in light of the substantial contributions TURN made in this proceeding.</p>				
<p>c. Allocation of hours by issue:</p> <p>TURN has allocated all of our attorney time by issue area or activity, as is evident on our attached timesheets. The following codes relate to the issue and activity areas addressed by TURN in this proceeding.</p>				Noted
Code	Description	Allocation (other than “Comp” time)	Hours	
GP	General Participation – work that does not vary with the number of issues that TURN addresses, for the most part. This code appears most regularly in the early stages of a proceeding, such as the initial development of overall strategy, and in connection with other tasks of a highly general nature.	2.04%	3.75	
WS	Work related to TURN’s participation in the initial CPUC workshop, including analysis of the statute, preparation for TURN’s presentations in that workshop and the preparation of post-workshop comments.	24.32%	44.75	
Coord	Work related to the development and presentation	16.71%	30.75	

				CPUC Discussion
	of coordinated positions with Cal Advocates and MGRA.			
Staff Proposal	Work related to the 9/13/23 Staff Proposal.	11.28%	20.75	
Redline	Work related to preparation of redlines of recommended changes to the CPUC Staff Proposal and Draft SPD-15.	8.56%	15.75	
Draft SPD-15	Work related to Draft SPD-15.	16.85%	31.00	
BA	Work related to the issue of recovery of conditionally approved costs in balancing accounts and related rate recovery issues.	13.72%	25.25	
Proc	Work related to the procedures and processes for presenting and assessing utility applications for approval of undergrounding plans.	2.31%	4.25	
Conditions	Work related to the conditions that utilities must satisfy for approval of plan costs.	4.21%	7.75	
Comp	Time devoted to compensation-related pleadings.	n/a	9.5	
<p>TURN submits that under the circumstances this information should suffice to address the allocation requirement under the Commission’s rules. Should the Commission wish to see additional or different information on this point, TURN requests that the Commission so inform TURN and provide a reasonable opportunity for TURN to supplement this showing accordingly.</p>				

B. Specific Claim:*

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
Thomas Long, TURN Dir. of Reg. Strategy	2022	3.50	\$805.00	D.23-05-032	\$2,817.50	3.50	\$800.00 [1]	\$2,800.00
T. Long	2023	103.50	\$840.00	D-23-05-032	\$86,940.00	103.50	\$830.00 [1]	\$85,905.00
T. Long	2024	25.75	\$875.00	D.23-05-032 and Res. ALJ-393 (Comment #1)	\$22,531.25	25.75	\$860.00 [1]	\$22,145.00
Katy Morsony, TURN Staff Attorney	2023	50.00	\$565.00	D.23-10-017	\$28,250.00	50.00	\$565.00	\$28,250.00
K. Morsony	2024	0.50	\$615.00	D.23-10-017 and Res. ALJ-393 (Comment #2)	\$307.50	0.50	\$615.00 [2]	\$307.50
Hayley Goodson, TURN Managing Attorney	2023	0.75	\$625.00	D.24-02-040	\$468.75	0.75	\$625.00	\$468.75
Subtotal: \$141,315.00						Subtotal: \$139,876.25		
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
T. Long	2024	9.5	\$437.50 (see comment #1)	D.23-05-032 and Res. ALJ-393 (Comment #1)	\$4,156.25	9.5	\$430.00 [1]	\$4,085.00
Subtotal: \$4,156.25						Subtotal: \$4,085.00		
TOTAL REQUEST: \$145,471.25						TOTAL AWARD: \$143,961.25		

CLAIMED		CPUC AWARD	
<p>*We remind all intervenors that Commission staff may audit the records and books of the intervenors to the extent necessary to verify the basis for the award (§ 1804(d)). Intervenors must make and retain adequate accounting and other documentation to support all claims for intervenor compensation. 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.</p> <p>**Travel and Reasonable Claim preparation time are typically compensated at ½ of preparer's normal hourly rate</p>			
ATTORNEY INFORMATION			
Attorney	Date Admitted to CA BAR ⁷	Member Number	Actions Affecting Eligibility (Yes/No?) If "Yes", attach explanation
Thomas J. Long	December 1986	124776	No
Katy Morsony	December 2011	281538	No
Hayley Goodson	December 2003	228535	No

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

Attachment or Comment #	Description/Comment
Attachment 1	Certificate of Service
Attachment 2	Timesheets for TURN Attorneys/Experts
Attachment 3	TURN hours allocated by issue
Attachment 4	Notice of Intent to Claim Intervenor Compensation
Attachment 5	November 17, 2022 Notice from the CPUC and OEIS re initiation of proceedings to implement SB 884 and inviting service list sign-up
Attachment 6	CPUC Slides for the 2/24/23 SB 884 Workshop
Attachment 7	TURN's 3/10/23 Comments on the Workshop
Attachment 8	April 26, 2023 Joint Letter from TURN, Cal Advocates and MGRA to CPUC Commissioners and OEIS Director regarding principles for implementation of SB 884
Attachment 9	September 2023 Staff Proposal for SB 884 Program (issued 9/13/23)

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

Attachment or Comment #	Description/Comment
Attachment 10	TURN's 9/27/23 Comments on the Staff Proposal
Attachment 11	Draft Resolution SPD-15 (issued 11/9/23)
Attachment 12	TURN's 12/28/23 Comments on Draft Resolution SPD-15
Attachment 13	TURN's 1/11/24 Reply Comments on Draft Resolution SPD-15
Comment #1	<p><u>2024 Hourly Rate for Thomas Long</u></p> <p>For Mr. Long's work in 2024, TURN requests that the Commission adjust his 2023 rate by applying the annual escalation adjustment authorized by Resolution ALJ-393, which is 4.1%. The resulting rate for 2024 is \$875.</p>
Comment #2	<p><u>2023 Hourly Rate for Katy Morsony</u></p> <p>TURN requests that the Commission adopt a 2024 hourly rate of \$615 for TURN Staff Attorney Katy Morsony. This rate is equal to the rate authorized by the Commission in D.23-10-017 for her work in 2023, \$565, adjusted by both the annual escalation methodology adopted in Resolution (Res.) ALJ-393 and the second 5% step increase for Ms. Morsony in the Attorney - Level IV experience tier. The first such step increase was authorized in D.23-10-017.</p> <p>The annual escalation methodology adopted in Res. ALJ-393 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 2023 is 4.1%. See https://www.bls.gov/news.release/eci.t05.htm. Res. ALJ-393 permits intervenor representatives to additionally 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 IV, is \$619 for work conducted in 2021, which escalates to \$696 in 2024 by applying the 3.3% 2022 COLA, the 4.5% 2023 COLA, and the 4.1% 2024 COLA.</p> <p>The requested 2024 rate for Ms. Morsony of \$615 is well below the maximum 2024 rate for an Attorney, Level IV.</p>

D. CPUC Comments, Disallowances, and Adjustments

Item	Reason
[1] 2022, 2023 and 2024 Hourly Rate for Thomas Long	D.24-10-026 authorized a 2022 rate of \$800 for Long. D.24-09-016 authorized a 2023 rate of \$830 and a 2024 rate of \$860 for Long. Intervenor Compensation Claim Preparation Rates are compensated at half of preparer’s normal hourly rate.
[2] 2024 Rate for Katy Morsony	D.23-10-017 authorized a 2023 rate of \$565.00 for Morsony. We apply the 2024 escalation of 4.07% per the Market Rate Study and second step increase, as requested by TURN, to Morsony’s 2023 rate for a 2024 rate of \$615 after rounding to the nearest five dollar increment.

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

APPENDIX

Compensation Decision Summary Information

Compensation Decision:	D2501029	Modifies Decision?	No
Contribution Decision(s):	Resolution SPD-15		
Proceeding(s):	A2405001		
Author:	ALJ Eric Fredericks		
Payer(s):	Pacific Gas and Electric Company, Southern California Edison, San Diego Gas & Electric Company		

Intervenor Information

Intervenor	Date Claim Filed	Amount Requested	Amount Awarded	Multiplier?	Reason Change/ Disallowance
The Utility Reform Network	5/2/2024	\$145,471.25	\$143,961.25	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
Thomas	Long	Attorney	\$805	2022	\$800.00
Thomas	Long	Attorney	\$840	2023	\$830.00
Thomas	Long	Attorney	\$875	2024	\$860.00
Katy	Morsony	Attorney	\$565	2023	\$565.00
Katy	Morsony	Attorney	\$615	2024	\$615.00
Hayley	Goodson	Attorney	\$625	2023	\$625.00

(END OF APPENDIX)