

Decision 25-03-029 March 13, 2025

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Southern California Edison Company (U 338-E) for Approval of its 2022 Rate Design Window Proposals.

Application 22-12-004
(Filed December 9, 2022)

DECISION GRANTING COMPENSATION TO SMALL BUSINESS UTILITY ADVOCATES FOR SUBSTANTIAL CONTRIBUTION TO DECISION 24-05-048

Intervenor: Small Business Utility Advocates (SBUA)	For contribution to Decision (D.) 24-05-048
Claimed: \$25,577.25 ¹	Awarded: \$23,224.13
Assigned Commissioner: Karen Douglas	Assigned ALJ: Rajan Mutialu

PART I: PROCEDURAL ISSUES

A. Brief description of Decision:	D.24-05-048 (the Decision) approves Southern California Edison Company’s (SCE) recommendation to maintain the Time-of-Use General Service 1 (TOU GS-1) and Time-of-Use General Service 2 (TOU GS-2) rate classifications due to the magnitude of bill impacts associated with the reassignment of customers with TOU GS-1 and TOU GS-2 rate classifications to other rate groups. In addition, the Decision found that SCE complied with its obligation under Decision 22-08-001 to conduct a study to assess the feasibility and customer impacts of potential changes to the TOU GS-1 classification for small commercial customers.
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B. Intervenor must satisfy intervenor compensation requirements set forth in Pub. Util. Code §§ 1801-1812²:

	Intervenor	CPUC Verification
Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):		

¹ The correct amount requested is \$27,339.75.

² All statutory references are to California Public Utilities Code unless indicated otherwise.

1. Date of Prehearing Conference:	April 14, 2023	Verified
2. Other specified date for NOI:		
3. Date NOI filed:	April 25, 2023	Verified
4. Was the NOI timely filed?		Yes
Showing of eligible customer status (§ 1802(b) or eligible local government entity status (§§ 1802(d), 1802.4):		
5. Based on ALJ ruling issued in proceeding number:	R.22-02-005, <i>et al.</i>	A.22-02-005, <i>et al.</i>
6. Date of ALJ ruling:	August 2, 2022	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:	R.22-02-005, <i>et al.</i>	A.22-02-005, <i>et al.</i>
10. Date of ALJ ruling:	August 2, 2022	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:	D.24-05-048	Verified
14. Date of issuance of Final Order or Decision:	June 4, 2024	Verified
15. File date of compensation request:	August 5, 2024	Verified
16. Was the request for compensation timely?		Yes. <i>See</i> CPUC Discussion in Part I C.

C. Additional Comments on Part I:

#	Intervenor’s Comment(s)	CPUC Discussion
B.9-10	SBUA also received a ruling on its customer status and showing of significant financial hardship earlier this year in A.23-10-001 on June 3, 2024.	The ruling granted in A.22-02-005, <i>et al.</i> provides an eligible showing of customer status and significant financial hardship for this proceeding.

<p>B.13-16</p>	<p>The Commission’s Rule 17.3 requires a Compensation Request to be filed within 60 days of the issuance of a final decision. According to Rule 1.15, if the last day falls on a Saturday, Sunday, holiday, or other day when the Commission offices are closed, the time limit is extended to the next business day. Sixty days from the issuance of D.24-05-048 was Saturday, August 3, 2024. Therefore, SBUA timely filed its compensation request on the next business day, Monday, August 5, 2024.</p>	<p>Given that the final day SBUA can file a request for compensation fell on a weekend (Saturday August 3, 2024), Rule 1.15 allows SBUA to file on the next available business day, Monday August 5, 2024.</p> <p><i>See</i> Rule 1.15 in the CPUC Rules of Practice and Procedure.</p>
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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):

<p>Intervenor’s Claimed Contribution(s)</p>	<p>Specific References to Intervenor’s Claimed Contribution(s)</p>	<p>CPUC Discussion</p>
<p>1. Scoping Issue #1: TOU GS-1 Feasibility Study</p> <p>SBUA’s participation in this case was part of a larger campaign to advocate for the interests of small commercial customers in General Rate Phase 2 and Rate Design Window cases. SBUA filed a Response to the Application on January 9, 2023 in which SBUA indicated that SBUA was a party to SCE’s most recent Phase 2 GRC (A.20-10-012) and a signatory to the attendant settlement agreements that were approved in D.22-08-001. Pursuant to the settlement, parties, including SBUA, SCE, and California Public Advocates Office (Cal Advocates), agreed to and met</p>	<p>“In Application (A.) 1706030, SCE’s 2018 General Rate Case (GRC) Phase 2 proceeding, the Small Business Utility Advocates (SBUA) proposed that SCE assess the customer impact associated with increasing the eligibility threshold for TOU GS-1 customers beyond 20 kW.” Decision, p. 2.</p> <p>“Per the Residential and Small Commercial Rate Design Settlement Agreement (2018 RSC) signed by settling parties in the 2018 GRC Phase 2 proceeding, SCE consented with these settling parties to conduct the TOU GS-1 Study. Decision (D.) 1811027 adopted the 2018 RSC and SCE agreed to include the TOU GS-1 Study results in A.20-10-012, its 2021 GRC Phase 2 application.” <i>Id.</i></p> <p>“(…) SBUA, SCE and the other settling parties agreed that SCE would examine these issues in a follow-up study (TOU</p>	<p>Verified</p>

<p>and conferred to discuss rate design for small commercial customers in advance of SCE filing the current RDW Application, specifically TOU GS-1 and GS-2.</p> <p>SBUA made a substantial contribution to D.24-05-048 through its active participation in SCE’s study process examining potential changes to the TOU GS-1 rate classification. As recognized in the Decision, SBUA engaged collaboratively with SCE and other parties in developing the scope of the study, reviewing findings, and providing feedback during a series of working group meetings from July to October 2022.</p> <p>As part of its participation, SBUA reviewed SCE’s draft testimony and provided edits and input prior to SCE’s filing of its final testimony (Exhibit SCE-01). Through this collaborative process, SBUA helped shape the analysis and recommendations ultimately adopted by the Commission in D.24-05-048.</p> <p>The Decision recognizes SBUA’s active engagement throughout the proceeding. After reviewing SCE’s final testimony, SBUA conferred with SCE and Cal Advocates, deciding against submitting separate testimony or requesting evidentiary hearings. Instead, SBUA joined SCE and Cal Advocates</p>	<p>GS-1 Feasibility Study) that would be initiated in the second quarter of 2022 and filed in its next Rate Design Window (RDW) Application at the end of 2022. D.22-08-001 approved the 2020 RSC and required SCE to conduct the TOU GS-1 Feasibility Study.” <i>Id.</i></p> <p>“From July to October 2022, SCE met with CFBF, Cal Advocates, SBUA, and TURN (TOU GS-1 Feasibility Study Working Group) to develop the TOU GS1 Feasibility Study scope, conduct the study, and discuss study findings.” Decision, p. 6.</p> <p>“On August 1, 2023, SCE, Cal Advocates, and SBUA filed a joint motion (Joint Motion) that requested SCE’s 2022 RDW testimony, Exhibit SCE-01, served on December 9, 2022, be admitted into the proceeding record. The Joint Motion also requested that the proceeding should be submitted for decision. To support this request, SCE claimed that Cal Advocates and SBUA did not intend to serve testimony and contest SCE’s application. Given this, the Joint Motion parties argued that additional testimony, evidentiary hearings, or briefings would not be necessary.” Decision, p. 4.</p> <p>“After reviewing Exhibit SCE-01, we agree with SCE, SBUA, and Cal Advocates that this proceeding should be submitted for decision in the absence of intervenor testimony.” Decision, p. 16.</p> <p>“Despite not serving testimony, SBUA and Cal Advocates demonstrated their engagement in this proceeding. The Joint Motion provides insight into this process. Prior to filing its 2022 RDW Application, SCE reached out to parties, including SBUA and Cal Advocates.</p>	
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<p>in requesting the proceeding’s submission for decision, based on the robust record developed through the feasibility study process. This approach demonstrated SBUA’s commitment to efficient and effective advocacy.</p>	<p>Further, SCE explained that <i>SBUA attended workshops and provided edits to SCE’s draft testimony</i>. After SCE’s final testimony, Exhibit SCE-01, was served, SCE met and conferred with Cal Advocates and SBUA, which resulted in SBUA’s and Cal Advocates’ decision not to submit pleadings and contend that evidentiary hearings were not required. Further, SCE, SBUA, and Cal Advocates requested submission of this proceeding for decision.” <i>Id.</i> (emphasis added).</p> <p>Exhibit SCE-01 (Southern California Edison Company, Testimony in Support of Its 2022 Rate Design Window Application, Dec. 9, 2022).</p> <p>Southern California Edison Company, Public Advocates Office, Small Business Utility Advocates, Joint Motion for Proceeding to be Submitted for Decision and Admission of Exhibit SCE-01 into Record, Aug. 1, 2023.</p> <p><i>See also</i> “Response of Small Business Utility Advocates to Southern California Edison Company’s Application for Approval of its 2022 Rate Design Window Proposals,” January 9, 2023.</p>	
<p>2. Scoping Issue #2: Should SCE Maintain TOU GS-1 and TOU GS-2 rate group definitions</p> <p>SBUA’s substantial contribution extended to the critical question of whether SCE should maintain the existing TOU-GS-1 and TOU-GS-2 rate group definitions. During the TOU GS-1 Feasibility Study, SBUA provided comprehensive review and feedback, enabling</p>	<p>“Pursuant to Public Utilities Code Section 451,35 we agree with SCE’s recommendation that TOU GS-1 and TOU GS-2 rate group definitions should be maintained to avoid bill impacts for a significant number of customers assigned to redesigned small customer rates.” Decision, p 17.</p> <p>“At SBUA’s request, SCE included rate design scenarios to determine how variations in customer charges and single-phase or three-phase service charges could impact customers in the</p>	<p>Verified</p>

<p>SCE to conduct thorough analysis and scenario reviews before finalizing its study and what ultimately became the party-agreed upon recommendations.</p> <p>Throughout its participation, SBUA analyzed the potential impacts of changing or maintaining these rate group definitions on small business customers. Notably, for example, SBUA advocated for SCE to analyze additional rate design scenarios beyond the initial three proposed. At SBUA’s request, SCE evaluated Scenarios 1b and 3b, which reflected the weighted average of settled customer charges rather than marginal cost-based charges. This advocacy provided the Commission with a more comprehensive analysis of potential bill impacts on small commercial customers.</p> <p>Overall, SBUA effectively collaborated with other parties to ensure the Commission’s decision was well-informed. The parties determined that Exhibit SCE-01, to which SBUA significantly contributed, formed a solid basis for the agreed-upon outcome without requiring additional testimony (see also discussion above).</p>	<p>above rate groups and their bills.” Decision, p. 8.</p> <p>“If TOU GS-1 and TOU GS-2 rate classifications are not maintained, there would be adverse bill impacts associated with TOU GS-1 and TOU GS-OU2 reassignment to other rate groups.” Decision, Findings of Fact #2.</p> <p>“Pursuant to Public Utilities Code Section 451, SCE’s recommendation that the TOU GS-1 and TOU GS-2 rate classifications should be maintained should be approved.” Decision, Conclusion of Law #2.</p> <p><i>See also, e.g.,</i> Exhibit SCE-01, p. 11.</p>	
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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	Verified
b. Were there other parties to the proceeding with positions similar to yours?	No	Verified
c. If so, provide name of other parties: No other parties than Cal Advocates.		Noted
d. Intervenor’s claim of non-duplication: SBUA participated on behalf of small business ratepayers. SBUA, Cal Advocates and SCE were the only participants in the proceeding. SBUA’s participation was a continuation of its work in the underlying GRC regarding TOU GS-1 and GS-2 rates. SBUA actively collaborated with Cal Advocates and SCE to bring the proceeding to quick resolution without the need for additional testimony, briefing, and evidentiary hearings.		Noted

PART III: REASONABLENESS OF REQUESTED COMPENSATION

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

	CPUC Discussion
a. Intervenor’s claim of cost reasonableness: SBUA actively participated in the issues addressed in the proceeding, including by participating in pre-filing workshops and discussions with SCE and other stakeholders, providing detailed suggestions and feedback on SCE’s testimony drafts, filing a response to SCE’s application, attending the PHC, and collaborating with SCE and Cal Advocates to streamline the proceeding including with a joint motion to submit it for decision. The Decision explicitly recognizes SBUA’s substantial contributions, as detailed above, and these results merit the cost of SBUA’s participation. Further, this proceeding was crucial for small commercial customers served by SCE. The potential restructuring of TOU GS-1 and TOU GS-2 tariffs would directly impact small businesses’ electricity costs. SBUA played a pivotal role in advocating for these customers, ensuring their needs and challenges were thoroughly considered in the feasibility studies	Noted

<p>and final decision. The streamlined litigation process addressed these tariffs collaboratively and efficiently, ultimately ensuring the protection of small business interests, and SBUA was a key party in doing so.</p>	
<p>b. Reasonableness of hours claimed:</p> <p>SBUA seeks recovery for 32.05 hours of attorney and expert time, excluding hours associated with the compensation billing. These hours are justified due to the complex and technical nature of this proceeding, which required significant expertise and detailed analysis. SBUA’s team provided this through their extensive experience in utility regulation and rate design. In addition, legal precedent supports SBUA recovering compensation for hours spent on the feasibility study and meetings with SCE before the company filed its formal application. The Commission’s Rule 17.4(d) provides that a request for compensation “may include reasonable costs of participation in the proceeding that were incurred prior to the start of the proceeding.” This aligns with established Commission practice of compensating intervenors for pre-application work that substantially contributes to the proceeding, recognizing that effective participation often requires engagement in pre-filing activities, such as workshops, studies, and collaborative discussions, which can significantly shape the scope and direction of the formal proceeding.</p> <p>SBUA Litigation Supervisor, Jennifer Weberski, coordinated SBUA’s engagement during the proceeding. Ms. Weberski has 24 years of utility regulatory experience. Based on SBUA’s participation in related rate proceedings and decades of pertinent legal experience, Ms. Weberski efficiently participated in this docket and spent a reasonable amount of time on the RDW proceeding and underlying issue. SBUA’s expert Paul Chernick served as SBUA’s lead consultant and expert during the proceeding. As President of Resource Insight, Inc. with 40 years of experience, Mr. Chernick provided critical assistance by participating in the Feasibility Study and providing critical feedback prior to SCE filing the RDW Application. SBUA’s expert John Wilson assisted SBUA’s lead consultant by accessing issues and attending a Feasibility Study meeting. Mr. Wilson has over 28 years of experience with regard to utility regulation. In addition, SBUA’s President and General Counsel, James Birkelund, participated in this proceeding providing high-level strategic oversight, analyzing the application, developing litigation positions and ensuring their alignment with the nonprofit’s overall goals, managing work efforts, and overseeing and coordinating the legal team. SBUA took care to coordinate its efforts between professionals. SBUA’s hours represent an appropriate level of engagement and effort to participate in the Feasibility Study and activities leading up to D.24-05-048.</p>	<p>Noted</p>
<p>c. Allocation of hours by issue:</p> <p>1. GS-1 Feasibility Study Working Group – 9.5 hours or 29.6%</p>	<p>Noted</p>

2. Rate Design (TOU GS-1 and TOU GS-2) – 18.3 hours or 18.3%	
3. General Participation, including participating in Prehearing Conference – 4.25 hours or 13.3%	

B. Specific Claim: *

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
Jennifer Weberski	2022	10.35	\$675	D.23-12-031	\$6,986.25	10.35	\$675.00	\$6,986.25
Jennifer Weberski	2023	6.45	\$705	D.24-02-031	\$4,547.25	6.45	\$705.00	\$4,547.25
Jennifer Weberski	2024	0.25	\$735	As above, escalated by 4.07% for 2024.	\$183.75	0 [1]	N/A	\$0.00
Paul Chernick	2022	5 ³	\$505	D.23-11-031	\$2,525 ⁴	6.5 [2]	\$505.00 [3]	\$3,282.50
John Wilson	2022	2	\$415	D.23-11-031	\$830	0 [2]	N/A	\$0.00
James Birkelund	2022	3.25	\$705	D.23-02-016	\$2,291.25	3.25	\$705.00 [4]	\$2,291.25
James Birkelund	2023	4.25	\$770	See comment 1 below.	\$3,272.50	3.75 [2]	\$770.00 [4]	\$2,887.50
James Birkelund	2024	0.25	\$800	As above, escalated by 4.07% for 2024.	\$200	0.25	\$800.00 [4]	\$200.00
Subtotal: \$20,836.00⁵						Subtotal: \$20,194.75		
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate	Total \$

³ Chernick has completed 7.50 hours of work for 2022, as reflected in the timesheet.

⁴ The correct amount requested by Chernick for the 2022 year is \$3,787.50

⁵ The correct subtotal is \$22,098.50.

Jennifer Weberski	2023	1.5	\$352.5	50% of 2023 Rate	\$528.75	1.5	\$352.50	\$528.75
James Birkelund	2023	0.75	\$385	50% of 2023 rate	\$288.75	0.75	\$385.00 [4]	\$288.75
Jennifer Weberski	2024	8.5	\$367.5	50% of 2024 Rate	\$3,123.75	4.25 [5]	\$367.50 [6]	\$1,561.88
James Birkelund	2024	2 ⁶	\$400	50% of 2024 rate	\$800 ⁷	1.625 [5]	\$400.00	\$650.00
Subtotal: \$4,741.25⁸						Subtotal: \$3,029.38		
TOTAL REQUEST: \$25,577.25⁹						TOTAL AWARD: \$23,224.13		

*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 ¹⁰	Member Number	Actions Affecting Eligibility (Yes/No?) If "Yes", attach explanation
James M. Birkelund	March 2000	206328	No
Jennifer L. Weberski	Admitted (Connecticut, 1997; Washington D.C., 2003)	Conn. Bar No. 414546; D.C. Bar No. 481853.	No

C. Attachments Documenting Specific Claim and Comments on Part III¹¹:

Attachment or Comment #	Description/Comment
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⁶ Birkelund has completed 3.25 hours of IComp work for 2024, as reflected in the timesheet.

⁷ The correct IComp amount requested by Birkelund for the 2023 year is \$1,300.00.

⁸ The correct subtotal is \$5,241.25.

⁹ The correct total is \$27,339.75.

¹⁰ This information may be obtained through the State Bar of California's website.

¹¹ Attachments not included in final Decision.

Attachment 1	Certificate of Service
Attachment 2	Timesheets of Attorneys & Expert
Comment 1	<p><u>2023 Hourly Rate for General Counsel James M. Birkelund</u></p> <p>SBUA respectfully seeks an hourly rate of \$770 for the work of General Counsel James Birkelund in 2023, based on Resolution ALJ-393. SBUA previously made the same request in its compensation claims filed on September 1, 2023, in A.22-05-002, <i>et al.</i>, and on October 17, 2023, in R.20-08-022. To date, neither of these claims has been ruled on.</p> <p>In those claims, SBUA presented two alternative approaches for the Commission to consider in setting Mr. Birkelund’s 2023 rate: (1) Apply a second annual “step” increase to Mr. Birkelund’s 2022 rate based on the Level III Legal Director tier, resulting in an hourly rate of \$770 for 2023; or (2) Recognize that Mr. Birkelund’s 10 years of General Counsel experience in 2023 qualify him for the Level IV Legal Director tier in Resolution ALJ-393, and set his 2023 hourly rate at \$770. Pending a decision on either of these other claims, SBUA proposes that the same 2023 hourly rate of \$770 apply in this proceeding as well.</p>

D. CPUC Comments, Disallowances, and Adjustments

Item	Reason
[1] Disallowance of Hours Claimed on Timesheet	<p>Tasks performed on or after the date of issuance of the final decision could not have contributed to the decision-making process. We disallow the following hours given that the task Jennifer Weberski (Weberski) performed occurred on 6/4/2024, the date of issuance for D.24-05-028:</p> <ul style="list-style-type: none"> 6/4/2024: Confirm PD approves RDW – 0.25 hours
[2] Disallowance of Hours— Internal Duplication	<p>The Commission compensates for the efficient effort that contributed to the proceeding’s outcomes. In the past, the Commission has disallowed inefficient activities and applied reductions to hours that reflected excessive internal duplicative efforts, such as numerous internal communications, review of each other’s documents, working on the same materials, engaging in the same tasks and participating in the same events.¹²</p> <p>Both Chernick and John Wilson attended the 9/29/2022 Feasibility Study meeting. Wilson did not perform any other tasks outside their 2-hour attendance of the Feasibility meeting. Therefore, we disallow Wilson’s hours for internal duplication in attending the Feasibility meeting:</p> <ul style="list-style-type: none"> 9/29/2022 – Attend Feasibility Study on Potential GS-1 Reclassification – 2 hours

¹² See CPUC Intervenor Compensation Guide at 21.

	<p>Both Weberski and Chernick performed the same task on 11/2/2022, therefore we disallow Chernick’s hours for internal duplication:</p> <ul style="list-style-type: none"> • 11/2/2022: Call with TURN on G1/G2 study — 1 hour <p>Both Weberski and James Birkelund (Birkelund) performed the same task on 4/12/2023, therefore we disallow Birkelund’s hours for internal duplication:</p> <ul style="list-style-type: none"> • 4/12/2023: Rev PHC Agenda – 0.25 hours <p>Both Weberski and Birkelund spent time reviewing the Scoping Memo on 5/24/2023, but Weberski spent additional time also reviewing the Ruling. Therefore, we only disallow Birkelund’s hours for internal duplication for reviewing the scoping memo:</p> <ul style="list-style-type: none"> • 5/24/2023 – Rev AC Scoping Memo – 0.25 hours
<p>[3] Chernick 2022 Hourly Rate</p>	<p>SBUA has confirmed that Chernick is a consultant in Part III.A. Pursuant to Commission policy, the rate requested by an intervenor must not exceed the rate billed to that intervenor by any outside consultant it hires, even if the consultant’s billed rate is below the floor for a given experience level.¹³ The Commission requested supplemental documentation be submitted by SBUA to confirm the agreement and rate charged by Chernick. SBUA has confirmed that it paid Chernick \$505.00 per hour for 2022 for work in this proceeding. We therefore approve the rate of \$505.00 per hour and apply it here.</p> <p>The award determined herein for the consultant’s contribution in this proceeding shall be paid in full to the consultant, and no portion of this part of the award shall be kept by the intervenor. Additionally, the rate approved here is specific to work in this proceeding, as it is established in accordance with the Commission’s policy on consultant compensation.</p> <p>We reiterate that it is the responsibility of the intervenor to be forthcoming about engaging consultants and the terms of the contract, to adhere to the Commission’s policy on compensation for consultant fees, and to provide the appropriate documentation with the initial claim to ensure efficient processing, and thus avoid the need for the Commission to request supplemental documentation. In this instance, SBUA did not provide all the documentation pertaining to the contract terms between SBUA and Chernick in the initial claim and waited until the Commission requested supplemental documentation which delays the processing of the claim.</p>
<p>[4] Birkelund 2022 to 2024 Hourly Rates</p>	<p>Upon further review, we note that SBUA failed to identify Birkelund as a consultant, instead of a full-time staff member of SBUA. The Commission requested supplemental documentation be submitted by SBUA to confirm the rates charged by Birkelund. SBUA has confirmed that per the terms of their contract, Birkelund has been hired on a contingency rate basis, meaning the consultant has agreed to defer its consulting fee contingent upon receipt of this Intervenor Compensation award. Given this contingency, we utilize the</p>

¹³ D.07-01-009, D.08-04-010, and ALJ Resolution ALJ 235.

	<p>reasonable rates established by Resolution ALJ-393 based on Birkelund’s experience.</p> <p>Given that the 2023 Legal Director IV rate range is \$518.55 to \$832.67, we find the requested hourly 2023 rate of \$770.00 to be reasonable and we apply it here. Given that the 2024 Legal Director IV rate range is \$545.91 to \$860.03, we find the requested hourly 2024 rate of \$800.00 to be reasonable and we apply it here.</p> <p>The award determined herein for the consultant’s contribution in this proceeding shall be paid in full to the consultant, and no portion of this part of the award shall be kept by the intervenor. Additionally, the rates approved here are specific to work in this proceeding and the contract terms between the consultant and intervenor, as they are established in accordance with the Commission’s policy on consultant compensation, and the understanding that the consultant has not billed or collected compensation for the work performed until final award is given.</p> <p>We reiterate that it is the responsibility of the intervenor to be forthcoming about engaging consultants, to adhere to the Commission’s policy on compensation for consultant fees, and to provide the appropriate documentation with the initial claim to ensure efficient processing, and thus avoid the need for the Commission to request supplemental documentation. In this instance, SBUA did not provide all the documentation pertaining to the contract terms between SBUA and Birkelund in the initial claim and waited until the Commission requested supplemental documentation which delays the processing of the claim.</p>												
<p>[5] Disallowance of Hours— Excessive Intervenor Compensation Preparation</p>	<p>SBUA claimed a total of 14 hours for IComp Prep. A total of 2.25 hours was allocated to drafting and editing the NOI and a total of 11.75 hours was allocated to completing the IComp claim. We find the number of hours dedicated to IComp Prep to be excessive for the size and scope of this proceeding. Therefore, we disallow 50% of the hours Weberski and Birkelund claimed for preparing the IComp claim.</p> <table border="1" data-bbox="522 1333 1138 1640"> <thead> <tr> <th>Person</th> <th>Year</th> <th>IComp Claim Prep Hours Requested</th> <th>IComp Claim Prep Hours Disallowed</th> </tr> </thead> <tbody> <tr> <td>Weberski</td> <td>2024</td> <td>8.5</td> <td>4.25</td> </tr> <tr> <td>Birkelund</td> <td>2024</td> <td>3.25</td> <td>1.625</td> </tr> </tbody> </table> <p>We remind SBUA per the Intervenor Compensation Program Guide in Part III. (3). (a).i-ii (at 13), that the efficiency aspect is considered when determining reasonable and fair awards.</p>	Person	Year	IComp Claim Prep Hours Requested	IComp Claim Prep Hours Disallowed	Weberski	2024	8.5	4.25	Birkelund	2024	3.25	1.625
Person	Year	IComp Claim Prep Hours Requested	IComp Claim Prep Hours Disallowed										
Weberski	2024	8.5	4.25										
Birkelund	2024	3.25	1.625										
<p>[6] Jennifer Weberski (Weberski)</p>	<p>D.24-02-031 authorized a 2023 hourly rate of \$705.00 for Weberski. We applied the 2024 annual escalation rate of 4.07% per Resolution ALJ-393 and rounded to the nearest \$5. We adopt the 2024 hourly rate of \$735.00 for Weberski.</p>												

2024 Hourly Rate	Intervenor Compensation Claim Preparation Rates are compensated at half of the preparer's normal hourly rate.
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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
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B. Comment Period: Was the 30-day comment period waived (see Rule 14.6(c)(6))?	Yes
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FINDINGS OF FACT

1. Small Business Utility Advocates has made a substantial contribution to D.24-05-048.
2. The requested hourly rates for Small Business Utility Advocates' representatives, as adjusted herein, are comparable to market rates paid to experts and advocates having comparable training and experience and offering similar services, 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 herein, are reasonable and commensurate with the work performed.
4. The total of reasonable compensation is \$23,224.13.

CONCLUSION OF LAW

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

ORDER

1. Small Business Utility Advocates is awarded \$23,224.13.
2. Within 30 days of the effective date of this decision, Southern California Edison Company shall pay Small Business Utility Advocates the total award. Payment of the award shall include compound interest at the rate earned on prime, three-month non-financial commercial paper as reported in Federal Reserve Statistical Release H.15, beginning October 19, 2024, the 75th day after the filing of Small Business Utility Advocates' request, and continuing until full payment is made.

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

This decision is effective today.

Dated March 13, 2025, at Santa Clara, 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

Compensation Decision:	D2503029	Modifies Decision?	No
Contribution Decision(s):	D2405048		
Proceeding(s):	A2212004		
Author:	ALJ Mutialu		
Payer(s):	Southern California Edison Company		

Intervenor Information

Intervenor	Date Claim Filed	Amount Requested	Amount Awarded	Multiplier?	Reason Change/Disallowance
Small Business Utility Advocates	8/5/24	\$25,577.25 ¹	\$23,224.13	N/A	See Part III. D, CPUC Comments, Disallowances and Adjustments.

Hourly Fee Information

First Name	Last Name	Attorney, Expert, or Advocate	Hourly Fee Requested	Year Hourly Fee Requested	Hourly Fee Adopted
Jennifer	Weberski	Attorney ¹⁴	\$675	2022	\$675.00
Jennifer	Weberski	Attorney ¹⁴	\$705	2023	\$705.00
Jennifer	Weberski	Attorney ¹⁴	\$735	2024	\$735.00
John	Wilson	Expert ¹⁵	\$415	2022	N/A
Paul	Chernick	Expert ¹⁶	\$505	2022	\$505.00
James	Birkelund	Attorney ¹⁷	\$705	2022	\$705.00
James	Birkelund	Attorney ¹⁸	\$770	2023	\$770.00
James	Birkelund	Attorney ¹⁸	\$800	2024	\$800.00

(END OF APPENDIX)

¹⁴ Weberski is classified as a Legal - Attorney – V.

¹⁵ Wilson serves as a consultant to SBUA.

¹⁶ Chernick serves as a consultant to SBUA.

¹⁷ Birkelund is classified as a Legal Director – IV.

¹⁸ Birkelund has served as a consultant to SBUA since 2023.