

Decision 25-12-013 December 4, 2025

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Continue Electric
Integrated Resource Planning and Related Procurement
Processes

Rulemaking 20-05-003

**DECISION GRANTING COMPENSATION TO ENVIRONMENTAL DEFENSE FUND
FOR SUBSTANTIAL CONTRIBUTION TO DECISION (D.) 24-09-006**

Intervenor: Environmental Defense Fund	For contribution to Decision 24-09-006
Claimed: \$16,053 ¹	Awarded: \$15,466.25
Assigned Commissioner: Alice Reynolds	Assigned ALJ: Julie A. Fitch, Colin Rizzo ²

PART I: PROCEDURAL ISSUES

A. Brief description of Decision:	D.24-09-006 authorizes Load Serving Entities (“LSEs”) to temporarily rely on short-term bridge resources to comply with their obligations under D.21-06-035 to procure resources to replace the attributes of the Diablo Canyon Power Plant.
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B. Intervenor must satisfy intervenor compensation requirements set forth in Pub. Util. Code §§ 1801-1812³:

	Intervenor	CPUC Verification
Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):		
1. Date of Prehearing Conference:	July 14, 2020	Verified

¹ Arithmetic error detailed in footnotes 4-6. Corrected total: \$16,418.50.

² Administrative Law Judge (ALJ) Colin Rizzo was co-assigned on March 19, 2025.

³ All statutory references are to California Public Utilities Code unless indicated otherwise.

	Intervenor	CPUC Verification
2. Other specified date for NOI:	N/A	
3. Date NOI filed:	<p>Per the Order Instituting Rulemaking Ordering Paragraph 9, parties previously found to be eligible for intervenor compensation in Rulemaking 16-02-007 and has been awarded intervenor compensation both in that rulemaking and in this Rulemaking for prior decisions.</p> <p>The Commission confirmed this in granting EDF an award for substantial contribution in D.22-11-037. In that decision, the Commission determined that EDF previously submitted an NOI on March 27, 2014 in the original R.13-12-010 proceeding, which turned into R.16-02-007 and subsequently into R.20-05-003.</p> <p>EDF further notes, consistent with the language in D.22-11-037, that there are no changes to its by-laws or financial</p>	Verified

	Intervenor	CPUC Verification
	status.	
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.21-06-017	Verified
6. Date of ALJ ruling:	November 9, 2021	Verified
7. Based on another CPUC determination (specify):	N/A	
8. Has the Intervenor demonstrated customer status or eligible government entity status?		Yes
Showing of “significant financial hardship” (§1802(h) or §1803.1(b)):		
9. Based on ALJ ruling issued in proceeding number:	R.21-06-017	Verified
10. Date of ALJ ruling:	November 9, 2021	Verified
11. Based on another CPUC determination (specify):	N/A	
12. Has the Intervenor demonstrated significant financial hardship?		Yes
Timely request for compensation (§ 1804(c)):		
13. Identify Final Decision:	D.24-09-006	Verified
14. Date of issuance of Final Order or Decision:	September 17, 2024	Verified
15. File date of compensation request:	November 15, 2024	Verified
16. Was the request for compensation timely?		Yes

C. Additional Comments on Part I:

#	Intervenor’s Comment(s)	CPUC Discussion
1-3	EDF was not required to file an NOI in this proceeding because EDF was found eligible to request compensation in R.16-02-007. <i>See, e.g.,</i> D.20-02-006 (Feb. 28, 2020) (finding EDF eligible for compensation in R.16-02-007);	Verified

#	Intervenor's Comment(s)	CPUC Discussion
	R.20-05-003, Order Instituting Rulemaking to Continue Electric Integrated Resource Planning and Related Procurement Processes (May 14, 2020) ("Parties who were previously found eligible to request compensation in R.16-02-007 shall remain eligible in this proceeding and do not need to file an NOI within 30 days, provided there are no material changes in their by-laws or financial status.")	

PART II: SUBSTANTIAL CONTRIBUTION

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

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
<p>1. EDF advocated for the Commission to reject Pacific Gas & Electric's (PG&E) request that the Commission grant relief for "last-minute" project delays.</p> <p>The Commission declined to adopt PG&E's proposal. D.24-09-006 at 17-18.</p>	<p>EDF Comments</p> <p>"In opening comments, EDF expressed strong concern with the Commission's practice of consistently modifying LSEs' procurement obligations when LSEs are unable to satisfy their clearly-defined procurement requirements. This practice sends a signal to LSEs that rigorous procurement efforts are not necessary and has contributed to the State continuing to rely on aging, inefficient, and harmful fossil based resources. EDF cited PG&E's recent procedurally and substantively defective request to extend the deadline by which it must comply with D.21-06-035 as exemplary of how some LSEs feel emboldened to shirk their</p>	Verified

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
	<p>procurement obligations on the belief the Commission will rescue them from their noncompliance. Now, PG&E has proposed that the Commission partly memorialize this practice. PG&E requests the Commission provide LSEs with relief for "last-minute" delays that occur where an LSE is notified of a project delay by a developer within 30 days prior to the expected online date for the delayed project. PG&E's proposal does not include any oversight mechanism by which the Commission could independently confirm when, and whether, a developer notified an LSE of a project delay. EDF opposes the Commission formalizing a process by which LSEs may be granted relief from their procurement obligations. EDF believes LSEs (and in turn the developers) should be required to bear the risk associated with potential project delays, which will incent LSEs to employ all efforts to bring resources online quickly.</p> <p>EDF suggests that the Commission direct the LSEs to include provisions in their contracts with developers for these bridge resources to protect ratepayers from the financial and reliability harm caused by these "last minute delays," including strong financial penalties in the event the developer is unable to bring the resource online by the date established in the contract. If the financial signal is strong enough, the risk can be</p>	

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
	<p>shifted onto the developer. EDF also suggests that additional guidance should be provided on status updates so that, if there is a risk of not bringing the bridge resources online by the date established in the applicable contract, the Commission and PG&E can respond in more holistic manner. Granting PG&E's request will send a further signal to LSEs and developers that compliance with the procurement deadlines established by the Commission is not required or expected.”</p> <p>Reply Comments of Environmental Defense Fund on the Administrative Law Judge's Ruling Seeking Comments on Staff Proposal to Allow Temporary Bridge Resources to meet Diablo Canyon Replacement Obligations, at 3-5 (June 21, 2024). (EDF Bridge Resources Reply Comments)</p> <p style="text-align: center;">Decision Excerpts</p> <p>“In opening comments, PG&E requests that in the event an LSE is notified of a “last-minute” delay to a resource by that resource’s developer, the LSE could be relieved from procuring bridge resources to replace that resource’s capacity and/or energy. PG&E proposes a set of criteria that would need to be met to qualify [<i>sic</i>] for this suggested procurement exemption.</p> <p>We recognize the challenging</p>	

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
	<p>procurement environment that LSEs must operate in to meet their obligations under D.21-06-035. The ALJ ruling and staff proposal, as well as this decision, were designed to help give LSEs more options for compliance with the Diablo Canyon replacement resource provisions of D.21-06-035. In the event of an unexpected last-minute delay to a Diablo Canyon replacement resource coming online, the LSE may be unable to act quickly enough to substitute a bridge resources. However, this is a generic issue across all required procurement. We decline to adopt a broad policy about last-minute resource delays in this context, and even for a subset of resources such as the Diablo Canyon replacement resources.</p> <p>Though we decline to adopt PG&E's proposal, we emphasize that Commission staff will assess an LSE's compliance status holistically, both for Diablo Canyon replacement resources and IRP procurement generally, considering all of the LSE's efforts to procure resources and taking last-minute delay notices from developers into account."</p> <p>D.24-09-006 at 17-18.</p>	
2. EDF advocated for the Commission to prohibit LSEs from relying on unspecified imports and requested that the Commission provide clarity on the definition of unspecified imports.	<p>EDF Comments</p> <p>"In opening comments, EDF expressed concern that LSEs executing bridge import contracts may cause an increase in out-of-state greenhouse gas emissions by</p>	Verified

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
<p>The Commission's decision prohibits LSEs from relying on unspecified imports and provides clarity on the definition of unspecified imports.</p> <p>D.24-09-006 at 10-14.</p>	<p>forcing other states to rely on fossil-fueled resources when they otherwise would have relied on zero-emission resources. EDF reiterates its suggestion that Commission staff modify the Proposal to minimize increases in out-of-state GHGs, as is required by Senate Bill 100.</p> <p>Pacific Gas & Electric (PG&E) notes that it is unclear how "unspecified imports" are defined, noting there is a distinction between the definition used in the Resource Adequacy proceeding, and the definition used by the California Air Resources Board. PG&E emphasizes that, if the definition of "unspecified imports" aligns with the definition used in the RA proceeding, the range of imports LSEs may rely on as bridge resources will be "severely limited." EDF agrees that there are limitations on this definition and that additional clarity is needed. In clarifying the precise definition of "unspecified imports, the Commission should consider its statutory obligation to minimize out-of-state GHGs, which may require limiting the range of imports LSEs may rely on as bridge resources.</p> <p>Relatedly, EDF strongly opposes the recommendation by Shell Energy (Shell) to allow LSEs to rely on unspecified imports to temporarily satisfy their Diablo Canyon procurement replacement</p>	

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
	<p>obligations. The Commission stated very clearly that the purpose of the Diablo Canyon replacement obligations was to ensure the retirement of Diablo Canyon does not cause either a system reliability shortfall or an increase in GHG emissions. Allowing LSEs to rely on unspecified imports, which likely include a significant portion of fossil-based resources, to temporarily satisfy their Diablo Canyon procurement obligations directly undercuts this clear direction, as well as the State's climate, air pollution reduction, and environmental justice goals." EDF Bridge Resources Reply Comments, at 2-3.</p> <p style="text-align: center;">Decision Excerpts</p> <p>"EDF ... opposes any provision that may allow for an increase of out-of-state emissions, even if California's emissions footprint does not increase.</p> <p>...</p> <p>To resolve these issues, we start by referring again to the emissions standard set in D.21-06-035 for Diablo Canyon replacement resources, which is that the resources must have "zero-on-site emissions or, if the resources have emissions, they must otherwise qualify under the RPS eligibility requirements." Since we are not modifying this standard in this decision, Commission staff will need to be able to verify the provenance of any resource in</p>	

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
	<p>question that is being used to satisfy the Diablo Canyon replacement category of resources. Any contract, product, or solution – import or otherwise – for which Commission staff cannot verify the resource type of the generator is ineligible.</p> <p>As to the definition of unspecified imports for purposes of compliance with this decision, we have reviewed the relevant definitions in the CARB Mandatory Greenhouse Gas Reporting Regulations under the Cap-and-Trade Program, as well as the Resource Adequacy definition. According to the CARB regulations, unspecified imports do not have proof of direct delivery from or a contract with a specific generation facility.</p> <p>The Commission's Resource Adequacy program uses the terms "nonresource-specific" and "unspecified imports" interchangeably. Non-resource specific imports are defined under the Resource Adequacy program as "imports that are not associated with a specific resource or unit. Non-resource-specific resources are eligible under the Resource Adequacy program provided that they meet certain requirements, but it is important to note that the Resource Adequacy program is not chiefly concerned with emissions characteristics, given its focus on system reliability.</p>	

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
	The CARB definition of unspecified imports is more relevant and provides guidance that most closely aligns with the emissions standards under D.21-06-035 for Diablo Canyon replacement resources.” D.24-09-006 at 4, 11-12.	

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

	Intervenor's Assertion	CPUC Discussion
a. Was the Public Advocate's Office of the Public Utilities Commission (Cal Advocates) a party to the proceeding?	Yes	Verified
b. Were there other parties to the proceeding with positions similar to yours?	Yes	Verified
c. If so, provide name of other parties: Sierra Club; California Environmental Justice Alliance; Union of Concerned Scientists; Natural Resources Defense Council.		Noted
d. Intervenor's claim of non-duplication: EDF conferred with but ultimately could not reconcile its position with the above mentioned similarly aligned parties. Given the large number of parties actively engaged in the case, if any duplication of effort occurred, it was unavoidable due to the large number of parties actively engaged in the case. EDF's comments were neither unproductive nor unnecessary because they substantially assisted the Commission's deliberations and decision making. EDF worked diligently to ensure that its involvement uniquely influence the outcome of the final Decision.		Noted

C. Additional Comments on Part II:

#	Intervenor's Comment	CPUC Discussion
II.A.	Substantial Contribution. Pursuant to Section 1802(j), "Substantial contribution" means that, in the judgment of the commission, the customer's presentation has substantially	Noted

#	Intervenor's Comment	CPUC Discussion
	<p>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>	
II.A.	<p>Substantial Contribution Includes Enriching Deliberations and the Record. The Commission’s past decisions recognize that the Commission does not need to adopt an intervenor’s position on a particular issue for that intervenor to make a substantial contribution. D.08-04-004 at 4-5; D.19-10-019 at 3; D.03-03-031 at 6 (“substantial contribution includes evidence or argument that supports part of the decision even if the Commission does not adopt a party’s position in total”). Rather, intervenor substantially contribute when they have “provided a unique perspective that enriched the Commission’s deliberations and the record.” D.05-06-027 at 5. Intervenors also substantially contribute 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, and when they “assist [] the Commission in the decision-making process.” D.08-04-004 at 5-6; D.19-10-019 at 4.</p>	Verified
II.B.	<p>No Duplication. No reduction to EDF’s</p>	Noted

#	Intervenor's Comment	CPUC Discussion
	<p>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) & (f), 1802(j), 1802.5, and 1803.</p> <p>Section 1803 sets forth the requirements for awarding intervenor compensation. Pub. Util. Code, § 1803; D.03-03-031 at 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.</p> <p>Section 1801.3(f) seeks to avoid only (1) “unproductive or unnecessary participation that duplicates the 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(f); D.03-03-031 at 15-18. The “duplication language contained in the first dependent clause requires the compensation opponent to establish three</p>	

#	Intervenor's Comment	CPUC Discussion
	<p>elements – duplication, similar interests, and adequate representation.” D.03-03-031 at 18.</p> <p>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; see also D.03-03-031 at 14.</p> <p>Additionally, the intervenor compensation statutory scheme is intended to “be administered in a manner that encourages the effective and efficient participation of all groups that have a stake in the public utility regulation process.” Pub. Util. Code § 1801.3(b).</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: EDF's costs were reasonable for the scope and complexity of the issues presented in this rulemaking and the proposed procurement requirements. EDF had one point person for legal arguments, one supervising attorney and one point person for policy arguments to ensure efficient disposition of our advocacy.</p>	Noted
<p>b. Reasonableness of hours claimed: Given the size and scope of issues at hand, EDF's claim is reasonable.</p>	Noted
<p>c. Allocation of hours by issue: 100% of EDF's hours were spent on the proposal to allow LSEs to rely on bridge resources to temporarily comply with their Diablo Canyon replacement procurement obligations. Due to the limited nature of the scope of issues resolved in D.24-09-006, EDF cannot segment its work into discrete issues.</p>	Noted

	CPUC Discussion

B. Specific Claim: *

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
Yochanan Zakai (YZZ)	2024	4.8	\$610	ALJ -393; Attorney IV	\$2,928	4.2 [1]	\$610 [2,5]	\$2,562.00
Orran Balagopalan (OGB)	2024	18.4	\$330	2023 rate plus 5% step increase per D.07-01-009 and escalation	\$6,072	18.4	\$330 [3,5]	\$6,072.00
Michael Colvin (MRC)	2024	9.5	\$655	Requested 2023 rate plus 5% step increase per D.07-01-009 and escalation	\$6,223 ⁴	9.5	\$595 [4]	\$5,652.50
Subtotal: \$ 14,857 ⁵						Subtotal: \$14,286.50		
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
Yochanan Zakai	2024	1	\$305	Half 2024 rate	\$305	1	\$305	\$305.00
Orran Balagopalan	2024	4.4	\$165	Half 2024 rate	\$726	4.4	\$165	\$726.00
Michael Colvin	2024	0.5	\$330	Half 2024 rate	\$165	0.5	\$297.50 [4]	\$148.75
Subtotal: \$1,196						Subtotal: \$1,179.75		

⁴ Rounding error. $9.5 \times \$655 = \$6,222.50$

⁵ Rounding error carried over from Michael Colvin's 2024 total. Corrected total: \$15,222.50

CLAIMED		CPUC AWARD	
<i>TOTAL REQUEST: \$ 16,053.00⁶</i>		<i>TOTAL AWARD: \$15,466.25</i>	
<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. Intervenor’s records should identify specific issues for which it seeks compensation, the actual time spent by each employee or consultant, the applicable hourly rates, fees paid to consultants and any other costs for which compensation was claimed. The records pertaining to an award of compensation shall be retained for at least three years from the date of the final decision making the award.</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
Yochanan Zakai	Admitted to Oregon State Bar in 2013	Oregon State Bar Member No. 130369	No
Orran Balagopalan	December 1, 2021	341508	No

C. Attachments Documenting Specific Claim and Comments on Part III⁸:

Attachment or Comment #	Description/Comment
1	Certificate of Service
2	<p>Biography of Expert and Attorneys</p> <p>Yochanan Zakai is a partner at Shute, Mihaly, and Weinberger. He graduated from the University of Oregon School of Law in 2012 and then worked as a policy advisor for the Washington State Utilities and Transportation Commission for four years. He was admitted to the Oregon State Bar in 2013. His relevant experience includes clerkships with the Hawaii Public Utilities Commission, Oregon's utility ratepayer advocate, and the Bonneville Power Administration, as well as an externship with a wind turbine manufacturer and two years representing a municipal electric</p>

⁶ Arithmetic error carried over from Michael Colvin's 2024 total. Corrected total: \$16,418.50

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

⁸ Attachments not included in the final decision.

Attachment or Comment #	Description/Comment
	<p>utility.</p> <p>Mr. Zakai has a national practice of administrative law focused on utility regulation. Mr. Zakai has represented clients in various CPUC proceedings including R.19-01-006 (wildfire cost recovery, representing Protect Our Communities Foundation or PCF), R.17-06-026 (power cost indifference recovery adjustment, representing PCF), R.17-07-007 (interconnection of distributed energy resources, representing the Interstate Renewable Energy Council), R.16-02-007 & R.20-05-003 (integrated resource planning, representing EDF), and R.14-08-013 & R.21-06-017 (distribution resource planning, representing the Interstate Renewable Energy Council). He has also appeared representing clients before the Bonneville Power Administration, California Independent System Operator, Colorado Public Utilities Commission, Massachusetts Department of Public Utilities, Michigan Public Service Commission, Minnesota Public Utilities Commission, and Washington State Utilities and Transportation Commission.</p> <p>Resolution ALJ-393 reaffirmed that, as a matter of policy, lawyers “licens[ed] by any jurisdiction within the United States” are eligible for compensation at attorney rates.^[1] Although Draft Resolution ALJ-393 originally proposed requiring attorneys to be licensed in California, the final version removed this requirement in response to comments from TURN emphasizing that attorneys like Mr. Zakai with a national practice bring “unique value to the Commission’s proceedings because of their national perspective.”^[2]</p> <p>EDF requests a rate of \$610 for Mr. Zakai’s work in 2024. For work in 2024, Mr. Zakai is classified as an Attorney IV in the Hourly Rate Chart in Resolution ALJ-393. Level IV Attorneys are eligible for rates ranging from</p>

^[1] Resolution ALJ-393 at 6 (Dec. 17, 2020) (“We have modified the definition [in the hourly rate chart] of labor roles for Legal Directors and Attorneys to include ‘licensing by any jurisdiction within the United States.’”). The hourly rate chart posted on the Commission’s intervenor compensation website has not been updated to reflect this modification.

^[2] TURN Reply Comments on Draft Resolution ALJ-393 at 2 (Dec. 11, 2020) (“the Commission has never required that attorneys be members of the California Bar to be compensated on the attorney hourly rate scale, as long as they are licensed by another jurisdiction within the United States. Restricting the Attorney and Legal Director Labor Roles to attorneys licensed by the California Bar would be a major change of practice for intervenors with a national presence, who bring unique value to the Commission’s proceedings because of their national perspective.”).

Attachment or Comment #	Description/Comment
	<p>\$440-\$680, with a median of \$560. A rate of \$610 is equivalent to the 2023 rate Mr. Zakai requested in prior Intervenor Compensation Requests, in addition to the 5% step increase per D.07-01-009 and the 2024 escalation rate (a.k.a COLA) of 4.07%. Considering Mr. Zakai's national perspective and specialized experience, this rate is reasonable.</p> <p>Orran Balagopalan joined Shute, Mihaly & Weinberger LLP as an associate in 2021. He represents public agencies, tribes, community groups, and nonprofit organizations on a broad range of environmental, energy, land use, and local government issues. Mr. Balagopalan advises clients on non-litigation matters and represents them in litigation at the trial level. Mr. Balagopalan has represented clients in public utility proceedings both in, and out of, California, in addition to representing clients across the nation on clean energy interconnection rules.</p> <p>Mr. Balagopalan graduated from the University of California, Los Angeles School of Law in 2021. During law school, he clerked at the California Coastal Commission and Earthjustice. Prior to attending law school, Mr. Balagopalan interned at the Orange County Public Defender's Office, the Legal Aid Foundation of Los Angeles, and the congressional office of California's 31st District.</p> <p>EDF requests a rate of \$330 for Mr. Balagopalan's work in 2024. For work in 2024, Mr. Balagopalan is classified as a level II Attorney in the Hourly Rate Chart in Resolution ALJ-393. Level II Attorneys, with 2-5 years' experience, are eligible for rates ranging from \$240 to \$430, with a median of \$330. A rate of \$330 is equivalent to the 2023 rate Mr. Balagopalan requested in prior Intervenor Compensation Requests, in addition to the 5% step increase per D.07-01-009 and the 2024 escalation rate (a.k.a COLA) of 4.07%. Considering his experience this rate is reasonable.</p> <p>Michael Colvin is the Director, Regulatory and Legislative Affairs, California Energy Program, Environmental Defense Fund. He has a Bachelor of Science and Master's degree in Public Policy, both from the University of California, Berkeley. His relevant experience includes a decade of work at the California Public Utilities Commission (from 2008-2018) both as staff and as policy advisors to former Commissioners Ferron and Sandoval. In addition to his work before the CPUC, Mr. Colvin is also an active participant at the California legislature, California Air Resources Board, California Energy Commission, and the California Independent System Operator.</p>

Attachment or Comment #	Description/Comment
	<p>Mr. Colvin has appeared before the Commission as a policy expert and advocate in several proceedings, including Rulemaking 19-01-011 (Building Decarbonization), R.13-02-008 (Biomethane Procurement Standards), Rulemaking 18-12-006 (Transportation Electrification Framework), R.20-01-007 (long term gas planning docket), R.20-08-022 (Clean Energy Financing). Mr. Colvin also appears before the Commission in a variety of utility specific matters, including Applications 19-02-006 (Voluntary RNG tariff), A.20-10-011 (PG&E's dynamic rate for commercial electric vehicles) and A. 19-07-006 (SD&GE electric vehicle dynamic rate design).</p> <p>EDF requests a rate of \$655 for Mr. Colvin's work in 2024. Mr. Colvin is classified as a Public Policy Analyst V in the Hourly Rate Chart in Resolution ALJ-393. Level V Public Policy Analysts are eligible for rates ranging from \$540-\$920, with a median of \$700. . A rate of \$330 is equivalent to the 2023 rate Mr. Colvin requested in prior Intervenor Compensation Requests, in addition to the 5% step increase per D.07-01-009 and the 2024 escalation rate (a.k.a COLA) of 4.07%. Considering Mr. Colvin's extensive and specialized experience in energy policy, this rate is reasonable</p>
3	Timesheet with hourly information

D. CPUC Comments, Disallowances, and Adjustments

Item	Reason
[1] Yochanan Zakai Hours	According to the timesheets provided by EDF, the total number of hours registered for Yochanan Zakai was 4.2 hours. However, 4.8 hours were claimed in the compensation request. The Commission determined that this discrepancy was a clerical or typographical error and awarded the hours that aligned with the timesheets.
[2] Yochanan Zakai Hourly Rate	<p>Upon further review, the Commission has determined that Yochanan Zakai is a consultant. The Commission requested supplemental documentation to confirm the rate charged by Yochanan Zakai.</p> <p>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. Per the IComp Program Guide at 24, the Commission may audit the records and books of the intervenors to the extent necessary to verify the basis for the award (§ 1804(d)). EDF has confirmed that Yochanan Zakai serves as a consultant for EDF under contract on a contingency basis, meaning</p>

Item	Reason
	<p>Yochanan Zakai has agreed to defer all, or part of his consulting fee contingent upon receipt of this Intervenor Compensation award.</p> <p>Given this contingency, we utilize the reasonable rates established by Resolution ALJ-393 based on Yochanan Zakai's experience for work in this proceeding. EDF requested a rate of \$610 for 2024 for Yochanan Zakai. Given the 2024 rate range for Attorney IV (\$443.01 - \$680.49), we find the 2024 hourly rate of \$610 to be reasonable and we adopt 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, 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 full 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 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 <i>initial</i> claim to ensure efficient processing, and thus avoid the need for the Commission to request supplemental documentation. In this instance, EDF did not provide all the documentation pertaining to the contract terms between EDF and Yochanan Zakai in the initial claim and waited until the Commission requested supplemental documentation.</p>
[3] Orran Balagopalan Hourly Rate	<p>Upon further review, the Commission has determined that Orran Balagopalan is a consultant. The Commission requested supplemental documentation to confirm the rate charged by Orran Balagopalan.</p> <p>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. Per the IComp Program Guide at 24, the Commission may audit the records and books of the intervenors to the extent necessary to verify the basis for the award (§ 1804(d)). EDF has confirmed that Orran Balagopalan serves as a consultant for EDF under contract on a contingency basis, meaning Orran Balagopalan has agreed to defer all, or part of his consulting fee contingent upon receipt of this Intervenor Compensation award.</p> <p>Given this contingency, we utilize the reasonable rates established by Resolution ALJ-393 based on Orran Balagopalan's experience for work in this proceeding. EDF requested a rate of \$330 for 2024 for Orran</p>

Item	Reason
	<p>Balogopalan. Given the 2024 rate range for Attorney II (\$252.74 - \$441.90), we find the 2024 hourly rate of \$330 to be reasonable and we adopt 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, 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 full 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 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 <i>initial</i> claim to ensure efficient processing, and thus avoid the need for the Commission to request supplemental documentation. In this instance, EDF did not provide all the documentation pertaining to the contract terms between EDF and Orran Balagopalan in the initial claim and waited until the Commission requested supplemental documentation.</p>
[4] Michael Colvin Hourly Rate	<p>EDF requests a 2024 rate of \$655 for Mr. Colvin as an Expert – Public Policy Analyst – V. EDF justifies this rate by stating that "a rate of \$330 is equivalent to the 2023 rate Mr. Colvin requested in prior Intervenor Compensation Requests, in addition to the 5% step increase per D.07-01-009 and the 2024 escalation rate (a.k.a COLA) of 4.07%." However, we note that applying a 4.07% 2024 escalation factor and a 5% step increase to \$330 does not lead to \$655.</p> <p>D.25-08-047 recently verified a 2023 rate of \$545 for Michael Colvin as an Expert – Public Policy Analyst – V.</p> <p>To the 2023 rate of \$545, we apply the 2024 escalation factor of 4.07% and the first of two step increases for a 2024 rate of \$595. We find this rate reasonable and adopt it here.</p>
[5] Intervenor Responsibility for Transparency and Accuracy in Compensation Requests	<p>The Commission takes this opportunity to remind all intervenors that they bear the burden of providing accurate, complete, and honest information in all compensation requests. The Commission relies on intervenors' good faith representations, particularly regarding consultant agreements and payments, as it does not have the resources to review every contract or non-standard arrangement in detail.</p>

Item	Reason
	<p>Intervenor compensation is funded by ratepayers, and the Commission takes seriously any effort to mislead or obscure the financial basis for a claim. Although no violation of Rule 1.1 has been found in this instance, we remind intervenors that under Rule 1.1, intent to deceive is not required for a violation, misstatements may still be actionable. Dishonest or misleading claims not only risk denial of compensation but may also subject the intervenor to penalties.</p> <p>The Commission has clear authority to audit intervenors' books and records to verify the basis for any award. Intervenors must therefore ensure full transparency regarding actual time spent on issues, consultant fees, payment arrangements, and the actual disbursement of funds. Failure to meet this obligation undermines the integrity of the compensation process and may lead to denial of claims or further enforcement action.</p>

PART IV: OPPOSITIONS AND COMMENTS

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

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

FINDINGS OF FACT

1. Environmental Defense Fund has made a substantial contribution to D.24-09-006.
2. The requested hourly rates for Environmental Defense Fund's representatives 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 \$15,466.25.

CONCLUSION OF LAW

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

ORDER

1. Environmental Defense Fund is awarded \$15,466.25.
2. Within 30 days of the effective date of this decision, Pacific Gas and Electric Company, San Diego Gas & Electric Company, Southern California Edison Company, shall pay Environmental Defense Fund their respective shares of the award, based on their California-jurisdictional Gas revenues for the 2024 calendar year, to reflect the year in which the proceeding was primarily litigated. If such data are unavailable, the most recent gas 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 January 29, 2025, the 75th day after the filing of Environmental Defense Fund'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 December 4, 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

Compensation Decision:	D2512013	Modifies Decision?	No
Contribution Decision(s):	D2409006		
Proceeding(s):	R2005003		
Author:	ALJ Julie A. Fitch and ALJ Colin Rizzo		
Payer(s):	Pacific Gas and Electric Company, San Diego Gas & Electric Company, Southern California Edison Company.		

Intervenor Information

Intervenor	Date Claim Filed	Amount Requested	Amount Awarded	Multiplier?	Reason Change/Disallowance
Environmental Defense Fund	November 15, 2024	\$16,053.00 ⁹	\$15,466.25	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
Michael	Colvin	Expert	\$655	2024	\$595
Yochanan	Zakai	Attorney ¹⁰	\$610	2024	\$610
Orran	Balagopalan	Attorney ¹⁰	\$330	2024	\$330

(END OF APPENDIX)

⁹Arithmetic error explained in footnotes 4-6. Corrected total: \$16,418.50.

¹⁰ Consultant to EDF.