

**PUBLIC UTILITIES COMMISSION**

505 VAN NESS AVENUE

SAN FRANCISCO, CA 94102-3298

December 2, 2025

**Agenda ID #23900****Ratesetting**~~TO PARTIES OF RECORD IN APPLICATION 21-06-021:~~

~~This is the proposed decision of Administrative Law Judge John Larsen. Until and unless the Commission hears the item and votes to approve it, the proposed decision has no legal effect. This item may be heard, at the earliest, at the Commission's January 15, 2026 Business Meeting. To confirm when the item will be heard, please see the Business Meeting agenda, which is posted on the Commission's website 10 days before each Business Meeting.~~

~~Parties to the proceeding may file comments on the proposed decision as provided in Rule 14.3 of the Commission's Rules of Practice and Procedure. Electronic copies of comments should also be sent to the Intervenor Compensation Program at [icompcordinator@cpuc.ca.gov](mailto:icompcordinator@cpuc.ca.gov).~~

~~/s/ MICHELLE COOKE~~~~Michelle Cooke~~~~Chief Administrative Law Judge~~

MLC:avs

Attachment

ALJ/JOR/avs  
(REV. 1)

PROPOSED DECISION

Agenda ID#23900

Ratesetting  
1/15/2026 Item 32Decision PROPOSED DECISION OF ALJ LARSEN (Mailed 12/2/2026)**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Application of Pacific Gas and Electric Company for Authority, Among Other Things, to Increase Rates and Charges for Electric and Gas Service Effective on January 1, 2023. (U39M.)

Application 21-06-021

**DECISION GRANTING COMPENSATION TO WILD TREE FOUNDATION FOR  
SUBSTANTIAL CONTRIBUTION TO DECISION (D.) 23-11-069**

<b>Intervenor:</b> Wild Tree Foundation	<b>For contribution to Decision (D.) 23-11-069</b>
<b>Claimed:</b> \$29,335.50	<b>Awarded:</b> \$19,659.15
<b>Assigned Commissioner:</b> John Reynolds	<b>Assigned ALJs:</b> John Larsen and Justin Regnier <sup>1</sup>

**PART I: PROCEDURAL ISSUES**

<b>A. Brief description of Decision:</b>	D.23-11-069 (“Decision”) approves ratepayer funds for Pacific Gas and Electric Company (“PG&E”) for infrastructure and operations investments. The Decision authorizes PG&E to collect from customers \$13.521 billion as its 2023 general rate case Track 1 test year revenue requirement, with two adjustments described below. Among other investments and capital increases, PG&E is directed to invest approximately \$4.723 billion in system hardening, including undergrounding and installing covered conductor, and approximately \$1.059 billion in vegetation management
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<sup>1</sup> Administrative Law Judge Justin Regnier was co-assigned to this proceeding on January 23, 2024.

	to reduce wildfire ignition risk on its electrical system. The Decision also provides enhanced oversight of PG&E's work and spending on key safety areas. For system hardening, the Decision requires heightened reporting for PG&E to demonstrate its progress towards achieving risk reduction and forecasted unit costs, in addition to requiring that costs be recorded in a balancing account.
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**B. Intervenor must satisfy intervenor compensation requirements set forth in Pub. Util. Code §§ 1801-1812:<sup>2</sup>**

	Intervenor	CPUC Verification
<b>Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):</b>		
1. Date of Prehearing Conference:	8/30/2021	Verified
2. Other specified date for NOI:	6/24/2022	Verified; an ALJ e-mail ruling issued on June 9, 2022 granted parties additional time to file an NOI due to new issues emerging subsequent to the time set for filing in accordance with Pub. Util. Code section 1804(a)(1).
3. Date NOI filed:	6/24/2022	Verified
4. Was the NOI timely filed?		Yes

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

	Intervenor	CPUC Verification
<b>Showing of eligible customer status (§ 1802(b)) or eligible local government entity status (§§ 1802(d), 1802.4):</b>		
5. Based on ALJ ruling issued in proceeding number:	A.21-08-013; R.19-01-011	<p>A ruling issued in A.21-08-013, et al. provided a finding of eligible customer status to Wild Tree Foundation (Wild Tree) for this proceeding.</p> <p>No ruling or decision in proceeding R.19-01-011 provided a finding of eligible customer status for Wild Tree in this proceeding.</p>
6. Date of ALJ ruling:	3/2/2022; 10/16/2023 (D.21-11-002)	<p>Verified per ALJ ruling issued in A.21-08-013, et al. on March 2, 2022.</p> <p>D.21-11-002, issued on November 9, 2021 in R.19-01-011, adopted a set of guiding principles for the layering of incentives from various building decarbonization programs. This decision also adopted a statewide Wildfire and Natural Disaster Resiliency Rebuild Program.</p> <p>We remind Wild Tree to include relevant customer</p>

	Intervenor	CPUC Verification
		status and significant financial hardship findings in their future requests for compensation.
7. Based on another CPUC determination (specify):	n/a	
8. Has the Intervenor demonstrated customer status or eligible government entity status?		Yes
<b>Showing of “significant financial hardship” (§1802(h) or §1803.1(b)):</b>		
9. Based on ALJ ruling issued in proceeding number:	A.21-08-013; R.19-01-01	<p>A ruling issued in A.21-08-013, et al. provided a finding of significant financial hardship to Wild Tree.</p> <p>No ruling or decision in proceeding R.19-01-011 provided a finding of significant financial hardship to Wild Tree for this proceeding.</p>
10. Date of ALJ ruling:	3/2/2022; 10/16/2023 (D.21-11-002)	<p>Verified per ALJ ruling issued in A.21-08-013, et al. on March 2, 2022.</p> <p>D.21-11-002, issued on November 9, 2021 in R.19-01-011, adopted a set of guiding principles for the layering of incentives from various building decarbonization programs. This decision also</p>

	Intervenor	CPUC Verification
		<p>adopted a statewide Wildfire and Natural Disaster Resiliency Rebuild Program.</p> <p>We remind Wild Tree Foundation to include relevant customer status and significant financial hardship findings in their future requests for compensation.</p>
11. Based on another CPUC determination (specify):	n/a	
12. Has the Intervenor demonstrated significant financial hardship?		Yes
<b>Timely request for compensation (§ 1804(c)):</b>		
13. Identify Final Decision:	D.23-11-069	Verified
14. Date of issuance of Final Order or Decision:	11/17/2023	Verified
15. File date of compensation request:	1/16/2024	Verified
16. Was the request for compensation timely?		Yes

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

#	Intervenor's Comment(s)	CPUC Discussion
2.	June 9, 2022 <i>Email Ruling Granting Wild Tree Motion for Party Status and Setting Date for the Filing of Notice of Intent</i> authorized Wild Tree Foundation to file NOI June 24, 2022.	Verified. An email ruling issued on June 9, 2022, from Administrative Law Judges John Larsen and Regina DeAngelis granted Wild Tree Foundation party status and additional time to file an NOI due to new issues emerging subsequent to the time set for filing in accordance with Pub. Util. Code section 1804(a)(1). Wild Tree based its motion on the new issues in Pacific Gas and Electric Company's (PG&E's) March 10, 2022, amended application filed after the prehearing conference. The deadline to file a timely NOI due to these changes was June 24, 2022.

**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):**

<b>Intervenor's Claimed Contribution(s)</b>	<b>Specific References to Intervenor's Claimed Contribution(s)</b>	<b>CPUC Discussion</b>
<p><b>System Hardening</b> Wild Tree provided testimony and argument regarding the risk, cost, feasibility and reasonableness of PG&amp;E's system hardening proposal. Wild Tree argued that PG&amp;E's proposal for 1000's of miles of undergrounding and a few hundred miles of covered conductors was risky, not cost effective, not feasible, and unreasonable. Wild Tree recommended that costs be shifted from undergrounding to covered conductors to provide more cost effective, expedient fire risk reduction.</p> <p>Wild Tree Testimony at pp. 2-21.</p> <p>Wild Tree Opening Brief at pp. 3-21.</p> <p>In its reply brief, PG&amp;E changed its system proposal to decrease underground miles from 3,346 to 2,000 in response to intervenors' concerns. PG&amp;E stated that, "Intervenors have questioned several aspects of PG&amp;E's undergrounding proposal, including the reasonableness of the proposed scope, pace, and costs" and "the adjustment also</p>	<p>In the Decision, the Commission approved 1,230 underground miles and 778 miles of covered conductors, a significant decrease of underground miles and increase in covered conductors from PG&amp;E's various proposals. "Overall, based on the significant unknowns and unaddressed concerns regarding PG&amp;E's ability to successfully implement its proposal in a timely manner together with the steep costs, the Commission finds that PG&amp;E's \$6.4 billion forecast for System Hardening (undergrounding and covered conductor) is unreasonable at this point in time. Instead, the Commission approves a System Hardening forecast consistent with the "hybrid scenario." This scenario, reducing more wildfire risk at a lower cost with fewer feasibility and timeline risks, is a superior option at this time." (Decision at p. 296.)</p> <p>"Similarly, Wild Tree Foundation states that the historically high amount of time and resources PG&amp;E must necessarily spend on undergrounding conversions are time and resources not available to implement proven wildfire mitigation strategies, in particular deployment of covered conductors. (Wild Tree Foundation Ex-01 at 4.)" (Decision at p. 277.)</p>	<p>Noted. However, See Part III.D, CPUC Comments, Disallowances and Adjustments [5].</p>

<p>is consistent with recommendations made by several intervenors for PG&amp;E to reduce the pace and costs of the program during the 2023-2026 GRC period pending further regulatory review.” (PG&amp;E Reply at pp. 327-328). Wild Tree’s arguments and testimony describing concerns with PG&amp;E’s proposal and arguing that it was not cost effective, risky, and infeasible contributed to PG&amp;E’s decreased underground mile proposal.</p> <p>The Commission ultimately approved even less underground miles and more covered conductor miles than PG&amp;E’s final proposal.</p> <p>In making its determination on system hardening, the Decision discussed Wild Tree’s positions on risk, cost effectiveness, and feasibility of PG&amp;E’s proposal, specifically discussing Wild Tree’s arguments about shifting resources from undergrounding to covered conductors and the feasibility of PG&amp;E’s proposals to construct 3,346 or 2,000 miles of its distribution system underground. (Decision at pp. 277, 285.)</p> <p>Wild Tree’s positions were discussed in the Decision and the Commission ultimately adopted intervenor recommendations that less undergrounding and more</p>	<p>“PG&amp;E failed to provide convincing evidence that it can achieve its ambitious construction goals on the proposed timeline of four years which is required to achieve increased system reliability. Failure to place assets underground would mean continued reliance on PSPS and EPSS (in addition to the higher wildfire risk presented by bare overhead wire). At the same time, the impact of aggressive installation of covered conductor, increased maintenance, and new technologies, such as REFCL/Rapid Earth Fault Current Limiter, could similarly decrease reliance on PSPS and EPSS.” (Decision at pp. 295-296.)</p> <p>“Parties raise serious questions about the feasibility of PG&amp;E’s proposal to construct 2,000 miles of its distribution system underground. . . Wild Tree Foundation states that PG&amp;E will not be able to scale up its undergrounding conversions at the pace it claims. (Wild Tree Foundation Ex-01 at 5.) . . . Based on the above, the Commission finds that, while PG&amp;E may intend to underground 2,000 miles in four years, PG&amp;E fails to establish the feasibility of its full proposal to underground 2,000 miles of assets.” (Decision at pp. 285-286.)</p> <p>“In evaluating the arguments and evidence presented on PG&amp;E’s 2023-2026 capital forecast of \$6.4 billion for System Hardening, the Commission finds that the evidence and arguments summarized above weigh against approving PG&amp;E’s full request and that PG&amp;E has failed to establish by the preponderance of evidence that its combined forecast for System Hardening (\$5.9 billion for undergrounding and \$517 million for</p>	
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covered conductors be approved. Wild Tree believes that its participation ensured a thorough analysis on system hardening and assisted in providing for a complete record on this issue. Wild Tree has thus made a substantial contribution to the issue.	covered conductor) is reasonable. Instead, the Commission finds the alternative proposed capital expenditures forecast of \$4723 billion associated with the “hybrid scenario,” which combines elements of proposals from PG&E and TURN, to be reasonable because it achieves a balance of risk reduction, feasibility, timeliness, and cost containment. To summarize the discussion above, covered conductor and undergrounding both offer unique benefits and tradeoffs as wildfire mitigation approaches. . . Covered conductor projects can be completed at a faster pace with significantly less construction feasibility unknowns than undergrounding projects. Covered conductor is a proven mitigation and has been installed on thousands of miles across California. Construction feasibility is a significant concern with PG&E’s 2,000-mile proposal, as unknowns around the availability of material and labor place an unreasonably high level of uncertainty around PG&E’s ability to execute its plans. . . . The hybrid approach approved here reduces more risk than PG&E’s proposal, at less cost, with fewer unknowns with respect to the feasibility of construction, and with less risk of delay in project completion. (Decision at pp. 294-295.)	
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**B. Duplication of Effort (§ 1801.3(f) and § 1802.5):**

	<b>Intervenor’s Assertion</b>	<b>CPUC Discussion</b>
<b>a. Was the Public Advocates Office of the Public Utilities Commission (Cal Advocates) a party to the proceeding?</b>	Yes	Verified
<b>b. Were there other parties to the proceeding with</b>	Yes	Verified

<b>positions similar to yours?</b>		
<b>c. If so, provide name of other parties:</b> TURN, Wild Tree Foundation, MGRA, AARP, AT&T, Comcast, California Farm Bureau Federation.		Noted
<b>d. Intervenor's claim of non-duplication:</b> Wild Tree shared the position with several other intervenors that PG&E's undergrounding proposal was unreasonable and the Commission should not approve it and should instead focus resources elsewhere. While there was overlap in parties positions and recommendation, there were differences in the approaches taken and specific arguments. For example, the Farm Bureau focused on use of microgrids as alternative to undergrounding and Comcast and AT&T focuses on issue of impacts of undergrounding on co-located telecommunications on existing poles, approaches which Wild Tree did not share. The variety of analyses and arguments from the intervenors enhanced and supplemented the record as well as the discussions in the final decision. Wild Tree did represent its own positions and provided unique testimony and argument as to the legal and factual grounds upon which the system hardening proposal should be not adopted.  Wild Tree further sought to limit duplication of efforts by limiting its participation in the proceeding. Wild Tree participated in the proceeding only on the issue of system hardening and did so in as efficient a manner as possible. For example, Wild Tree negotiated stipulation to entry of its exhibits in lieu of cross examination to decrease time and resources spent on evidentiary hearings and coordinated with other like-minded intervenors on using its stipulated exhibits to decrease their cross examination time. Any duplication of efforts was minor and therefore reasonable and Wild Tree's contribution to the proceeding did not result in duplication of efforts.		Noted; <i>See</i> Part III.D, CPUC Comments, Disallowances and Adjustments [5].

### PART III: REASONABLENESS OF REQUESTED COMPENSATION

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

	CPUC Discussion
<b>a. Intervenor's claim of cost reasonableness:</b>  Wild Tree's request for intervenor compensation seeks an award of \$29,335.50 as the reasonable cost of participation in this proceeding. Wild Tree's costs are therefore reasonable in light of the amount of time, resources, and effort Wild Tree put into the proceeding as a party. Given the novelty of the undergrounding proposal, the quality of Wild Tree's work and the importance of the outcome, the Commission should be able	Noted

		CPUC Discussion						
to determine that Wild Tree’s request is reasonable.								
<b>b. Reasonableness of hours claimed:</b>  Wild Tree seek compensation for a total of 57.23 hours of substantive work in this proceeding. Wild Tree spent a reasonable and prudent amount of time on this matter, working diligently to address a complicated issue in an efficient and expedient manner. Wild Tree limited the time and resources it spent on the proceeding by stream-lining its participation in the proceeding. Wild Tree participated in the proceeding only on the issue of system hardening and did so in as efficient a manner as possible, focusing its efforts on testimony and briefing. A single in-house attorney, who is also Wild Tree Foundation’s Legal Director, experienced in practice before the Commission, drafted all filings for Wild Tree thereby leveraging many years of experience and expertise while limiting its attorney costs. A single expert authored focused and succinct testimony on behalf of Wild Tree, thereby limiting its expert costs.		Noted						
<b>c. Allocation of hours by issue:</b>  Wild Tree’s work was 100% on the issue of System Hardening  <table><tr><th>ISSUE CODE</th><th>DESCRIPTION</th><th>ALLOCATION</th></tr><tr><td>SH</td><td>System hardening - work related to addressing reasonableness of PG&amp;E's system hardening proposal specifically miles planned for undergrounding and covered conductors</td><td>100%</td></tr></table>		ISSUE CODE	DESCRIPTION	ALLOCATION	SH	System hardening - work related to addressing reasonableness of PG&E's system hardening proposal specifically miles planned for undergrounding and covered conductors	100%	Noted; totals 100%.
ISSUE CODE	DESCRIPTION	ALLOCATION						
SH	System hardening - work related to addressing reasonableness of PG&E's system hardening proposal specifically miles planned for undergrounding and covered conductors	100%						

**B. Specific Claim: \***

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
April Maurath Sommer	2022	42.13	\$600	See Comment 1	\$25,278.00	30.76 [3,5]	\$540.00 [1]	\$16,610.40

Robin McCollum	2022	15.1	\$225	See Comment 2	\$3,397.50	10.95 [4,5]	\$225.00 [2]	\$2,463.75
Subtotal: \$28,675.50						Subtotal: \$19,074.15		
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
April Maurath Sommer	2024	2	\$330	See comment 1 (½)2024 rate of \$658.66, rounded to nearest \$5	\$660.00	2.00	\$292.50 [1]	\$585.00
Subtotal: \$660.00						Subtotal: \$585.00		
TOTAL REQUEST: \$29,335.50						TOTAL AWARD: \$19,659.15		
<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 <sup>3</sup>		Member Number		Actions Affecting Eligibility (Yes/No?) If “Yes”, attach explanation		
April Maurath Sommer		2008		257967		No		

### C. Attachments Documenting Specific Claim and Comments on Part III<sup>4</sup>:

<b>Attachment or Comment #</b>	<b>Description/Comment</b>
Comment 1	<p>Fair Market Rate for Attorney April Maurath Sommer</p> <p>As demonstrated by the resume attached to this claim, in 2022 April Maurath Sommer had 14 years of experience as an attorney, all of them specifically in work either before the Commission or directly relevant to work at the Commission in environmental, regulatory, and energy law. Maurath Sommer is not only exceptionally qualified as an attorney</p>

<sup>3</sup> This information may be obtained through the State Bar of California's website at <http://members.calbar.ca.gov/fal/MemberSearch/QuickSearch>.

<sup>4</sup> Attachments not included in final Decision.

Attachment or Comment #	Description/Comment
	<p>practicing before the Commission, but also has additional experience and responsibility as a legal director of two organizations with significant experience as intervenors before the Commission.</p> <p>Resolution ALJ-393's hourly rate chart states, for the attorney role, "higher experience levels should have experience with areas of law and procedures relevant to CPUC matters, such as environmental law or utility regulation." All of Maurath Sommer's years experience meets this requirement and, in addition, as of 2024, 11 years of her experience has been in practice before the Commission, and 9 years of her experience as an attorney has also been as a legal director for ratepayer advocacy organizations.</p> <p>Pursuant to Resolution ALJ-393's hourly rate chart, Maurath Sommer's 2022 rate should be calculated based on the Attorney IV (10-15 years) 2022 range \$398.27 - \$635.75. Based upon Maurath Sommer's 14 years' experience as an attorney, Maurath Sommer's 2022 fair market rate as an attorney should be at the upper end of the Attorney IV (10-15 years) range of no less than \$600.</p> <p>For 2023, with 15 years' experience, Maurath Sommer's rate should be at the top of the Attorney IV (10-15 years) 2023 range of \$658.66.</p> <p>There was no work done on this case in 2023, but intervenor compensation claim preparation was completed by Maurath Sommer in 2024. The rate chart does not presently include rates for 2024 but with 15+ years' experience in 2024, Maurath Sommer's 2024 fair market rate should at least be at the high rate for the Attorney IV (10-15 years) range for 2023 which is \$658.66.</p>
Comment 2	<p>Fair Market Rate for Expert Robin McCollum</p> <p>As demonstrated in testimony and by the resume attached to this claim, Robin McCollum has 35 years experience as a wildland firefighter, certified forester, and certified arborist in which he gained on-the-ground experience in wildfire prevention and mitigation strategies and in working with and against PG&amp;E in construction and maintenance of their infrastructure. The labor categories in Resolution ALJ-393 do not include a category that accurately captures expert McCollum's multifaceted experience in local government, forest management, and fire prevention and mitigation. For experts (unclassified) with 15+ years experience, the Res. ALJ-393 hourly</p>

Attachment or Comment #	Description/Comment
	rate chart range is \$219.12 - \$356.50. <sup>5</sup> A reasonable market rate for an expert with McCollum's experience is \$225.
Attachment 1	Certificate of Service
Attachment 2	Timesheets of April Maurath Sommer, Robin McCollum
Attachment 3	Bio and Resume of April Maurath Sommer
Attachment 4	Resume of Robin McCollum

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

Item	Reason
[1] Sommer's 2022 and 2024 Hourly Rates	<p>D.24-03-062 approved a 2022 hourly rate of \$540.00.</p> <p>Wild Tree Foundation requested a 2024 hourly rate of \$660.00 for April Maurath Sommer (Maurath Sommer) as a Legal – Attorney – V.</p> <p>Review of the submitted resume found 15+ years of relevant experience, including nearly 7 years performing duties of a Legal Director, therefore qualifying Maurath Sommer as a Legal – Legal Director – III. The Commission previously approved Maurath Sommer as a Legal Director – II, while considering Maurath Sommer's attorney experience that would align with an Attorney – IV. The 2024 rate range for a Legal – Legal Director – III is \$461.99 to \$738.39 with a median of \$594.33. Maurath Sommer's resume reflects the role of Legal Director. We summarily adjust the experience level up from Legal Director – II to Legal Director – III. Per ALJ-393, we apply the 2024 escalation factor of 4.07% to Sommer's established 2023 rate of \$565.00 to arrive at a 2024 hourly rate of \$585.00, rounded to the nearest allowable five-dollar increment.</p> <p>Intervenor Compensation Claim Preparation hours are compensated at ½ preparer's normal hourly rate, we apply the rate of \$292.50 for Sommer.</p>
[2] McCollum's 2022 Hourly Rate	<p>Wild Tree Foundation has confirmed that McCollum is a consultant, instead of a full-time staff member of Wild Tree in their resume submitted with this claim. The Commission requested supplemental documentation be submitted by Wild Tree to confirm the rates charged by McCollum.</p> <p>Wild Tree has confirmed that per the terms of their contract, McCollum has</p>

<sup>5</sup> Wild Tree's reference to the rate range is inaccurate, as it cites the 2021 rate instead of the 2022 rate range.

Item	Reason
	<p>been hired on a contingency rate basis, meaning the consultant has agreed to defer all, or part of its consulting fee contingent upon receipt of this intervenor compensation award. Given this contingency, we utilize the reasonable rates established by Resolution ALJ-393 based on McCollum's experience.</p> <p>Robin McCollum has primarily served as a wildland firefighter since January of 1974 and has led two 20-person fire crews. Along with 50 years of experience as a firefighter, McCollum has also simultaneously held positions at the Butte County Public Works as Tree Maintenance Supervisor/Superintendent of Flood Control and Drainage Districts from December of 1994 to July 2004, Lead Bridge Maintenance Worker from August 1992 to December 1994, and a Tree Trimmer from February 1983 to August 1992. Given the 2022 Expert – Not Otherwise Classified – Level V rate range is \$228.34 to \$365.72, we find the 2022 hourly rate of \$225.00, as requested by Wild Tree, to be reasonable and we apply it here.</p> <p>The award made herein for the consultant's contribution shall be passed through in full to the consultant. 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, 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, Wild Tree did not provide all the documentation pertaining to the contract terms between Wild Tree and McCollum in the initial claim and waited until the Commission requested supplemental documentation which delays the processing of the claim.</p>
<p>[3] Sommer's 2022 Reductions</p>	<p><b>Sommer's 2022 Reductions (1.12 hours):</b></p> <p><u>Administrative/Clerical (0.50 hours):</u> The Commission does not compensate attorneys for the time spent on clerical and administrative tasks. See the CPUC Intervenor Compensation Program Guide at 12 and 22. In line with this policy, we reduce 0.50 hours for time associated with the following entry:</p> <ul style="list-style-type: none"> <li>• 8/17/2022 – "Preparing and serving exhibits"</li> </ul> <p><u>Multiple Tasks Included in Single Time Entry (0.62 hours):</u></p>

Item	Reason
	<p>Wild Tree combined multiple tasks in the same time entry. Pursuant to Rule 17.4, each time record shall identify the specific task performed. The hours below are reduced by 50% for failure to comply with program guidelines.</p> <ul style="list-style-type: none"> <li>8/11/2022 – “Preparing exhibits for stipulation; emails with PG&amp;E regarding cross waiver and stipulated exhibits”</li> </ul>
<p>[4] McCollum’s 2022 Reductions</p>	<p><b>McCollum’s 2022 Reductions (0.50 hours):</b></p> <p><u>Multiple Tasks Included in Single Time Entry (0.50 hours):</u> Wild Tree combined multiple tasks in the same time entry. Pursuant to Rule 17.4, each time record shall identify the specific task performed. The task below is reduced by 50% for failure to comply with program guidelines.</p> <ul style="list-style-type: none"> <li>6/29/22 – “Reviewing CUE testimony; emails with Attorney April Maurath Sommer regarding need for rebuttal testimony”</li> </ul>
<p>[5] Reductions for Duplication of Efforts</p>	<p><b>Duplication of Efforts (Total: 13.74 Hours; Sommer: 10.25; McCollum: 3.65):</b></p> <p>The Commission compensates intervenors for reasonable and efficient participation that contributes to the development of the record and aids in decision-making. Statute specifically states that the program should be administered in a manner that avoids “unnecessary participation that duplicates the participation of similar interests.” (§ 1801.3(f)). At the same time, it recognizes that participation by an intervenor that “supplements, complements, or contributes to the presentation of another party” may still be compensable. Therefore, the governing statutes acknowledges that some duplicative participation may still make a substantial contribution, while other duplicative efforts may be unnecessary and not compensable.</p> <p>In this instance, we find that Wild Tree’s claimed hours reflect a significant duplication of effort. Several of Wild Tree’s views were not entirely unique and therefore did not significantly contribute to or enrich the Commission’s deliberations. Many of Wild Tree’s claimed substantial contributions echoed positions raised by other parties that were equally substantial. In D.03-03-031, the Commission interpreted the duplication language contained in the first dependent clause to require “the compensation opponent to establish three elements – duplication, similar interests, and adequate representation.” (D.03-03-031 at 18.) The Commission retains discretion to decide whether those interests are adequately represented when deciding if an intervenor has made a substantial contribution, (D.04-07-039 at 8 and Pub. Util. Code §§1801.3(f), 1802(j), 1802.5). When there is parallel participation between parties, “[p]articipation by a customer that materially supplements, complements, or contributes to the presentation of another party, including</p>

Item	Reason
	<p>the commission staff, may be fully eligible for compensation if the participation makes a substantial contribution.” (Pub. Util. Code § 1802.5 and D.09-08-021 at 13).</p> <p>While the Commission compensates efficient efforts that contribute to the proceeding’s outcomes, it disallows inefficient participation that does not contribute to the underlying issues. In this case, the MGRA and TURN also focused on the same issues and shared the same concerns. Given the scope of the decision and the overlap with these intervenors, we find 75% of the remaining hours reasonable. This adjustment acknowledges the value of Wild Tree’s contributions while aligning with similar arguments presented by MGRA and TURN in D.23-11-069.</p> <p>Pub. Util. Code § 1802(j) states a substantial contribution “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.” This decision finds that Wild Tree’s contributions were not substantive in every instance.</p> <p>Time dedicated by Wild Tree representatives was focused on system hardening. Wild Tree recommended shifting costs to the deployment of covered conductors to mitigate wildfire-related matters and argued the feasibility and costs effectiveness of their recommendation. This issue and recommendation was also argued by MGRA and TURN. The Commission encourages intervenors to collaborate and file jointly where applicable to avoid redundancy in the proceeding.</p> <p>Accordingly, the following hours have been reduced for duplication of efforts:</p> <p>Sommer 2022: 10.25 hours McCollum 2022: 3.65 hours</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))**

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

If not:

Party	Comment	CPUC Discussion
	<a href="#">No comments/reply comments were received</a>	

### **FINDINGS OF FACT**

1. Wild Tree Foundation has made a substantial contribution to D.23-11-069.
2. The requested hourly rates for Wild Tree Foundation's representatives, as adjusted herein, are comparable to market rates paid to experts and advocates having comparable training and experience and offering similar services.
3. The claimed costs and expenses, as adjusted herein, are reasonable and commensurate with the work performed.
4. The total reasonable compensation is \$19,659.15.

### **CONCLUSION OF LAW**

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

### **ORDER**

1. Wild Tree Foundation is awarded \$19,659.15.
2. Within 30 days of the effective date of this decision, Pacific Gas and Electric Company shall pay Wild Tree Foundation 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 March 31, 2024, the 75<sup>th</sup> day after the filing of Wild Tree Foundation's request, and continuing until full payment is made.
3. The comment period for today's decision is not waived.

This decision is effective today.

Dated \_\_\_\_\_, at San Francisco, California.

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

<b>Compensation Decision:</b>		<b>Modifies Decision?</b>	No
<b>Contribution Decision(s):</b>	D2311069		
<b>Proceeding(s):</b>	A2106021		
<b>Author:</b>	ALJ Larsen and ALJ Regnier		
<b>Payer(s):</b>	Pacific Gas and Electric Company		

**Intervenor Information**

<b>Intervenor</b>	<b>Date Claim Filed</b>	<b>Amount Requested</b>	<b>Amount Awarded</b>	<b>Multiplier?</b>	<b>Reason Change/Disallowance</b>
Wild Tree Foundation	1/16/2024	\$29,335.50	\$19,659.15	N/A	See Part III.D, CPUC Comments, Disallowances and Adjustments.

**Hourly Fee Information**

<b>First Name</b>	<b>Last Name</b>	<b>Attorney, Expert, or Advocate</b>	<b>Hourly Fee Requested</b>	<b>Year Hourly Fee Requested</b>	<b>Hourly Fee Adopted</b>
Robin	McCollum	Expert <sup>1</sup>	\$225	2022	\$225.00
April	Maurath Sommer	Attorney <sup>2</sup>	\$600	2022	\$540.00
April	Maurath Sommer	Legal Director III <sup>3</sup>	\$660	2024	\$585.00

**(END OF APPENDIX)**<sup>1</sup> McCollum is classified as a consultant.<sup>2</sup> Sommer is classified as Legal – Legal Director - Level II in 2022.<sup>3</sup> Sommer is classified as a Legal Director III. *See* Part III.D[1] for further details.

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