

Decision 26-09-019 September 3, 2026

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Continue Implementation and Administration, and Consider Further Development, of California Renewables Portfolio Standard Program.

Rulemaking 24-01-017

**DECISION GRANTING COMPENSATION TO
GREEN POWER INSTITUTE
FOR SUBSTANTIAL CONTRIBUTION TO DECISION 24-12-035**

Intervenor: Green Power Institute	For contribution to Decision (D.) 24-12-035
Claimed: \$69,125 ⁷	Awarded: \$32,219.00
Assigned Commissioner: Christine Harada ¹	Assigned ALJs: Nilgun Atamturk and Darryl J. Gruen ²

PART I: PROCEDURAL ISSUES

A. Brief description of Decision:	D.24-12-035 Decision on the 2024 Renewables Portfolio Standard Procurement Plans.
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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:	April 4, 2024	Verified
2. Other specified date for NOI:		

¹ Commissioner Christine Harada was assigned to this proceeding on March 26, 2026.

² ALJ Darryl J. Gruen was co-assigned to this proceeding on September 26, 2025.

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

	Intervenor	CPUC Verification
3. Date NOI filed:	April 19, 2024	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.22-10-010	Verified
6. Date of ALJ ruling:	May 15, 2023	Verified
7. Based on another CPUC determination (specify):	D.23-11-036	Not verified. D.23-11-036 referred to the earlier findings, pursuant to the rebuttable presumption rule of § 1804(b)(1) and did not make an independent finding on the customer status pursuant to § 1802(b)(1)(C). Those findings have long expired (<i>See</i> § 1804(b)(1)).
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.22-10-010 (see note below)	Verified
10. Date of ALJ ruling:	May 15, 2023	Verified. The ruling of May 15, 2023 made a preliminary finding of significant financial hardship, but requested additional information from GPI. On June 22, 2023, GPI responded to the Ruling. D.24-08-054 made a

	Intervenor	CPUC Verification
		finding of significant financial hardship for GPI.
11. Based on another CPUC determination (specify):	D.24-08-054	Verified
12. Has the Intervenor demonstrated significant financial hardship?		Yes
Timely request for compensation (§ 1804(c)):		
13. Identify Final Decision:	D.24-12-035	Verified
14. Date of issuance of Final Order or Decision:	December 24, 2024	Verified
15. File date of compensation request:	February 7, 2025	Verified
16. Was the request for compensation timely?		Yes

C. Additional Comments on Part I:

#	Intervenor's Comment(s)	CPUC Discussion
Line 9	The May 15, 2023, ALJ Ruling on GPI's NOI in R.22-10-010 requested additional financial information before making a finding of "significant financial hardship." On June 22, 2023, GPI submitted the requested additional information in our filed Supplement to the NOI. D.24-08-054 made the final determination, finding that GPI had demonstrated significant financial hardship and was eligible to receive intervenor compensation.	Verified

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

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
	(Please note that Attachment 2 includes a list of issue areas and GPI Pleadings relevant to this Claim.)	Noted
1. IOUs' Requests for Authority to Hold	Decision D.24-12-035	Verified

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
Solicitations for Long-Term RPS-Eligible Resources. GPI made substantial contributions to D.24-12-035 by supporting the IOUs' request for approval to procure RPS energy that is additional to their RPS program obligations. GPI described in detail how SB 100 implementation, as represented in IRP modeling efforts, will require greater amounts of RPS energy than the RPS statutes require. This is reason enough to allow the IOUs to conduct additional RPS procurement, and the Commission discusses our contribution to its decision-making in the Decision. The Decision adopts our position. The GPI made substantial contributions to D.24-12-035 by enriching the record and supporting the case for additional RPS procurement by the IOUs.	GPI disagrees and supports approving the IOUs' requests to procure additional RPS-eligible energy using the RPS program authority to comply with CP 5 and CP 6 RPS procurement requirements and recommends encouraging all LSEs, including the IOUs, to procure RPS-energy in alignment with the IRP-adopted Preferred System Plan and SB 1020 goals. [D.24-12-035, pg. 16.] In conclusion, authorizing the IOUs' requests for long-term RPS solicitation would enable the IOUs to swiftly respond to evolving requirements and support state clean energy goals, including the SB 1020 target of 90 percent clean energy by 2035. Authorizing early solicitation would help the IOUs meet their RPS needs, procure competitive resources, and address overlapping procurement needs in an efficient and cost-effective manner. [D.24-12-035, pg. 17.] Pleadings Energy procurement, especially RPS-eligible energy, and zero emission capacity procurement are two sides of the same coin when it comes to achieving SB 100 and SB1020 goals for renewable and zero-carbon energy resources to supply 100 percent of electric retail sales to customers by 2045. [GPI Comments, 8/22/24, pg. 7.] GPI is not opposed to IOUs procuring the mandated short-term DCCP replacement bridge resources (capacity requirement) via RPS-eligible energy plus capacity contacts. These	

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
	contracts may have a place in repowering or extending the life of existing resources that qualify as DCPD bridge resources. However, new short-term contracts (i.e. that are not already approved) that an IOU intends to apply towards both RPS compliance, whether as a bank or deliveries, and IRP DCPD bridge resource compliance must be submitted via a single Tier 3 AL served to both the RPS and IRP list serves. PG&E's request and justification to procure short-term RPS products via a Tier 1 AL should be recognized as altering orders issued in D.24-09-006 and D.21-06-035. [GPI Reply, 12/10/24, pg. 3.]	
2. Comments on the Draft 2024 RPS Plans. GPI made substantial contributions to D.24-12-035 by analyzing and evaluating the RPS procurement plans of the jurisdictional LSEs, and reporting on their strengths and weaknesses to the Commission and the Parties to the RPS proceeding. Our contributions include advocating for the maximum reasonable transparency in applying confidentiality rules, advocating for the use of the most up-to-date data and projections as provided by the CEC's IEPR reports, and distinguishing between short-term and long-term considerations. The GPI	Decision D.24-12-035 In its opening comments, GPI recommends requiring all retail sellers to use the most recent Integrated Energy Policy Report (IEPR) forecast as the basis for, or comparison to, their Transportation Electrification (TE) demand forecasts in RPS Plans and recommends that the Commission use this as a criterion to review RPS waiver requests. In GPI's opinion, this would improve the ability to rapidly evaluate the merits of a waiver request for unanticipated TE growth based directly on RPS Plan contents, as intended by D.18-05-026, and per Pub. Util. Code Section 399.15(b)(5)(D)(i) requirement to utilize the "best and most recently available information." [D.24-12-035, pg. 19.]	D.24-12-035 at 19 stated that GPI's recommendations did not warrant any changes to the plans. <i>See</i> Part III.D CPUC Comments, Disallowances, and Adjustments [1].

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
made substantial contributions to D.24-12-035 by analyzing and evaluating the various RPS procurement plans of the IOUs, CCAs, and ESPs, and identifying areas of deficiency in some of the plans that needed to be corrected before the plans could be approved. Our analysis enriched the record underlying the Commission's determinations on the various plans included in the Decision.	Given the clear direction in prior decisions and ACRs, the Commission does not find it necessary to tie retail sellers' use of the IEPR forecast to the consideration of RPS waiver requests. ... However, in future ACRs directing the filing of annual RPS Plans, the Commission may direct retail sellers to specify which vintage year IEPR forecast they are referencing for their transportation electrification forecasts and recommend that they use the most up to date IEPR forecast. [D.24-12-035, pg. 20.] Pleadings GPI recommends requiring all LSEs to use the most recent IEPR forecast as the basis for or comparison to their internal TE demand forecast in their Draft RPS Plans. This requirement would eliminate the loophole potentially created by RPS Plan Approval despite the use of an outdated IEPR forecast and future waiver requests on the ground of "unanticipated" TE demand. [GPI Comments, 8/22/24, pg. 3.] GPI provides reply comments from two perspectives. The first is from the perspective of the immediate issue at hand, which is the approval of the 2024 Draft RPS Plans, inclusive of IOU procurement requests. Approvals of the plans dictate LSE activities for the coming year. The other perspective is decision making from a long-term, holistic policy development	

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
	approach that would guide LSE actions and RPS compliance requirements for years to come. It is critical to distinguish between these two types of decisions, because issues raised by the Draft RPS Plans require short-term solutions, while also raising larger issues that need long-term policy consideration. We provide recommendations for imminent determinations raised by the 2024 RPS Plan Opening comments, while also touching on the aspects that we recommend should be addressed for the long term as part of the RPS and IRP proceedings. [GPI Reply, 9/5/24, pg. 1.] We remain concerned that formally Approving RPS Plans that apply an outdated IEPR, or compare internal TE forecasts to an outdated IEPR, will open a pathway to transitive waiver approvals. This particular type of RPS compliance waiver may become particularly relevant in the near future, as total EV sales continue to climb. [GPI Comments, 12/5/24, pg. 5.] The appropriate years for RPS Plan confidentiality were debated and determined prior to the Proposed Decision via D.21-11-029 and Decisions prior. The Staff Proposal and PD corrects an inadvertent administrative issue associated with the filing timing that is necessary to achieve the originally-intended confidentiality period. GPI supports the PD's justification for adopting the Staff Proposal on the basis of unanimous support by commenting parties, and to remedy the inadvertent administrative issue to uphold the	

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
	intended confidentiality period already established in D.21-11-029. [GPI Comments, 12/5/24, pg. 7.]	
3. Integration with IRP Planning. GPI made substantial contributions to D.24-12-035 by describing in detail the interconnections between the RPS proceeding and the IRP proceeding, and arguing for better integration of the two proceedings. We demonstrated that IRP procurement needs estimates and orders for RPS energy are likely to exceed the procurement requirements of the statutorily-based RPS program, and that planning in the RPS program should be adjusted accordingly. The Decision acknowledges our contribution in this area, and adopts GPI's proposed revisions to the PD in the final Decision. GPI's substantial contribution in the area of the integration of the RPS and IRP proceedings was to enrich the record of the proceeding, and elicit modifications to the Decision.	Decision 24-12-035 GPI also recommends revisions to the proposed decision to articulate IRP-identified procurement needs. We find the recommended revisions reasonable. Accordingly, the proposed decision is revised to reflect that procurement needs to meet SB 1020 goals is considered in the IRP proceeding, but the IOUs are authorized to procure RPS-eligible resources to meet Commission-determined IRP targets. [D.24-12-035, pgs. 75-76.] Pleadings We provide the following recommendations and comments on the OIR in support of further program development that aligns the existing RPS Program with statewide policy and related proceedings, especially the integrated resource planning (IRP) proceeding. [GPI Comments, 3/4/24, pg. 2.] Misalignment between the RPS Plans and Program and the IRP Planning and Procurement track remains problematic. Ongoing misalignment issues include, but may not be limited to RPS Procurement Plan filing schedules, IRP procurement order timing, and renewable energy needs. [GPI Comments, 8/22/24, pg. 9.]	Verified. The comments GPI filed on 3/4/24 are about the OIR, not integration with IRP planning. GPI's comments regarding the integration of IRP planning are discussed in GPI's comments filed 12/5/24 at 1-4.

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: LSSA, SBUA, Bioenergy Association of California, TURN, AreM, IEPA, many CCAs, and the three large electric IOUs.		Noted
d. Intervenor's claim of non-duplication: This proceeding covers a wide variety of topics related to California's multifaceted RPS program. The Green Power Institute has been an active participant in the Commission's RPS proceedings since the inception of the program, and is continuing these efforts in the present proceeding (R.24-01-017). The Green Power Institute coordinated its efforts in this proceeding with other parties in order to avoid duplication of effort, and added significantly to the outcome of the Commission's deliberations through our own unique perspective. We held numerous individual calls and conference calls with fellow parties regarding various issues that were under consideration in this proceeding. Some amount of duplication has occurred in this proceeding on all sides of contentious issues, but Green Power avoided duplication to the extent possible, and tried to minimize it where it was unavoidable.		We note that there was internal duplication in GPI's efforts. <i>See</i> Part III.D CPUC Comments, Disallowances, and Adjustments [1].

PART III: REASONABLENESS OF REQUESTED COMPENSATION**A. General Claim of Reasonableness (§ 1801 and § 1806):**

	CPUC Discussion
a. Intervenor's claim of cost reasonableness: The GPI is providing, in Attachment 2, a listing of the pleadings we provided in this Proceeding that are relevant to matters covered by this Claim, and in Attachment 3, a detailed breakdown of GPI staff time spent for work performed that was directly related to our substantial contributions to Decision D.24-12-035.	After the adjustments made to this claim, the remainder of the claimed costs are reasonable. We remind GPI that

	CPUC Discussion
The hours claimed herein in support of Decision D.24-12-035 are reasonable given the scope of the Proceeding and the strong participation by the GPI. GPI staff maintained detailed contemporaneous time records indicating the number of hours devoted to the matters settled by this Decision in this case. In preparing Attachment 3, Dr. Morris reviewed all of the recorded hours devoted to this proceeding, and included only those that were reasonable and contributory to the underlying tasks. As a result, the GPI submits that all of the hours included in the attachment are reasonable, and should be compensated in full. Dr. Morris is a renewable energy analyst and consultant with more than 40 years of diversified experience and accomplishments in the energy and environmental fields. He is a nationally recognized expert on biomass and renewable energy, climate change and greenhouse-gas emissions analysis, integrated resources planning, and analysis of the environmental impacts of electric power generation. Dr. Morris holds a BA in Natural Science from the University of Pennsylvania, an MSc in Biochemistry from the University of Toronto, and a PhD in Energy and Resources from the University of California, Berkeley. Dr. Morris has been actively involved in electric utility restructuring in California throughout the past three decades. He served as editor and facilitator for the Renewables Working Group to the California Public Utilities Commission in 1996 during the original restructuring effort, consultant to the CEC Renewables Program Committee, consultant to the Governor's Office of Planning and Research on renewable energy policy during the energy crisis years, and has provided expert testimony in a variety of regulatory and legislative proceedings, as well as in civil litigation. Dr. Zoë Harrold has worked for the Green Power Institute (GPI) for a total of more than 10 years, as a Research Assistant from 2006 to 2008, and again as a Scientist from 2015 to present. Through her work with the GPI she has been engaged with the development of the Renewable Portfolio Standard (RPS), and the Integrated Resources Planning (IRP) framework. Her work with the RPS includes crosschecking renewable resource procurement within RPS Compliance Report spreadsheets, reviewing and summarizing RPS proceedings, identifying loopholes, and assisting in the preparation of pleadings. Her work with the IRP proceeding includes preparing comments and recommendations on behalf of the GPI based on critical reviews of the IOUs' and other	submitting comments in and of itself does not constitute substantial contribution. <i>See</i> Part III.D CPUC Comments, Disallowances, and Adjustments [1].

	CPUC Discussion				
LSEs' IIRPs and subsequent Proposed Decisions, working group reports, workshop materials, demonstration proposals and final reports, and third-party comments. Dr. Harrold earned a Ph.D. in geomicrobiology from the University of Washington, Department of Earth and Space Science in 2014. Her work on modeling networks in the environment has strong ties to her analytical work in the RSP proceeding. Decision D.98-04-059 states, on pgs. 33-34, "Participation must be productive in the sense that the costs of participation should bear a reasonable relationship to the benefits realized through such participation. ... At a minimum, when the benefits are intangible, the customer should present information sufficient to justify a Commission finding that the overall benefits of a customer's participation will exceed a customer's costs." This proceeding is concerned with the refinement of elements of the state's RPS program, and the ongoing administration of the program. The cost reductions and environmental benefits of the RPS program overwhelm the cost of our participation.					
b. Reasonableness of hours claimed: The GPI made Significant Contributions to Decision D.24-12-035 by actively participating in workshops and working groups, and providing a series of Commission filings on the various topics that were under consideration in the Proceeding and are covered by this Claim. Attachment 3 provides a detailed breakdown of the hours that were expended in making our Contributions. The hourly rates and costs claimed are reasonable and consistent with awards to other intervenors with comparable experience and expertise. The Commission should grant the GPI's claim in its entirety.	We note that there were no working groups supporting this proceeding and GPI did not claim any hours for workshops or working group events. After the adjustments made to this claim, the remainder of the claimed hours are reasonable. <i>See</i> Part III.D CPUC Comments, Disallowances, and Adjustments [1].				
c. Allocation of hours by issue: <table border="0"> <tr> <td>1. IOUs' Requests for Authority to Hold Solicitations for Long-Term RPS-Eligible Resources</td> <td>20%</td> </tr> <tr> <td>2. Comments on the Draft 2024 RPS Plans</td> <td>70%</td> </tr> </table>	1. IOUs' Requests for Authority to Hold Solicitations for Long-Term RPS-Eligible Resources	20%	2. Comments on the Draft 2024 RPS Plans	70%	Noted. GPI's timesheets indicate that the correct allocations are
1. IOUs' Requests for Authority to Hold Solicitations for Long-Term RPS-Eligible Resources	20%				
2. Comments on the Draft 2024 RPS Plans	70%				

		CPUC Discussion
3. Integration with IRP Planning	10%	1. IOUs' Requests for Authority to Hold Solicitations for Long-Term RPS-Eligible Resources (19%) 2. Comments on the Draft 2024 RPS Plans (71%) 3. Integration with IRP Planning (9%) The allocations do not add up to 100% due to rounding.

B. Specific Claim:*

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
G. Morris	2024	42.00	\$505	See comment 1	\$21,210	20.56 [1,2]	\$475.00 [5,7]	\$9,766.00
Z. Harrold	2024	137.50 ⁴	\$340	See comment 2	\$45,390	63.24 [1,2,3]	\$325.00 [6,7]	\$20,553.00
Subtotal: \$66,600						Subtotal: \$30,319.00		
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
G. Morris	2025	10.00 ⁵	\$252.50	½ 2024 rate	\$2,525	8.00 [4]	\$237.50 [5,7]	\$1,900.00
Subtotal: \$2,525 ⁶						Subtotal: \$1,900.00		
TOTAL REQUEST: \$69,125 ⁷						TOTAL AWARD: \$32,219.00		

⁴ GPI's timesheets reflect 133.50 not 137.50 hours for Zoe Harrold. The total request is correct.

⁵ GPI's timesheets reflect 12.00 hours for Gregg Morris's 2024 Intervenor Compensation Claim Preparation hours.

⁶ The correct Intervenor Compensation Claim Preparation subtotal is \$3,030.00.

⁷ The correct total request is \$69,630.00.

CLAIMED	CPUC AWARD
*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	

C. Attachments Documenting Specific Claim and Comments on Part III:⁸

Attachment or Comment #	Description/Comment
Attachment 1	Certificate of Service
Attachment 2	Allocation of effort by issue, list of pleadings
Attachment 3	Breakdown of hourly efforts by issue category
Comment 1	The Commission has adopted a 4.07 percent adjustment for rates in the Market Rate Study for converting the 2023 to 2024 values. This value can be found on the Escalation tab of the Hourly Rate Chart spreadsheet on the Commission's web site. We apply the 4.07 percent escalator to the approved 2023 hourly rate for Dr. Morris, which is \$485/hr (D.24-04-036), and round to the nearest 5 percent for 2024 per established Commission practice to produce a rate of \$505/hr.
Comment 2	Dr. Harrold's most recently approved rate is \$250/hr for 2022 (D.24-07-027). D.24-07-027 notes that Dr. Harrold is eligible to move up in 2023 from level 3 to level 4 in the category of Public Policy Analyst. GPI currently has a request for Dr. Harrold's rate as a level 4 for 2023 on file, pending the first Decision rendered that includes hours for Dr. Harrold for 2023. The request is for \$325/hr. If our request is met in full, that would lead to a 2024 rate of 340/hr, applying the 4.07 percent escalator and rounding to the nearest five.

D. CPUC Comments, Disallowances, and Adjustments

On September 16, 2025, a ruling was issued requesting GPI to submit additional information for various claims because the Commission had identified several issues within the claims, including: omission of requested information, unclear or inconsistent details, invoices that did

⁸ Attachments not attached to final Decision.

not align with submitted timesheets or hours claimed, invoices that included work unrelated to the claim at issue, making it difficult to determine which rates / hours apply to the specific claim, invoices billed to other entities that did not identify GPI or the consultant, and other inconsistencies that hindered the Commission's ability to evaluate and resolve the claims.

GPI was provided with an opportunity to submit supplemental information, including resumes for all individuals for whom compensation is sought, invoices reflecting the actual billed rates for each consultant (broken down by claim), and consultant agreements for those retained on a contingency basis, where payment of consulting fees is deferred and contingent upon the receipt of an IComp award.

GPI filed its response for supplement information for this proceeding on November 3, 2025. In its response, GPI confirmed the following:

1. GPI is a program of the Pacific Institute and is not a separate or independent entity and does not conduct business outside of or apart from the Pacific Institute.
2. GPI is a registered fictitious business name of the Pacific Institute and is the renewable energy program of the Pacific Institute.⁹ (However, the Commission notes that this fictitious business name expired in 2018).
3. Gregg Morris' agreement with the Pacific Institute is that when intervenor compensation payments are made to GPI, the Pacific Institute retains their overhead charge and pays the rest to Morris via Future Resources Associates, his dba company.
4. Through Future Resources Associates, Morris pays "practitioners" an initial upfront payment, followed by a second payment once the intervenor compensation award is issued. The specifics of these agreed upon rates and payment terms were filed under seal.
5. GPI states that the remaining award is used to pay the carrying costs of participation in Commission proceedings, the cost of the risk that not all hours in a given claim will be approved for payment, and the salary of Morris.
6. GPI states that Morris works entirely on a contingency basis and does not issue monthly invoices.

We make the following adjustments below based on the information at hand and an assessment of GPI's contribution to the decision.

⁹ Public records found at Alameda County Clerk Recorder Office's reflect that fictitious business name Green Power Institute, was active from 6/11/2013 to 6/11/2018 and is currently expired.

Item	Reason
[1] Reductions for Lack of Substantial Contribution	<u>Lack of Substantial Contribution - Comments on the Draft 2024 RPS Plans</u> Public Utilities Code § 1802(j) states that 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.” In our determination that GPI made a contribution, we also evaluate whether the hours claimed were commensurate with the contributions made. Making a substantial contribution in and of itself does not entitle an intervenor to all its claimed fees and costs. Compensation is granted for efficient, meaningful contributions. D.24-12-035 at 19 indicated that “these recommendations do not identify any compliance deficiency, do not necessarily improve the plans, and therefore do not warrant any changes to the plans.” Because GPI’s efforts were excessive, were not sufficiently contributory, and did not add significant value, we find it reasonable to reduce 90.00 hours from GPI’s work on “Comments on the Draft 2024 RPS Plans,” as it appropriately acknowledges the value of GPI’s contributions. GPI supported SBUA’s position in advocating for transparency in applying confidentiality rules without providing further analysis or a unique perspective; GPI was not mentioned in the decision, and this recommendation was denied.¹⁰ Merely supporting the positions of other parties—without offering additional analysis, a distinct perspective, or unique factual or legal contributions—does not constitute a significant contribution. While an intervenor’s alignment with a particular position can be helpful in informing the Commission’s decision-making process, the hours claimed for such support must be reasonable. Ratepayers should not bear the cost of excessive time spent by an intervenor reiterating arguments that have already been presented by others in the proceeding. GPI also advocated for usage of updated IEPR forecasts, which D.24-12-035 at 20 determined would “result in prejudging the outcome of any future RPS compliance waiver requests and denying retail sellers’ due process rights.” D.24-12-035 at 20 also indicates that “given the clear direction in prior decisions and ACRs, the Commission does not find it necessary to tie retail sellers’ use of the IEPR forecast to the consideration of RPS waiver requests.” Although the Commission will

¹⁰ GPI Reply Comments on 2024 RPS Procurement Plans (filed 9/5/24) at 12; D.24-12-035.

Item	Reason
	compensate intervenors regardless of whether their positions are adopted, GPI's input had minimal, if any, influence on the decision-making process. The award granted herein is commensurate with that level of contribution. Not counting their NOI, GPI is requesting compensation for 126.03 hours, which totals approximately \$63,400. Given that only one of their recommendations was considered in the decision, this request is excessive relative to GPI's impact on the decision-making process. We therefore find it reasonable to reduce the following hours from GPI's work commenting on the Draft 2024 RPS Plans, broken down as follows: • Morris 2024: 20.00 hours • Harrold 2024: 70.00 hours
[2] Issues Out of Scope	GPI claimed 4.00 hours related to AB 1373 (Central Procurement Entity), which is out of scope for this proceeding.¹¹ We note that 2.39 hours related to its Comments on the Draft 2024 RPS Plans were already reduced in the above sections. We therefore find it reasonable to reduce the following hours from GPI's work as out of scope, broken down as follows: • Morris 2024: 1.44 hours • Harrold 2024: 0.17 hours
[3] Vagueness	GPI claimed 0.25 hours on 4/26/2024 for Harrold with a timesheet description of "Review RPS docket updates." We note that 0.16 hours were already reduced in the above sections. We therefore find it reasonable to reduce the following hours from GPI's work as vague: • Harrold 2024: 0.09 hours
[4] Excessive Intervenor Compensation Preparation Time	GPI claimed 12.00 hours in 2024 for preparation of the intervenor compensation request in their submitted timesheet. While the claim was generally compliant with Commission requirements, we find the preparation hours excessive given the scope of issues and overall scale of the request. Additionally, we note that there were several issues with the claim, including omission of required information, unclear or

¹¹ See Morris's timesheet entries 3/12/24 and 3/13/24 and Harrold's timesheet entry 3/13/24.

Item	Reason
	inconsistent details, and other inconsistencies that hindered the Commission’s ability to evaluate and resolve the claim. Morris has significant experience practicing before the Commission and preparing similar claims, and we would expect greater efficiency in compiling this request. Additionally, GPI did not provide a rationale explaining why this particular claim—smaller in scale than some of their previous submissions—required this level of effort. Accordingly, we reduce the claimed hours by 4.00 hours, or 33.33%, awarding 8.00 hours for claim preparation. This adjustment better reflects the complexity and scale of the request.
[5] Gregg Morris 2024 Hourly Rate	GPI identifies Morris as the director of GPI and confirms that he is not an employee of GPI. Supplemental information confirms that Morris is dba Future Resources Associates, working on a contingency basis for the Pacific Institute, meaning that Morris has agreed to defer his 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 Morris’ experience as an Advocate - Executive Director - Level V. The rate range for an Advocate - Executive Director - Level V is \$203.94 - \$477.26 for 2024. Given that the 2024 rate range for an Advocate - Executive Director - Level V is \$203.94 to \$477.26, and based on Morris’ experience, we determine that an hourly rate of \$475.00 is reasonable and approve it here. We apply one-half of Morris’ adopted 2024 rate of \$475.00 for an Intervenor Compensation Claim Preparation rate of \$237.50.
[6] Zoe Harrold 2024 Hourly Rate	Although GPI continues to identify Harrold as a staff associate of GPI, or a “contract employee,” supplemental information provided confirms that Harrold works as a consultant, who in turn bills Future Resources Associates, (not GPI or the Pacific Institute) for work in this proceeding. The Commission requested supplemental documentation be submitted by GPI to confirm the rates charged by Harrold. GPI filed the “Associate Service Agreement Addendum”¹² between Future

¹² GPI did not provide the existing Associate Services Agreement it references from October 2010 as part of its supplemental documentation. While the Commission will accept the Addendum as a contractual agreement between Future Resources Associates (Morris) and Harrold, for purposes of this proceeding,

Item	Reason
	Resources Associates (Morris) and Harrold under seal, but states that per the terms of the contract, Harrold has been hired on a contingency basis, where Harrold receives an initial payment upon invoicing, followed by a second payment contingent upon this intervenor compensation award. Based on these terms, we approve an hourly rate of \$325.00 for 2024. 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 full compensation for the work performed until the final award is given. 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, GPI did not provide all the documentation pertaining to the contract terms between GPI and Harrold in the initial claim and waited until the Commission requested supplemental documentation.
[7] Intervenor Responsibility for Transparency and Accuracy in Compensation Requests	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. 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.

GPI is reminded that the Commission strictly requires full and accurate disclosure of all information material to request for intervenor compensation.

Item	Reason
	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.
Other Comments	Upon closer review of the Associate Service Agreement Addendum, we find that the compensation GPI is requesting for the consultant's time significantly exceeds the actual rate and compensation the consultants would receive under the contract terms. The Intervenor Compensation Program is funded by ratepayers and is intended to reimburse reasonable costs of participation. As established in D.07-01-009, D.08-04-010, and Resolution ALJ-235, the rate requested by an intervenor must not exceed the actual rate billed by the consultant.⁹ Because the consultant has agreed to be paid a percentage of the Commission approved rate and hours, the requested compensation in this claim does not accurately reflect the actual cost of the consultants' services. Compensating GPI the full request would result in an overpayment of the consultant's actual fees. GPI also admits that it pays its consultants only a set percentage of the amount it requests from the Commission, and that the remaining portion is used to cover carrying costs, the risk that not all claimed hours will be approved, and Morris' salary. Therefore, in instances where compensation to the intervenor for the consultant's time exceeds the amount the intervenor will actually pay the consultants under their contract terms, the Commission will reduce the award to match the actual cost incurred. While the reductions applied to this claim prevent an overpayment in this instance, we remind GPI that any compensation request for consultant services must strictly align with actual contract terms. Intervenor compensation is intended to cover the true costs of participation and is not a mechanism for generating profit retained by Future Resources Associates (Morris).
Other Comments	The Commission finds the deficiencies in this filing to be concerning and expects a higher standard of transparency and diligence moving forward. The submission was not only missing essential documentation but also contained unclear information regarding consultant terms. This

Item	Reason
	resulted in an inefficient use of the intervenor’s own time and an undue burden on Commission staff resources to reconcile these omissions. Please be advised that future claims lacking necessary supporting evidence will be assessed solely on the information provided; if the Commission cannot verify portions of the claim, those portions may be denied ensuring the program operates efficiently for all participants.

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))?	No

GPI filed comments on this proposed decision on August 13, 2026. Some of these comments were broad, general, and addressed twelve other proposed decisions, some of which are not relevant to this proceeding. Under Rule 14.3(c), comments must focus on factual, legal, or technical errors. Accordingly, we address only those portions of GPI’s comments that identify such errors pertaining to this proceeding.

1. The Governing Legal Standard

GPI comments that it is “Commission practice to give credit to a substantial contribution that enriches the record upon which a Decision was made, regardless of whether it was adopted by the Commission. An argument that eloquently makes the case for a position that the Commission ultimately decides against, thus ensuring that all sides have been fully considered, is absolutely qualified as a substantial contribution. In addition, while the statutes require that an intervenor make a substantial contribution to a Decision, they do not limit compensation to only the hours that linearly led to the substantial contribution.”¹³ GPI goes on to state that “there has been no announcement from the IComp program that its standards for evaluating IComp claims have changed, or that rules are now being interpreted differently than what was done in the past. Therefore, the well-established standards for evaluating IComp claims should be applied to this claim, and most or all of the deductions in hours should be rescinded.”¹⁴

The Commission confirms that the process for evaluating IComp claims has not changed, nor have the rules governing the IComp program. We reiterate that Pub. Util. Code §1802(j) confirms that a substantial contribution means that the intervenor “has substantially assisted the commission in the making of its order or decision because the order or decision has adopted in

¹³ Comments of the Green Power Institute on the Proposed Decision at 2.

¹⁴ *Ibid.*

whole or in part one or more factual contentions, legal contentions, or specific policy or procedural recommendations presented by the customer.” The courts have addressed the requirement of substantial contribution in, for example, *TURN v. CPUC* 166 Cal.App. 4th 522 (2008), stating at 11: “[T]o be eligible for compensation, the statute requires that the customer have made a ‘substantial contribution’ to the PUC’s proceedings, as the PUC determines. “‘Substantial contribution’ means that, in the judgment of the commission, the customer’s presentation has substantially assisted the commission in the making of its order or decision....”

In this decision, the Commission assessed whether GPI’s claimed hours reasonably aligned with the contributions it asserted and made adjustments as appropriate based on its judgment. Pub. Util. Code section 1803 states that the “The commission shall award *reasonable* advocate’s fees, *reasonable* expert witness fees, and other *reasonable* costs of preparation for and participation in a hearing or proceeding” to intervenors who have made a substantial contribution. We remind GPI that providing a substantial contribution does not, by itself, guarantee *full* reimbursement of *all* claimed fees and costs. Lastly, we confirm that compensation is awarded for contributions that are efficient and meaningfully advance the Commission’s work, even when the intervenor’s positions are not adopted. As GPI itself notes, a “finding of substantial contribution does not entitle a customer to every claimed hour, and the Commission may reduce hours that are genuinely excessive or unreasonable.”¹⁵ The Commission has explained that some of the hours requested by GPI had limited substantive contribution to the decision-making process and did not meaningfully contribute to the outcome of the decision.

GPI comments that TURN and the Center for Accessible Technology filed comments on July 28 in support of their claim in Rulemaking (R.) 19-09-009 “complaining that improper standards were being imposed.” GPI claims that their comments pertain to this decision as well.¹⁶

The Commission confirms that TURN and the Center for Accessible Technology did not file comments on the proposed decision in this proceeding, but they did file comments in a different proceeding (R.19-09-009). We do not address TURN and the Center for Accessible Technology’s comment here as they do not pertain to this proceeding, but we must correct GPI’s mischaracterization of them. TURN and the Center for Accessible Technology did not indicate that their comments in R.19-09-009 were intended to apply to other proposed decisions in other proceedings, including this one as GPI claims. Their comments were specific to R.19-09-009; had they intended those comments to apply here, they would have filed comments in this proceeding as well. Additionally, their comments did not state support for GPI’s claim. Instead, they requested clarification from the Commission that an intervenor may establish substantial contribution when it materially supplements or complements another intervenor’s showing on the same issue, and that an intervenor may receive compensation even if its positions are not adopted, provided the Commission determines that the intervenor made a substantial contribution.¹⁷

¹⁵ *Id.* at 9.

¹⁶ *Id.* at 2.

¹⁷ Comments of The Utility Reform Network and Center for Accessible Technology on the Proposed Decision Denying Compensation to Green Power Institute for Lack of Substantial Contribution to Decision 24-11-004 at 2-4.

2. Commission Policy on Consultant Compensation

GPI asserts that the standard established in D.07-01-009 regarding compensation to consultants, where we state that “in no event should the rate requested by an intervenor exceed the rate billed to that intervenor by any outside consultant it hires,” does not apply here. GPI claims that Harrold, who performs nearly all of their work for GPI, is not an outside consultant but functions more like a contract employee. According to GPI, classifying Harrold as an outside consultants is incorrect and leads to inaccurate conclusions in the proposed decision.¹⁸

The Commission is not convinced by GPI’s argument Harrold is not a consultant, but a contract employee of GPI. Harrold works for a separate entity, and was retained to provide services for GPI/Future Resources Associates. They have a formal service agreement in place with GPI/Future Resources Associates outlining the terms and payment arrangements, all of which are consistent with a consultant relationship, regardless of the terminology GPI prefers. Harrold bill Future Resources Associates, directly for work in this proceeding, and although GPI chooses not to label Harrold as a consultant, the Commission still applies the standard that intervenors may not request rates higher than those billed by their consultants. Therefore, we make no changes to the decision.

3. Hourly Rates for Morris

GPI objects to Morris’ 2024 hourly rate of \$475 and argues that it should be increased to the requested rate of \$505.

As stated above, Morris is dba Future Resources Associates, working on a contingency basis for the Pacific Institute, where he has agreed to defer his consulting fee contingent upon receipt of this intervenor compensation award. Given that arrangement, we utilized the reasonable rates established by Resolution ALJ-393 based on Morris' experience. The rate range for an Advocate - Executive Director - Level V is \$203.94 - \$477.26 for 2024. Therefore, we maintain Morris’ 2024 hourly rate, as it already reflect the upper limit for this level. We note that the previously approved rates that GPI references to were approved for a different role. Given Morris’ clarification that he is the director, this is the correct role to be used to establish his rates. Therefore, we make no changes to the decision.

4. Hourly Rates for Harrold

GPI does not object to Harrold’s awarded rate for 2024,¹⁹ but questions why Harrold’s 2024 hourly rate in this decision differs from the rate approved in other proceedings.

The Commission confirms that the difference reflects the invoices submitted for Harrold’s work specific to this proceeding, and the rate applied here is consistent with the Commission’s policy on consultant compensation.

5. Reduction in Hours

GPI objects to the reduction in hours, stating that a customer need not prevail to have contributed substantially, and that compensation is proper even where the customer’s position is not adopted, so long as the participation assisted the Commission or enriched the record. GPI argues that the statute only requires that a determination on whether a substantial contribution.

¹⁸ Comments of the Green Power Institute on the Proposed Decision at 4.

¹⁹ *Id* at 7-8.

Regarding reductions made for excessive or duplicative efforts, GPI suggests that Decision 03-03-031 partially overruled D.98-04-059 with a finding that the intervenor compensation statute does not permit a duplication discount based on Public Utilities Code section 1801.3(f), once a substantial contribution has been made.²⁰ Specifically, GPI seeks full compensation for its comments on the Draft 2024 RPS Procurement Plans, full compensation for areas where the proposed decision identified “internal duplication,” and full compensation for its requested IComp claim-preparation time.

The Commission assessed GPI’s substantial contribution by examining whether the hours claimed were proportional to the value of the contributions provided. Pub. Util. Code §1803 states that the “The commission shall award *reasonable* advocate’s fees, *reasonable* expert witness fees, and other *reasonable* costs of preparation for and participation in a hearing or proceeding” to intervenors who have made a substantial contribution.

With respect to Issue 2 (Comments on the Draft 2024 RPS Plans), we reiterate that reductions were made because GPI did not substantially assist the Commission in the making of its decision. GPI filed two sets of comments, its August 22, 2024 comments (11 pages) and September 5, 2024 reply comments (13 pages), but the portions addressing Issue 2 were duplicative, excessive, and ultimately non material. GPI’s recommendation to require all LSEs to use updated IEPR forecasts was rejected in D.24-12-035 at 20 as unnecessary but also harmful in that it “den[ies] retail sellers’ due process rights,” and its reply comments repeated SBUA’s positions without providing additional analysis or a unique perspective. However, we will acknowledge that GPI did file some comments that may have provided limited contributions to the Commission’s consideration of the issues. Therefore, we adjust GPI’s awarded hours to recognize this limited contribution, see Part III.D Item [1].

With regards to the hours reduced for duplicative and unproductive/ unnecessary hours, we remind GPI that under Public Utilities Code §1801.3(b), the intervenor compensation program must be administered in a manner that encourages effective and efficient participation by all stakeholders in public utility regulation. We are not persuaded that having two representatives was either effective or efficient. Nor are we convinced by GPI’s arguments that the such efforts should receive full compensation. However, because this issue is not particularly significant within the broader concerns identified in this claim, we restore these hours.

Lastly, we note that the Commission considered the scope and supporting documentation for this claim and determined that 8.00 hours constituted reasonable claim-preparation time.

FINDINGS OF FACT

1. Green Power Institute has made a substantial contribution in some aspects to D.24-12-035.
2. The requested hourly rates for Green Power Institute’s 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.

²⁰ *Id.* at 8-9.

3. The claimed costs and expenses, as adjusted herein, are reasonable and commensurate with the work performed.
4. The total of reasonable compensation is \$32,219.00.

CONCLUSION OF LAW

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

ORDER

1. Green Power Institute is awarded \$32,219.00.
2. Within 30 days of the effective date of this decision, Bear Valley Electric Service, Inc., Liberty Utilities, LLC, Pacific Gas and Electric Company, PacifiCorp, San Diego Gas & Electric Company, and Southern California Edison Company shall pay Green Power Institute their respective shares of the award, based on their California-jurisdictional electric revenues for the 2024 calendar year, to reflect the year in which the proceeding was primarily litigated. If such data is unavailable, the most recent electric revenue data shall be used. Payment of the award shall include compound interest at the rate earned on prime, three-month non-financial commercial paper as reported in Federal Reserve Statistical Release H.15, beginning April 23, 2025, the 75th day after the filing of Green Power Institute's request, and continuing until full payment is made.

This decision is effective today.

Dated September 3, 2026, at Sacramento, California.

JOHN REYNOLDS
President
DARCIE L. HOUCK
KAREN DOUGLAS
MATTHEW BAKER
CHRISTINE HARADA
Commissioners

APPENDIX

Compensation Decision Summary Information

Compensation Decision:	D2609019	Modifies Decision?	No
Contribution Decision(s):	D2412035		
Proceeding(s):	R2401017		
Author:	ALJ Atamturk, ALJ Gruen		
Payer(s):	Bear Valley Electric Service, Inc., Liberty Utilities, LLC, Pacific Gas and Electric Company, PacifiCorp, San Diego Gas & Electric Company, and Southern California Edison Company		

Intervenor Information

Intervenor	Date Claim Filed	Amount Requested	Amount Awarded	Multiplier?	Reason Change/ Disallowance
Green Power Institute	Feb. 7, 2025	\$69,125 ⁷	\$32,219.00	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
Gregg	Morris	Expert ²¹	\$505	2024	\$475.00
Zoë	Harrold	Scientist ²²	\$340	2024	\$325.00

(END OF APPENDIX)

²¹ Gregg Morris serves as a consultant to GPI.

²² Zoë Harrold serves as a consultant to GPI.