ALJ/MPO/vhj **Date of Issuance 9/10/2026**

Decision 26-09-032 September 3, 2026

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of San Diego Gas & Electric Company (U 902 E) for Authority to Update Marginal Costs, Cost Allocation, and Electric Rate Design.	Application 23-01-008 (Filed January 17, 2023)

DECISION GRANTING COMPENSATION TO SMALL BUSINESS UTILITY ADVOCATES FOR SUBSTANTIAL CONTRIBUTION TO DECISION 25-09-006

Intervenor: Small Business Utility Advocates (SBUA)	**For contribution to Decision** (D.) 25-09-006
Claimed: $212,308.88	**Awarded**: $166,609.98
Assigned Commissioner: John Reynolds[1]	**Assigned ALJ:** Marcelo Poirier[2]

PART I: PROCEDURAL ISSUES

A. Brief description of Decision:	D.25-09-006 (the Decision) addresses the 2024 General Rate Case Phase 2 proceeding of San Diego Gas & Electric Company (SDG&E). The Decision adopts three settlement agreements between the parties, including the Partial Settlement Agreement, which resolves cost allocation, creation of a Medium Commercial Class, base time-of-use rates, and most of the other contested issues in this proceeding; the Marginal Cost Settlement Agreement that includes proposals to set marginal costs used in cost allocation and rate design; and the Medical Baseline Settlement Agreement that provides for a line-item medical baseline discount. The Decision also adopts the system percentage of change methodology to update rates, resolved a Power Charge Indifference Adjustment (PCIA) rate design and bill presentment issues, adopted a proposal to combine SDG&E's non-

[1] Application 23-01-008 was reassigned from President Alice Reynolds to President John Reynolds on May 27, 2026.
[2] Application 23-01-008 was reassigned from Administrative Law Judge (ALJ) Rajan Mutialu to ALJ Marcelo Poirier on April 9, 2026.

	residential commodity and distribution tariffs, and approved SDG&E's other uncontested proposals.

B. Intervenor must satisfy intervenor compensation requirements set forth in Pub. Util. Code §§ 1801-1812[3]:

	Intervenor	CPUC Verification
Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):		
1. Date of Prehearing Conference:	May 10, 2023	Verified
2. Other specified date for NOI:		
3. Date NOI filed:	June 2, 2023	Verified
4. Was the NOI timely filed?		Yes
Showing of eligible customer status (§ 1802(b) or eligible local government entity status (§§ 1802(d), 1802.4):		
5. Based on ALJ ruling issued in proceeding number:	R.22-02-005, et al.	A.22-05-005
6. Date of ALJ ruling:	August 2, 2022	Verified
7. Based on another CPUC determination (specify):		
8. Has the Intervenor demonstrated customer status or eligible government entity status?		Yes
Showing of "significant financial hardship" (§1802(h) or §1803.1(b)):		
9. Based on ALJ ruling issued in proceeding number:	R.22-02-005, et al.	A.22-05-005
10. Date of ALJ ruling:	August 2, 2022	Verified
11. Based on another CPUC determination (specify):		
12. Has the Intervenor demonstrated significant financial hardship?		Yes
Timely request for compensation (§ 1804(c)):		
13. Identify Final Decision:	D.25-09-006	Verified
14. Date of issuance of Final Order or Decision:	September 22, 2025	Verified
15. File date of compensation request:	Nov. 20, 2025	November 21, 2025
16. Was the request for compensation timely?		Yes

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

C. Additional Comments on Part I:

#	Intervenor's Comment(s)	CPUC Discussion
B.9-11	SBUA also received a ruling on its customer status and showing of significant financial hardship more recently in A.23-10-001 on June 3, 2024.	Noted

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
1. Overall This GRC Phase 2 proceeding addressed SDG&E's rate design, marginal costs, and revenue allocation, including Time-of-Use (TOU) periods and Electric Vehicle (EV) rates. SBUA actively participated throughout the docket: engaging in discovery, submitting expert testimony on issues affecting small businesses, and participating extensively in the lengthy and ultimately successful settlement negotiations. This work reflects SBUA's broader effort to secure fair and equitable rate design outcomes for small commercial customers across Phase 2 GRCs. The Commission approved several settlement agreements to resolve the scoped issues, including two agreements to which SBUA is a signatory: (1) the Partial Settlement Agreement, addressing rate	On May 8, 2024, SDG&E, SBUA, and several other parties filed motions to adopt the Marginal Cost Settlement Agreement and the Partial Settlement Agreement. Decision at 5. After considering these motions, the Commission adopted both agreements as "reasonable in light of the whole record, consistent with law, and in the public interest." *Id*. at 9–26 (discussion on Marginal Cost Agreement), 27–52 (discussion on Partial Settlement Agreement). As the Decision explains, "[t]he Partial Settlement Agreement (included as Attachment B to this decision) identifies the settlement conditions, states the settlement terms for each settled item, and includes proposed tariff language." Decision at 27. SBUA is a party to the Partial Settlement Agreement. *Id*. at 7 ("Ten parties in this proceeding joined the Partial Settlement Agreement: [including] SBUA… The Partial Settlement Agreement terms propose continued use of the SAPC method for revenue allocation, updating base TOU periods, updating CPP event periods, the creation of a Medium Commercial and Large Commercial and Industrial Class,	Noted. The Decision adopted the Partial Settlement Agreement regarding certain specified requests in SDG&E's 2024 General Rate Case Phase 2 (GRC Phase 2) Application.

Intervenor's Claimed Contribution(s)	**Specific References to Intervenor's Claimed Contribution(s)**	**CPUC Discussion**
design and revenue allocation, and (2) the Marginal Cost Settlement Agreement. In D.25-09-006, the Commission agreed with ALJ Rajan Mutialu that these settlements are reasonable in light of the record and should be adopted. SBUA submits that its participation in negotiation and execution of these settlements - - each of which resolves issues of direct importance to small businesses – substantially contributed to the outcome of the proceeding. The two Settlement Agreements provided a comprehensive resolution of the issues through compromise, avoiding unnecessary litigation. Across all stages of this proceeding, SBUA consistently advocated for small business customers, with particular emphasis on: • Monthly Service Fees (MSFs); • Splitting the Medium and Large C&I rate class; • Time-of-Use (TOU) periods; and • TOU differentials across all customer classes. These elements are further discussed below.	revising the collection of MSFs and allocation of distribution demand costs for the Small Commercial, Medium Commercial, Large Commercial and Agricultural classes, and changes to Schedules PUBLIC GIR and VGI."); *see also id*. at 82 (Finding of Fact (FOF) #1). Similarly, the Decision states that "[t]he Marginal Cost Settlement Agreement (included as Attachment A to this decision) identifies the settlement conditions, states the settlement terms for each settled item, and includes proposed tariff language." Decision at 10. SBUA is also a party to this agreement. *Id*. at 8 ("Nine parties in this proceeding joined the Marginal Cost Settlement Agreement: [including] SBUA…"); *see also id.* at 82 (FOF #3). In addition to the adopted settlement terms themselves, SBUA's advocacy and representation of small business customers is reflected in its February 15, 2023 Response to SDG&E's Application; its participation at the PHC (*see* PHC Reporter's Transcript, May 10, 2023, at 8:22–23, 11:20–21, 30:6–7, 38:12–13, 47:17–18, 52:24–25, 55:20); and the Direct and Rebuttal Testimony of SBUA expert Maureen Reno, admitted as Exhibits SBUA-01 and SBUA-02.	
2. <u>Monthly Service Fees</u>	The Partial Settlement Agreement includes a 5 percent increase of MSFs	Verified; however, Cal

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
In its Direct Testimony, SBUA urged the Commission to reject SDG&E's proposed 15 percent increase in MSFs. SBUA-01 at 4 ("[t]he proposed increases in MSFs are excessive and will impose an unacceptable burden on small businesses"). SBUA further explained that it does not support use of the Real Economic Carrying Charge (RECC) method because it violates marginal cost principles and serves only to inflate the cost of customer access equipment. *Id*. at 8-19. Instead, SBUA recommended the New Customer Only (NCO) method as the more appropriate approach for estimating MSFs, as it more accurately measures marginal customer costs and aligns with CPUC rate design principles. *Id*. at 4, 10-18; *see also* SBUA-02 at 2-9 (rebuttal testimony providing additional analysis in support of SBUA's MSF recommendations).	for small business customers, a 10 percent reduction from SDG&E's initial proposal. Decision at 35. As the Decision explains, "We adopt the Partial Settlement Agreement provisions that resolve issues concerning MSF fees because it is reasonable in light of the whole record, consistent with the law, and in the public interest. It is reasonable to adopt the Partial Settlement Agreement term for SDG&E's MSF to increase by the following percentages per year for four years: (a) 5 percent per year for small commercial customers…" *Id.* at 34-35, 85-86 (Conclusion of Law (COL) #10). The Decision also specifically references SBUA's NCO recommendation and the settlement's treatment of that issue, noting: "As suggested by Cal Advocates and SBUA, and in accordance with the Partial Settlement Agreement, we do not require SDG&E to use the NCO method to recalculate the MSF as this matter is addressed in our resolution of Marginal Customer Access Costs in the Marginal Cost Settlement Agreement." Decision at 35.	Advocates also made similar suggestions that the Commission adopted.
3. **<u>Small / Medium Commercial Classes</u>** SBUA supported SDG&E's proposal to split the medium/large commercial rate class into two distinct rate classes, subject to certain recommendations. SBUA-01 at 19-25. In its Rebuttal Testimony, SBUA further recommended that SDG&E (1)	The Partial Settlement Agreement adopted in the Decision "provides for the creation of a Medium Commercial Customer Class for SDG&E customers with demand ranging from 20 kW to 200 kW. SDG&E will conduct an analysis of the 20 kW and 200 kW demand threshold and assess the merits for setting the upper demand threshold for the Medium Commercial Customer Class at 100 kW or 500 kW. Based on	Verified

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
conduct a split study at different peak load levels (50 kW, 100 kW, 200 kW, and 500 kW), including bill impact analysis, and (2) provide shadow billing for informational purposes and bill protection to affected customers. SBUA-02 at 13-16.	the results from this analysis, SDG&E will consider revising the upper demand threshold for the Medium Commercial Customer class in its next GRC Phase 2 proceeding." Decision at 41. In evaluating the Partial Settlement Agreement's provisions on the creation of the Medium Commercial Customer Class, the Decision discusses SBUA's testimony and the reasonableness of the Agreement, stating: "SBUA supports SDG&E's proposal but recommends that it (1) recalculate MSF with the NCO method without EPMC scaling (2) study bill impacts for the newly created Medium Commercial Class and the Large Commercial and Industrial class at different peak loads ranging from 50 kW to 500 kW and (3) provide shadow billing and bill protection to impacted customers. SBUA also recommends a study of splitting the class by different peak load levels (e.g., 50 kW, 100 kW)." *Id.* (fns. omitted). The Decision concludes: "We adopt the Partial Settlement Agreement provisions that resolve issues concerning SDG&E's creation of a Medium Commercial Class and rates because they are reasonable in light of the whole record, consistent with the law, and in the public interest. It is reasonable to adopt the Partial Settlement Agreement term for SDG&E to create a new Medium Commercial Customer Class with appropriate rate schedules due to differences in cost of service.... Further, it is reasonable to adopt the Partial Settlement Agreement term for SDG&E to conduct a study that provides certain specified analyses before the next GRC Phase 2, and consider, based on these specified	

<table>
<tr><th>Intervenor’s Claimed Contribution(s)</th><th>Specific References to Intervenor’s Claimed Contribution(s)</th><th>CPUC Discussion</th></tr>
<tr><td></td><td>analyses, revising its upper demand threshold for the Medium Commercial Customer Class in its next GRC Phase 2 proceeding...” Decision at 42, 86 (COL # 14 & 15).

The Decision similarly notes: “Per SBUA’s request, we do not require SDG&E to use the NCO method to recalculate the MSF for Medium Commercial customers as this matter is addressed in our resolution of Marginal Customer Access Costs in the Marginal Cost Settlement Agreement.” Decision at 42.</td><td></td></tr>
<tr><td>3. <u>Time of Use</u>

SBUA supported SDG&E’s proposal to extend its super off-peak period year-round and, in addition, supported Cal Advocates’ recommendation that the Commission require SDG&E to offer a new morning on-peak period and shift the evening on-peak period to better align with high-cost hours.

SBUA specifically recommended that the Commission:
1. SDG&E’s proposed extension of its super off-peak period of 10:00 am - 2:00 pm to all months of the year.
2. A new morning on-peak period of 6:00 am - 10:00 am.
3. Shift the current evening on-peak period of</td><td>In the Partial Settlement Agreement, the parties, agreed to “maintaining SDG&E’s base TOU periods but extends the weekday Super Off-Peak period to include the hours 10AM to 2PM year-round. SDG&E will conduct a study to analyze the following: a one-hour shift in the on-peak period, a 5PM–10PM on-peak period, a 3PM–8PM on-peak period, and a weekday 6AM–10AM on-peak period.” Decision at 33 (fns. omitted).

With respect to the Partial Settlement Agreements TOU periods, the Decision held: “[W]e adopt the Partial Settlement Agreement provisions that resolve issues concerning base TOU periods because it is reasonable in light of the whole record, consistent with the law, and in the public interest. It is reasonable to adopt the Partial Settlement Agreement term for SDG&E to maintain its base Super Off-Peak TOU periods, except to expand the weekday Super Off-Peak period to include 10 AM to 2 PM year-round,</td><td>Verified</td></tr>
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Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
4:00 pm - 9:00 pm to 5:00 pm - 10:00 pm. 4. All remaining hours are off-peak. SBUA-01 at 4, 25-33; SBUA-02 at 13-16.	because there are no material changes in the underlying costs, is supported by its marginal cost analysis, and will provide customers with greater opportunity to shift load to lower cost hours…" *Id.* at 32-33, 82 (FOF #7), 85 (COL #8). The Decision further states: "While not originally proposed by SDG&E, it is also reasonable to adopt the Partial Settlement Agreement provision for SDG&E to conduct an analysis to identify high and low cost hours to assess the merit for shifting the on-peak period from 4PM–9PM to 5PM–10PM and assess the creation of a 3PM–8PM on-peak period, and a weekday 6AM–10AM period. SDG&E states that results from these studies will be used to show high and low-cost hours to inform the development of TOU off-peak and Super Off-Peak periods." Decision at 33; *see also id.* at 32 ("SBUA asserts that SDG&E's proposed mid-day Super Off-Peak change is supported by its marginal cost analysis") (fn. omitted). Finally, the Decision explains that SDG&E "intends to send these results to the service list and will further consider revision of on-peak periods in its next GRC Phase 2 proceeding." Decision at 33, 85 (COL #9).	
4. <u>EV-HP Over/under Collection</u> Given the intent of Senate Bill (SB) 350 and Executive Order N-79-20, which establish the State's goal of reducing carbon emissions through transportation electrification for the benefit of all	The Decision held that "it is reasonable to adopt the Partial Settlement Agreement term that any ongoing over/under-collection balances, if any, associated with the EV-HP will be recorded in the two-way HPRBA-E and collected from all customer classes in the distribution rate component. Our determination on this matter is based on prior Commission direction that	Verified

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
Californians, SBUA recommended that all ratepayers should share the burden or benefit of any over- or under-collections resulting from the Electric Vehicle High Power (EV-HP) and interim EV-HP rates. SBUA testified that the Commission should approve SDG&E's proposal to socialize such overages or under collections across all customer classes. SBUA-01 at 20, 23-25. SBUA's recommendation to recover costs from all ratepayers contrasted with Cal Advocates' recommendation to recover any over- or under-collection from medium/large customers only.	transportation electrification benefits all customer classes through reduction in emissions and support of the State's climate goals." Decision at 46,87-88 (COL #20); *see also id* at 45 (SBUA agrees any over- or undercollection of EV-HP Rate costs tracked in the HPWBA-E should be paid for and benefit all customers due to the reduced emissions associated with transportation electrification).	
5. <u>Revenue Allocation</u> SBUA supported having the adopted revenue allocation percentages in this proceeding continue to be updated annually using the System Average Percentage Change (SAPC) method, beginning with 2024 approved determinants in SDG&E's pending 2024 Energy Resource Recovery Account (ERRA) proceeding. SBUA believes that applying CPUC-approved billing determinants on an annual basis is reasonable and in the public interest because it allows rates to adjust in response to changes in customer usage patterns over	The Decision adopted the Partial Settlement Agreement, which "provides for maintaining the Energy Efficiency revenue allocations adopted in SDG&E's 2019 GRC Phase 2 proceeding, except to reflect these allocations in the proposed Medium Commercial Customer Class, updating distribution revenue allocations to better reflect cost-of-service, and adjust the commodity and distribution revenue allocations according to the Commission-approved SAPC methodology, and based on the newest approved and implemented sales forecast." Decision at 48. The Commission further concluded that: "To levelize rate changes, it is reasonable to adopt the Partial Settlement Agreement term for SDG&E	Verified

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
time. SBUA-02 at 16-21. SBUA further agreed with Cal Advocates' revenue allocation proposal, except with respect to the over/under-collections resulting from the EV-HP, as discussed above.	to use the SAPC methodology to adjust the distribution and commodity revenue allocations based on SDG&E's newest approved and implemented sales forecast with limited, specified adjustments to move SDG&E's agricultural customer class towards a cost-basis." Decision at 49 , 88 (COL #22 and 23).The Decision also recognizes: "SBUA generally supports Cal Advocates' revenue allocation method but recommends that over or under collection of EV-HP costs should be recovered from all customers." Decision at 47 (fn. omitted).	
6. <u>Marginal Costs</u> SBUA advocated for adoption of the Marginal General Capacity Cost (MGCC) set forth in the Marginal Cost Settlement Agreement and opposed the alternative proposal sponsored by the Solar Energy Industries Association (SEIA). The Settlement Agreement's adopted MGCC value of $141.11 per kilowatt-year ($/kW-year), derived from the 2019 marginal commodity study, represents a compromise among the MGCC values proposed by the parties. SBUA also emphasized that the Marginal Cost Settlement Agreement does not preclude intervenors from submitting alternative marginal costs in future proceedings. Together with the California Farm Bureau Federation (Farm	Consistent with SBUA's advocacy, the Commission's adoption of the Marginal Cost Settlement Agreement resolves marginal cost issues in a manner that serves the public interest, including small business consumers. The Commission determined that the Marginal Cost Settlement Agreement "resolve[s] issues concerning MDCCs because it is reasonable in light of the whole record, consistent with the law, and in the public interest." Decision at 13. The adoption of the Marginal Cost Settlement Agreement, despite opposition from SEIA, reflected the support of SBUA and the settling parties. As the Decision explains: "Counter to SEIA's argument, Cal Advocates, SBUA, and Farm Bureau state that interveners have the opportunity to submit alternative marginal costs, including MDDCs, in future proceedings that reflect more recent cost data and cost-of-service trends." Decision at 15, 84 (COL #1 & 3). "As noted by Cal Advocates, SBUA,	Verified

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
Bureau) and Cal Advocates, SBUA jointly advocated for adoption of the MGCC in the Marginal Cost Settlement Agreement rather than SEIA's proposal. *See* Joint Reply Comments of Cal Advocates, SBUA, and Farm Bureau in Support of the Marginal Cost Settlement Agreement, July 12, 2024.	and Farm Bureau, interveners may propose updated MDDC values based on more recent distribution load data." *Id*. at 15. In adopting this settlement, the Decision observes that: "Cal Advocates, SBUA, and FEA state that if SEIA's MGCC proposal is adopted it could 'significantly increase rates and bills for customers unable to shift their usage from more expensive on-peak periods to less expensive TOU periods.'" Decision at 24.	

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: Additional parties to the Settlement Agreements signed by SBUA with potentially similar positions included the Utility Consumers' Action Network (UCAN), Farm Bureau, SEIA, and The Utility Reform Network (TURN).		Noted
d. Intervenor's claim of non-duplication: SBUA participated exclusively on behalf of small business customers, a customer class not otherwise well represented in this proceeding. No other party focused exclusively on the interests of small business customers in the context of this General Rate Case Phase 2 proceeding. While other parties joined the two Settlement Agreements to which SBUA was a signatory, SBUA's advocacy throughout the proceeding and in settlement negotiations remained distinct and focused on the interests of small business customers, which, particularly in GRC Phase 2 proceedings, can conflict with the interests of other ratepayer classes.		Noted; however, *See* Part III.D CPUC Comments, Disallowances, and Adjustments [4,5,6].

SBUA contributed to the development of the Settlement Agreements in ways not addressed by other parties.Throughout the proceeding, SBUA made reasonable efforts to minimize duplication and ensured that its participation supplemented and expanded, rather than repeated, the positions of other stakeholders. For these reasons, the Commission should find that SBUA's perspectives and goals were necessarily distinct from those of other parties and that SBUA's efforts supplemented and expanded, rather than duplicated, the efforts of parties on issues of common interest.	

PART III: REASONABLENESS OF REQUESTED COMPENSATION

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

	CPUC Discussion
a. Intervenor's claim of cost reasonableness: SBUA actively participated in this proceeding from 2023 through 2025 to advance the interests of small business ratepayers. To that end, SBUA engaged in discovery, researched and drafted expert testimony, attended the pre-hearing conference, attended extensive settlement conferences, negotiated and executed two settlement agreements, and drafted and contributed to arguments for joint filings supporting the settlement agreements. SBUA submits that its expenditure of resources and costs, incurred to represent small business customers in this proceeding, were reasonable and merit an award of compensation. The Decision's adopted settlements provide meaningful benefits to small commercial customers by resolving complex marginal cost, rate design, and revenue allocation issues through reasonable compromise rather than litigation. As a result of SBUA's work, small business customers benefited, for example, from limiting SDG&E's proposed Monthly Service Fee increases to 5 percent per year rather than the originally proposed 15 percent; improvements to TOU periods and rates, including expansion of the super off-peak period and required analysis of additional on-peak refinements; and further analytical work, such as peak load threshold studies and TOU cost-hour analysis, to inform future GRC Phase 2 applications. Although not all of these benefits are quantifiable, the adoption of the SBUA-executed settlement agreements protects an important and often underrepresented customer class and advances the public interest. As discussed above, the Commission expressly cited, analyzed, and adopted settlement terms that reflect SBUA's testimony and negotiated positions. These substantive contributions warrant the requested compensation, given the significant implications for small business	Noted; however, *See* Part III.D CPUC Comments, Disallowances, and Adjustments [4,5,6].

ratepayers who will benefit from SBUA's GRC Phase 2 advocacy and the adopted Settlement Agreements.	
b. Reasonableness of hours claimed: SBUA devoted the resources of two attorneys and one expert to this proceeding, and seeks the recovery of 341.2 hours of professional time, excluding compensation related hours. Given the importance of this docket to small business customers, SBUA submits that the hours these professionals dedicated reflect a reasonable and efficient use of resources. These hours were warranted given the proceeding's complexity and technical demands, which required significant expertise, detailed analysis, extensive negotiations, and active engagement across multiple contested issues. Additionally, because UCAN, TURN, and Cal Advocates primarily concentrate on residential customers, it is reasonable that SBUA, as the sole intervenor exclusively representating small commercial customers, devote the significant resources necessary to maintain a strong presence in settlement negotiations and to develop distinct positions from other ratepayer advocates on behalf of this customer class. SBUA Litigation Supervisor, Jennifer Weberski, an SBUA employee with approximately 25 years of regulatory experience, worked on legal filings and coordinated SBUA's settlement engagement. Drawing on SBUA's participation in related rate proceedings and her decades of legal expertise, Ms. Weberski efficiently engaged and devoted a reasonable amount of time. SBUA also retained outside expert Maureen Reno, who has over 25 years' experience in public utility regulation, including prior work involving rate design, marginal cost methodologies, revenue allocation, and bill impact analysis. Ms. Reno assisted in discovery, prepared SBUA's direct and rebuttal testimony, and helped refine SBUA's settlement positions. Her work was performed on a deferral basis, and her invoices are attached as <u>Attachment 3</u>. In addition, SBUA's General Counsel, James Birkelund, participated in this proceeding by analyzing party filings, developing litigation positions, providing strategic direction, and overseeing the legal team. Mr. Birkelund served on a contingency basis through E&E Law Corp. at prevailing market rates. *See* <u>Attachment 4</u> (attorney-client agreement, filed under seal). The Commission has previously approved this outside consultant arrangement. *See, e.g.,* D.25-05-023 (approving Mr. Birkelund's outside counsel relationship at market rates), D.25-05-021, D.25-03-029, D.25-04-012, and D.25-02-025. SBUA maintains that the time recorded represents an appropriate level of engagement and effort necessary to participate in this proceeding.	Noted; however, *See* Part III.D CPUC Comments, Disallowances, and Adjustments [4,5,6].

Accordingly, SBUA seeks compensation for all hours submitted by its attorneys and expert, as set forth in the attached timesheets.	
c. Allocation of hours by issue: 1 Monthly Service Fees – 56.2 hrs. or 16.5% 2 Small/Medium Rate Classes – 30.5 hrs. or 8.9% 3 TOU Periods/Differentials – 56.7 hrs. or 16.6% 4 EV-HP over/under collection – 15.4 hrs. or 4.5% 5 Revenue Allocation – 49.65 hrs. or 14.6% 6 Marginal Costs – 109 hrs. or 31.9% 7 Hearings and Conferences – 8.75 hrs. or 2.6% 8 General Participation – 15 hrs. or 4.4%	Noted, totals 100%

B. Specific Claim:*

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	**Year**	**Hours**	**Rate $**	**Basis for Rate***	**Total $**	**Hours**	**Rate $**	**Total $**
Jennifer Weberski	2023	44	$705	D.24-02-031	$31,020.00	34.65 [4,6]	$705 [1]	$24,428.25
Jennifer Weberski	2024	110.7	$735	D.25-06-029	$81,364.50	99.63 [4,6]	$735 [1]	$73,228.05
Jennifer Weberski	2025	5.5	$760	As above, escalated by 3.46% for 2025	$4,180.00	4.95 [4,6]	$760 [1]	$3,762.00
Maureen Reno	2023	59.5	$370	D.24-10-021	$22,015.00	59.50	$370 [2]	$22,015.00
Maureen Reno	2024	71	$385	As above, escalated by 4.07% for 2024	$27,335.00	71.00	$385 [2]	$27,335.00
James Birkelund	2023	26	$770	D.24-10-025	$20,020.00	5.795 [5,6]	$770 [3]	$4,462.15
James Birkelund	2024	22.25[4]	$800	D.24-12-069	$17,800.00	5.063 [5,6]	$800 [3]	$4,050.40

[4] Timesheets show total hours of 22.50 hours for 2024.

James Birkelund	2025	2	$830	D.25-07-036	$1,660.00	0.45 [5,6]	$830 [3]	$373.50
					Subtotal: $205,394.50		***Subtotal:* $159,654.35**	
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	**Year**	**Hours**	**Rate $**	**Basis for Rate***	**Total $**	**Hours**	**Rate**	**Total $**
James Birkelund	2023	0.25	$385	50% of 2023 Rate	$96.25	0.25	$385 [3]	$96.25
Jennifer Weberski	2023	2.75	$337.5	50% of 2023 Rate	$928.13	2.75	$352.50 [1]	$969.38
Jennifer Weberski	2025	15.5	$380	50% of 2025 Rate	$5,890.00	15.50	$380 [1]	$5,890.00
					Subtotal: $6,914.38		***Subtotal: $6,955.63***	
					TOTAL REQUEST: $212,308.88		***TOTAL AWARD: $166,609.98***	

*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.

**Travel and Reasonable Claim preparation time are typically compensated at ½ of preparer's normal hourly rate

ATTORNEY INFORMATION			
Attorney	**Date Admitted to CA BAR[5]**	**Member Number**	**Actions Affecting Eligibility (Yes/No?)** **If "Yes", attach explanation**
James M. Birkelund	March 2000	206328	No
Jennifer L. Weberski	Admitted (Conneticut, 1997; Washington D.C., 2003)	Conn. Bar No. 414546; D.C. Bar No. 481853.	No

C. Attachments Documenting Specific Claim and Comments on Part III[6]:

Attachment or Comment #	**Description/Comment**

[5] This information may be obtained through the State Bar of California's website.
[6] Attachments not included in the final Decision.

Attachment 1	Certificate of Service
Attachment 2	Timesheets of Attorneys & Experts
Attachment 3	Invoices for Maureen Reno
Attachment 4	Attorney-Client Agreement with E&E Law

D. CPUC Comments, Disallowances, and Adjustments

Item	Reason
[1] Jennifer Weberski (Weberski) 2023, 2024, and 2025 Hourly Rates & Intervenor Compensation Rates	D.24-02-031 approved a 2023 hourly rate of $705 for Weberski. As Intervenor Compensation Claim Preparation hours are compensated at ½ preparer's normal hourly rate, we apply the rate of $352.50 for Weberski. D.25-03-029 approved a 2024 hourly rate of $735 for Weberski. SBUA requests a 2025 hourly rate of $760 for Weberski in the role of Legal - Attorney – V. We apply 2025 escalation factor 3.46% to the 2024 rate of $735 approved here for a 2025 rate of $760 (rounded to the nearest $5). As Intervenor Compensation Claim Preparation hours are compensated at ½ preparer's normal hourly rate, we apply the rate of $380 for Weberski.
[2] Maureen Reno (Reno) 2023 and 2024 Hourly Rates	SBUA requests a rate of $370 in 2023 and a rate of $385 in 2024 for Reno. Information provided by SBUA in this claim indicates Reno is a consultant. Hourly rates claimed for consultants must be the same rates paid to consultants for work performed in the proceeding pursuant to Resolution ALJ-235 at 4. 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)). SBUA has provided invoices for Reno's consulting services (Reno Energy Consulting Services LLC) for this proceeding. The invoices provided show a billed rate of $370 per hour in 2023 and $385 in 2024. As such, we approve the 2023 rate of $370 and 2024 rate of $385 for Reno. The award determined herein for the consultant's contribution in this proceeding shall be paid in full to the consultant, and no portion of this part of the award shall be kept by the intervenor. Additionally, the rates approved here are specific to work in this proceeding and the contract terms between the consultant and intervenor, as they are established in accordance with the Commission's policy on consultant compensation, and the understanding that the consultant has not billed or collected full compensation for the work performed until final award is given. 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.
[3] James Birkelund (Birkelund) 2023, 2024 and 2025 Hourly Rate & 2023 Intervenor Compensation Rate	SBUA has confirmed that James Birkelund is a consultant and requested 2023, 2024 and 2025 hourly rate of \$770.00, \$800.00, and \$830.00, respectively. SBUA has confirmed Birkelund is a consultant with E&E Law Corp under contract on a contingency basis, meaning he has agreed to defer his consulting fees contingent upon receipt of this Intervenor Compensation award. Given the 2023 Legal Director - IV rate range is \$518.55 to \$832.67 with a median of \$672.21, we find the 2023 hourly rate of \$770.00 to be reasonable and we apply it here. As Intervenor Compensation Claim Preparation hours are compensated at ½ preparer's normal hourly rate, we apply the rate of \$385 for Birkelund. Given the 2024 Legal Director - IV rate range is \$545.91 to \$860.03 with a median of \$699.57, we find the 2024 hourly rate of \$800.00 to be reasonable and we apply it here. Given the 2025 Legal Director - IV rate range is \$570.12 to \$884.24 with a median of \$723.78, we find the 2025 hourly rate of \$830.00 to be reasonable and we apply it here. The award determined herein for Birkelund'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 SBUA. Additionally, the rates approved here are specific to work in this proceeding and the contract terms between the consultant and intervenor, as they are established in accordance with the Commission's policy on consultant compensation. 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.
[4] Weberski's 2023 hours	<u>Administrative/Clerical</u> The Commission does not compensate attorneys for their time spent on clerical and administrative tasks. See D.98-11-049 and D.08-09-034. We therefore reduced hours for the activities below: <u>2023 (0.50 hours reduced):</u> • 02/02/2023: Review notice of disclosure of confidential information (0.25 hours) • 04/12/2023: Discuss staffing with J. Birkelund (0.25 hours) <u>Lack of Contribution to Decision Making Process (0.75 hours reduced):</u> NDAs constitute preparatory work rather than an analysis or advocacy that

	shaped the Commission's decision, and SBUA has not demonstrated a clear connection between NDA related hours and its substantive input. Additionally, activities such as executing or reviewing NDAs are considered administrative and procedural which attorneys are not compensated for, as such work has been factored into the established rates. See the Intervenor Compensation Program Guide at 12. Therefore, the following hours have been reduced: • 11/17/2023: Email with SDG&E and M. Reno to execute NDA (0.75 hours) Vagueness (1.25 hours reduced): SBUA claimed 1.25 hours on 01/20/2023 for Weberski with a description of "Analyze SBUA issues." This entry lacks specificity as to what issues were reviewed. We therefore find it reasonable to reduce the following hours from SBUA's work as vague: • Weberski 2023: 1.25 hours Excessive Hours (3.00 hours): Weberski is spending a total of 3.00 hours in an email discussion on schedule clarification and extension requests. She is dedicating an enormous amount of time on tasks that do not take that long and in comparison, to other intervenors. Therefore, we disallow 3.00 hours for these tasks. • 06/12/2023: Email discussion w parties on need for schedule clarification (1.00 hours) • 06/13/2023: 2nd email discussion with parties on need for Commission clarification (0.50 hours) • 06/26/2023: Email edits to clarify schedule ext. request (1.50 hours) •
[5] Birkelund 2023 Hours	Public Participation Hearing PPHs are intended to provide an opportunity for presentations by the public at large instead of parties to the proceeding. Thus, the Commission does not award intervenors compensation for their time spent reviewing, preparing for, or attending, PPHs. We therefore disallow 0.25 hours in 2023. • 10/20/2023: Review ALJ Ruling re PPH (0.25 hours)
[6] Disallowance for Internal Duplication and Lack of Substantial Contribution	Duplication of Effort: The Commission compensates intervenors for reasonable and efficient participation that contributes to the development of the record and aids in decision-making. However, we find that SBUA's claimed hours reflect unnecessary duplication of effort. SBUA's internal staff worked on the same issues and participated in activities where only one representative would have been sufficient, given the relative simplicity or limited scope of the issues

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<td>–Birkelund and Weberski hours</td>
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involved. Both Birkelund and Weberski work on similar tasks and this level of staffing resulted in unnecessary, redundant, and inefficient participation that did not provide added value to the proceeding. Accordingly, we find that the involvement of multiple representatives in these instances was not justified and resulted in excessive hours.
SBUA is reminded that the Commission awards compensation for efficient efforts that contribute to proceeding outcomes, and that SBUA's work should be sufficiently streamlined to prevent an excess of hours claimed. In the past, the Commission has disallowed inefficient activities and applied reductions to intervenor hours that reflect excessive internal duplicative efforts, such as "numerous internal communications, review of each other's documents, working on the same materials, engaging in the same tasks and participating in the same events." (See D.12-03-024 at 24-25).
Birkelund's and Weberski's 2023, 2024, and 2025 hours are reduced for duplicative efforts, including overlapping document review, repeated internal communication, and strategy meetings. We therefore reduce 10% of the total hours for both attorneys.
<table>
<tr><th>Item</th><th>Year</th><th>Total Hours (including previous disallowances)</th><th>Hours Disallowed</th><th>Total Hours Awarded</th></tr>
<tr><td>Jennifer Weberski</td><td>2023</td><td>38.5</td><td>3.85</td><td>34.65</td></tr>
<tr><td>Jennifer Weberski</td><td>2024</td><td>110.7</td><td>11.07</td><td>99.63</td></tr>
<tr><td>Jennifer Weberski</td><td>2025</td><td>5.5</td><td>0.55</td><td>4.95</td></tr>
<tr><td>James Birkelund</td><td>2023</td><td>25.75</td><td>2.57</td><td>23.18</td></tr>
<tr><td>James Birkelund</td><td>2024</td><td>22.5</td><td>2.25</td><td>20.25</td></tr>
<tr><td>James Birkelund</td><td>2025</td><td>2</td><td>0.20</td><td>1.80</td></tr>
</table>
<u>Lack of Substantial Contribution:</u>
Birkelund claims a total of 50.50 hours of work dedicated to D.25-09-006. These hours primarily consist of reviewing filings, conferring with co-counsel, and conducting research. Furthermore, the record indicates that most substantive documents were drafted by Weberski, making it unclear how Birkelund's efforts independently contributed to the Commission's deliberations or the contributory Decision. The Commission compensates for efficient effort that materially contribute to the proceedings' outcomes and disallows hours that are duplicative, excessive and lack contribution to the underlying decision.
Public Utilities 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." "[T]o be eligible for
</td>
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	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…." Although SBUA made a contribution to the proceeding, the record does not demonstrate that Birkelund's individual efforts significantly assisted in the Commission's decision-making process. Due to Birkelund's limited individual contribution to the Decision, we find that awarding 25% of the requsted hours is reasonable. **Awarded Totals:** Birkelund 2023 hours: 5.795 Birkelund 2024 hours: 5.063 Birkelund 2025 hours: 0.45
[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. 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.

PART IV: OPPOSITIONS AND COMMENTS

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

A. Opposition: Did any party oppose the Claim?	No

B. Comment Period: Was the 30-day comment period waived (*see* Rule 14.6(c)(6))?	Yes

FINDINGS OF FACT

1. Small Business Utility Advocates has made a substantial contribution to D.25-09-006.

2. The requested hourly rates for Small Business Utility Advocates' 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 $166,609.98.

CONCLUSION OF LAW

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

ORDER

1. Small Business Utility Advocates is awarded $166,609.98.

2. Within 30 days of the effective date of this decision, San Diego Gas and Electric Company shall pay Small Business Utility Advocates the total award. Payment of the award shall include compound interest at the rate earned on prime, three-month non-financial commercial paper as reported in Federal Reserve Statistical Release H.15, beginning February 4, 2026, the 75th day after the filing of Small Business Utility Advocates' request, and continuing until full payment is made.

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

4. This decision is effective today.

Dated September 3, 2026, at Sacramento, California.

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

Commissioner Matthew Baker recused himself and did not participate in the vote of this item.

APPENDIX

Compensation Decision Summary Information

Compensation Decision:	D2609032	**Modifies Decision?**	No
Contribution Decision(s):	D2509006		
Proceeding(s):	A2301008		
Author:	ALJ Marcelo Poirier		
Payer(s):	San Diego Gas and Electric Company		

Intervenor Information

Intervenor	Date Claim Filed	Amount Requested	Amount Awarded	Multiplier?	Reason Change/Disallowance
Small Business Utility Advocates	11/21/25	$212,308.88	$166,609.98	N/A	*See* Part III.D CPUC Comments, Disallowances and Adjustments

Hourly Fee Information

First Name	Last Name	Attorney, Expert, or Advocate	Hourly Fee Requested	Year Hourly Fee Requested	Hourly Fee Adopted
Jennifer	Weberski	Attorney	$705	2023	$705
Jennifer	Weberski	Attorney	$735	2024	$735
Jennifer	Weberski	Attorney	$760	2025	$760
Maureen	Reno	Expert[7]	$370	2023	$370
Maureen	Reno	Expert[7]	$385	2024	$385
James	Birkelund	General Counsel	$770	2023	$770
James	Birkelund	General Counsel	$800	2024	$800
James	Birkelund	General Counsel	$830	2025	$830

(END OF APPENDIX)

[7] Reno is a consultant.