

Decision 26-09-025 September 3, 2026

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Pacific Gas and Electric Company to Recover in Customer Rates the Costs to Support Extended Operation of Diablo Canyon Power Plant from September 1, 2023 through December 31, 2025 and for Approval of Planned Expenditure of 2025 Volumetric Performance Fees. (U39E.)

Application 24-03-018
(Filed March 29, 2024)

**DECISION GRANTING COMPENSATION TO GREEN POWER INSTITUTE FOR
SUBSTANTIAL CONTRIBUTION TO DECISION 24-12-033**

Intervenor: Green Power Institute	For contribution to Decision (D.) 24-12-033
Claimed: \$64,640 ¹	Awarded: \$29,015.00
Assigned Commissioner: Karen Douglas	Assigned ALJ: Nilgun Atamturk

PART I: PROCEDURAL ISSUES

A. Brief description of Decision:	D.24-12-033 is the Decision on PG&E's Application for a revenue requirement to support extended operation of Diablo Canyon Power Plant and 2025 Volumetric Performance Fees Proposal
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B. Intervenor must satisfy intervenor compensation requirements set forth in Pub. Util. Code §§ 1801-1812²:

	Intervenor	CPUC Verification
Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):		
1. Date of Prehearing Conference:	May 31, 2024	Verified
2. Other specified date for NOI:	None	

¹ As discussed in the footnotes in Part III.B, GPI's correct amount claimed for their contributions toward D.24-12-033 is \$64,639.00.

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

3. Date NOI filed:	June 6, 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	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 expired (see §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	August 29, 2024
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.24-12-033	Verified
14. Date of issuance of Final Order or Decision:	December 20, 2024	Verified
15. File date of compensation request:	January 31, 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. Decision 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. RA Attributes and GHG-Free Energy. Decision D.23-12-036 in R.23-01-007 directs that the RA attributes of extended operations at DCPD be allocated to LSEs on the basis of their contribution to the coincident peak on the CAISO grid. PG&E proposes to readjust this allocation to take into account the fact that ratepayers in their service territory will pay an extra share of volumetric performance fees, and therefore deserve an	Decision D.24-12-033 In support of PG&E's proposal, SBUA argues that the proposed adjustment recognizes the disproportionate financial burden borne by PG&E's customers for the extended operations of DCPD. GPI also supports PG&E's proposal. [D.24-12-033, pg. 52.] Upon review, the Commission concludes that PG&E's proposal does not comply with implementation of the RA allocation methodology adopted in D.23-12-036, and therefore, it is rejected. [D.24-12-033, pg. 54.] Pleadings	We verify that GPI supported Pacific Gas and Electric's (PG&E) proposal that was rejected by the Commission. Other than supporting PG&E's proposal, we find that GPI did not contribute any unique perspectives on this issue. An intervenor may receive compensation "if the participation makes a substantial

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
equivalent extra share of the RA attributes. GPI provided a detailed analysis of the case for readjusting the RA allocation, showing that doing so would be consistent with the letter and spirit of SB 846 and the California Public Utilities Code sections it enacted. The Decision identifies GPI on page 52 as a supporter of PG&E's proposal. In fact, our position was more nuanced. We demonstrated that while the proposal was consistent with statute, the issue of whether to adopt it also required a consideration of the extent to which the benefits of the use of the VPF fund accrue to ratepayers statewide, versus being limited to ratepayers in the PG&E service territory. The Decision declines to alter D.23-12-036, even knowing, through our filings, that doing so in principle would be consistent with state policy and statute. GPI made substantial contributions to D.24-12-033 by making a case for legitimacy in principle of taking the unequal contributions to the cost of extended operations at DCPD into account in the allocation of the RA attributes, but also pointing out that unless the majority of the benefits of the uses of the VPF monies accrues statewide, there is no policy imperative for readjusting the D.23-12-036 allocation directive. GPI's	The threshold question regarding readjusting the allocation of RA credits is whether, based on statute and the directives in D.23-12-036, it is even permitted to do so. GPI believes that the threshold is met. We present our reasoning in this section. [GPI Brief, 10/1/24, pg. 3.] Ultimately, in the opinion of the GPI, it is the mix of uses of the VPF funds, and whether the bulk of the uses have statewide or only PG&E-territory wide benefits, that should determine whether there is a need to re-adjust the distribution of DCPD's RA credits, as PG&E's Application proposes. [GPI Brief, 10/1/24, pg. 3.] Assuming that the case has been made that readjusting the allocation of RA and environmental attributes based on the unequal assessment of VPF charges as suggested by PG&E's Application is permitted, the remaining question is whether it ought to be done from the perspective of good public policy. It appears that the VPF program assessments were designed in the way that they were in recognition of the fact that the VPF program might very well fund a number of programs that benefit only ratepayers in the PG&E service territory. That being the case, it is reasonable to assess greater charges to PG&E ratepayers. On the other hand, if the VPF funds are used primarily to fund programs that have benefits statewide, then one straightforward way to redress the higher burden on PG&E ratepayers would be to adjust the allocation of RA and environmental attributes. [GPI Brief, 10/1/24, pg. 6.]	contribution to a commission order or decision." §1802.5. A substantial contribution is when an intervenor's "presentation 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." § 1802(h). GPI does not provide any citations or other evidence that their presentation in support of PG&E's proposal on this issue was adopted in whole or in part by D.24-12-033. We find that GPI did not make a substantial contribution on this issue.

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
arguments clearly enriched the record upon which the final Decision is based, which constitutes a substantial contribution.	As GPI explained in our Brief, we believe that readjusting the RA and environmental attribute allocation to take into account the unequal allocation of cost via the VPF is consistent with statute and with D.23-12-036. The question remains, however, whether we ought to perform such a readjustment. As we argued in our Brief, if the bulk of the VPF funds are spent on expenses that benefit only ratepayers in the PG&E service territory, no readjustment is necessary. On the other hand, if most of the VPF funds are spent on expenses that benefit ratepayers statewide, then a readjustment is in order. [GPI Reply Brief, 10/21/24, pgs. 1-2.] In our Testimony and Briefs in this Application proceeding GPI made the case that PG&E's proposal to temper the distribution of the RA attributes from extended operations at DCPD from a basis that is strictly dependent on the coincident peak load of a jurisdictional LSE to a modified basis that also takes into account the unequal distribution of Volumetric Performance Fees (VPF) assessments between LSEs in the PG&E service territory and LSEs in the SCE and SDG&E service territories is allowed by statute and regulation. We further made the case that any decision about whether to modify the allocation of RA credits from the directive in D.23-12-036 to base it solely on an LSE's share of the coincident peak load should take into account whether the VPF funds were used primarily for the benefit of ratepayers in the PG&E service territory, or whether the funds were used primarily for the benefit of ratepayers throughout the CAISO. The more the benefits accrue to PG&E	

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
	service territory ratepayers only, the less need there is to modify the allocation of RA credits from the coincident peak load basis only. [GPI Comments on the PD, 12//24, pg. 1.]	
2. Volumetric Performance Fees Spending Plan. GPI argued that PG&E's proposed plan for the spending of VPF funds was extremely sketchy, to the point that there was little basis on which to anticipate what would be done with the funds. Moreover, because the plan lacked safeguards, there was a real possibility that some of the funds could be used to make up for cost overruns in various continuing programs that are already funded, in effect allowing the use of the VPF funds to act as a slush fund. The November 14, 2024, PD on PG&E's Application rejected PG&E's proposed spending plan for the VPF funds, essentially on the basis that it lacked sufficient specification. In recognition of the fact that the legislation is quite vague on the subject of what a spending plan should include, and in an effort to expedite the use of the funds, the final Decision reversed this conclusion and approved the plan, but did add provisions to safeguard against some of the vulnerabilities that we identified, including requiring PG&E to file an advice letter supplementing their proposed	Decision D.24-12-033 However, the Commission determines that PG&E must use the Advice Letter process to supplement its first year spending plan application to further explain how it will meet the requirements of Section 712.8(s) and subsequently, to submit findings of an independent third party auditor regarding PG&E's compliance with Section 712.8(s). Therefore, PG&E's request for approval of its VPF spending plan is conditionally approved, provided that PG&E submits the Tier 1 Advice Letter filing described in Section 9.3. [D.24-12-033, pgs. 55-56.] GPI also makes several recommendations for the use of VPFs as follows: 1) Without an auditing process there is a risk that the funds could be used to cover cost overruns for existing programs, i.e. a slush fund. 2) For proposed pole inspection program, GPI requests a more thorough explanation to ensure this is separate from the inspections requested through PG&E's Wildfire Mitigation Plan process. 3) GPI requests a maximum 20 percent allocation to the VPF contingency fund with annual rollover of unused funds. 4) GPI argues that costs below the 115% threshold should be eligible to offset DCCP operating costs.	Verified We verify that this is a correct citation of D.24-12-033. However, the only recommendation that D.24-12-033 adopted of these was that there should be an auditing process for PG&E's use of Volumetric Performance Fees (VPF).

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
	We agree wholeheartedly with the parties that argue for the Commission to exercise its authority and demand much more detail before approving PG&E's proposed VPF spending plan. [GPI Reply Brief, 10/21/24, pg. 2.] PG&E's proposed spending plan for the use of the VPF funds during 2025 is vague and imprecise, and not ready to be adopted in its current form. PG&E, in response, resists the level of scrutiny of their program that GPI and many of the intervenors believe is appropriate, and suggests that the program be adopted as proposed. We disagree, and urge the Commission to require further information about the program, as well as provisions that ensure that VPF funds are not misused, before deciding how to respond to the proposed program. [GPI Reply Brief, 10/21/24, pg. 3.] Many of the critical public purpose programs described in PG&E's VPF spending plan are programs that are already underway, with funding approval coming from the utility's GRC, in some cases in coordination with its Wildfire Mitigation Plan (WMP). The VPF funds absolutely should not be used to pay for cost overruns in these programs, or to cover costs or liabilities that would otherwise be assigned to shareholders rather than ratepayers. The current spending plan does not have any guarantees that the funds will not be spent in this manner, and that is unacceptable. [GPI Reply Brief, 10/21/24, pg. 4.]	Verified Verified This is a summary of TURN's Opening Brief.
3. Regulatory Process for Reporting VPF.	Decision D.24-12-033 PG&E's request to utilize a Tier 3 advice letter process for reporting VPF	Verified

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
D.23-12-036 specifies that PG&E file a yearly Application for the approval of their annual VPF spending plan, of which the present Application is the first one. In this Application, PG&E proposes that in future years the utility should be able to file an advice letter for approval of their proposed VPF spending plan, rather than going through the more elaborate Application process. GPI argued strongly that it is premature to even consider such a relaxation of regulatory oversight before the first year's spending program is even approved, never mind placed into service and having its performance evaluated. The Decision adopts our position and denies PG&E's request for the present time. Our successful argument was our substantial contribution on this issue.	revenue spending for future annual plans and retrospective reporting of section 712.8(s) requirements is denied without prejudice. [D.24-12-033, pg. 67.] Upon review, we decline to adopt PG&E's proposal to submit future plans via Tier 3 advice letter without prejudice. This matter can be reconsidered in the next application. The VPF program is a new program. Until we gain a reasonable amount of experience with the program, it is appropriate to consider the program annually through an application process. [D.24-12-033, pg. 68.] GPI also recommends that the Commission reject PG&E's proposal to move VPF Plan approval to a Tier 3 AL process. [D.24-12-033, pg. 68.] Pleadings PG&E proposes, in Application A.24-03-018, that in future years rather than requiring an Application for the annual approval of PG&E's spending plan for the VPF funds, a tier 3 Advice Letter should be sufficient. Decision D.24-01-036 in R.23-01-007 specifies that an annual Application should be used for the purpose of VPF plan approval. This (A.24-03-018) is the first such Application that has been submitted for plan approval, in this case for plan approval through 2025. In other words, the Commission is currently in the process of considering the very first VPF spending plan proposed by PG&E. The results of this initial review process are still months away. In the opinion of GPI, it is premature to even consider PG&E's proposal at the present time. This proposal should not be considered	Verified Noted, however D.24-12-033 also notes that A4NR and TURN had the same position as GPI. Verified

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
	until at the least the 2025 spending plan has been approved and its outcome monitored and assessed. [GPI Brief, 10/1/24, pg. 12.]	

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

	Intervenor's Assertion	CPUC Discussion
a. Was the Public Advocate's Office of the Public Utilities Commission (Cal Advocates) a party to the proceeding?	Yes	Verified
b. Were there other parties to the proceeding with positions similar to yours?	Yes	Verified
c. If so, provide name of other parties: SBUA, A4NR, CalCCA, Californians for Green Nuclear Power, TURN, CCUE, AReM, DACC, and the three IOUs.		Noted
d. Intervenor's claim of non-duplication: This proceeding covers a variety of topics related to the potential extension of operations at DCP. The Green Power Institute has been an active participant in the Commission's RPS and LTPP/IRP proceedings, the Application to retire DCP in 2024/2025, and a number of other proceedings related to renewable energy. 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.		Noted

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 all 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.24-12-033.	After the adjustments made to this claim, the remainder of the claimed costs are reasonable. <i>See</i> Part III.D.

	CPUC Discussion
The hours claimed herein in support of Decision D.24-12-033 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. 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 cost recovery for extended operations at DCP, and with the use of the VPF funds that will be collected in the course of those extended operations. The cost reductions and environmental benefits of extended operations at DCP overwhelm the cost of our participation.	

	CPUC Discussion						
b. Reasonableness of hours claimed: The GPI made Significant Contributions to Decision D.24-12-033 by providing a response to the Application, detailed Testimonies and Briefs, participated in Hearings and Oral Argument, and provided comments on the PD. 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.	After the adjustments made to this claim, the remainder of the claimed hours are reasonable. <i>See</i> Part III.D.						
c. Allocation of hours by issue: <table> <tr> <td>1. RA Attributes and GHG-Free Energy</td><td>50%</td></tr> <tr> <td>2. Volumetric Performance Fees Spending Plan</td><td>45%</td></tr> <tr> <td>3. Regulatory Process for Reporting VPF</td><td>5%</td></tr> </table>	1. RA Attributes and GHG-Free Energy	50%	2. Volumetric Performance Fees Spending Plan	45%	3. Regulatory Process for Reporting VPF	5%	Noted. However, GPI's submitted timesheet did provide the issue that each task addresses as required by Rule 17.4(b)(4)³ and the Intervenor Compensation Program Guide at 25-26.
1. RA Attributes and GHG-Free Energy	50%						
2. Volumetric Performance Fees Spending Plan	45%						
3. Regulatory Process for Reporting VPF	5%						

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	121.5	505	See comment 1	61,358 ⁴	57.00 [2, 3]	\$475.00 [1]	\$27,075.00
Subtotal: \$61,358 ⁵						Subtotal: \$27,075.00		
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate	Total \$

³ All rule references are to California Code of Regulations Title 20, Division 1, Chapter 1 unless indicated otherwise.

⁴ Morris' correct total fee is \$61,357.50.

⁵ GPI's correct total Attorney, Expert, and Advocate fees is \$61,357.50.

G. Morris	2025	13.0 ⁶	252.5	½ 2024 rate	3,283 ⁷	8.00 [4]	\$242.50 [1]	\$1,940.00
Subtotal: \$3,283 ⁸						Subtotal: \$1,940.00		
TOTAL REQUEST: \$64,640 ⁹						TOTAL AWARD: \$29,015.00		
*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								

C. Attachments Documenting Specific Claim and Comments on Part III:¹⁰

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.

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 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,

⁶ GPI's submitted timesheets showed 16.00 hours for Morris' work preparing this Intervenor Compensation claim.

⁷ Morris' correct total Intervenor Compensation Claim Preparation is \$3,4282.50.

⁸ GPI's correct total Intervenor Compensation Claim Preparation is \$3,4282.50.

⁹ GPI's correct total request is \$64,639.00.

¹⁰ Attachments are not included in the final decision.

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 October 27, 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.¹¹ (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. 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.
5. 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.

Item	Reason
[1] Morris' 2024 and 2025 Hourly Rates	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 and \$214.95 - \$488.27 for 2025.

¹¹ 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.

	Given Morris' experience, we approve an hourly rate of \$475 for 2024, and \$485.00 for 2025. We apply one-half of Morris' adopted 2025 rate of \$485.00 for an Intervenor Compensation Claim Preparation rate of \$242.50.
[2] Failure to Substantially Contribute to the Decision-Making Process	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." The courts have addressed the requirement of substantial contribution in, for example, <i>TURN v. CPUC</i> 166 Cal.App. 4th 522 (2008), starting 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 evaluating whether GPI made a substantial contribution here, the Commission evaluates whether the hours claimed were commensurate with the contributions claimed by the intervenor. 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. GPI claims 52.50 hours for their work on the following documents: • "Response of the Green Power Institute to the Application of PG&E" (Response) - 18.00 hours • "Direct Testimony of the Green Power Institute on the Application of PG&E" (Direct Testimony) - 18.50 hours • "Rebuttal Testimony of the Green Power Institute on the Application of PG&E" (Rebuttal Testimony) - 16.00 hours Upon review, these filings largely repeat or summarize the application, restate positions from other proceedings, or duplicate content across documents. The hours requested are also excessive, especially compared to other intervenors. For example, GPI seeks 18 hours for a 2.5-page Response that mostly reiterated the application and expressed support; 18.5 hours for 7.5-pages of Testimony that largely aligned with PG&E's proposals and offered limited original analysis; and 16 hours for 3.5-pages of Rebuttal Testimony that repeated its RA and GHG credit proposal and summarizes testimony without providing any added value. These requests are disproportionate to the level of effort reflected in the filings. Additionally, GPI fails to provide justification as to how these efforts substantially contributed to the decision-making process. The first mention of GPI's Direct or Rebuttal testimonies comes in Part II.A.1, where they lump it

	together with their briefs in a direct quote from their Comments on the PD. GPI's only other mention of these filings come in Part III.A.b where they state they "made Significant Contributions to Decision D.24-12-033 by a providing a response to the Application, detailed Testimonies and Briefs, participated in Hearings and Oral Argument, and provided comments on the PD." GPI merely references back to its own comments which does not establish that those comments were considered, adopted, or relied upon, either in whole or in part. The decision does not acknowledge that those comments were considered, adopted, or relied upon, either in whole or in part. Because GPI's efforts were not sufficiently contributory, we reduce 52.50 hours for the reasons explained, as it appropriately acknowledges the value of GPI's contributions.
[3] Excessiveness	The length of a document does not always indicate its depth, substance, and impact. The reductions made here are not based on the length of the document, but due to inefficiencies and the excessive time spent producing or reviewing it. Accordingly, we reduce 12.00 hours Morris' work for being excessive and unproductive for the reasons stated below. <u>Scoping Memo (1.50 hours reduced)</u> GPI claimed 2.00 hours for Morris' work on July 16, 2024, with a timesheet description of "Review scoping memo and ruling, related docs." We find this excessive given Morris' extensive experience work as an intervenor at the Commission compared with of the length of the Scoping Memo. The Commission also cannot determine the reasonableness of GPI's request for the second half of this timesheet entry based on the vague nature of what the "related docs" Morris was reviewing. We therefore find that is reasonable to award GPI 0.50 hours for Morris' time reviewing the Scoping Memo and reduce the remaining 1.50 hours GPI claimed. <u>Reply Brief (6.50 hours reduced)</u> GPI claimed 17.00 hours for Morris' work on their "Reply Brief of the Green Power Institute on the Application of PG&E" (Reply Brief). This work included reviewing other parties' opening briefs and the PG&E Application and drafting GPI's Reply Brief. We find the 17.00 hours GPI claimed to be excessive for the five and one-quarter pages of substantive work product produced. The length of a document does not always indicate its depth, substance, and impact. The reductions made here are not based on the length of the document, but due to inefficiencies and the excessive time spent producing it. Accordingly, we reduce 6.50 hours from Morris' claimed time. <u>Opening Comments on the Proposed Decision (4.00 hours reduced)</u> GPI claimed 9.00 hours for Morris' work on their "Comments of the Green Power Institute on the Proposed Decision of ALJ Atamturk" (Opening Comments on the PD). This work included reviewing the PD and drafting the Opening Comments on the PD. We find the 9.00 hours GPI claimed to be

	excessive for the two and one-half pages of substantive work product produced. The length of a document does not always indicate its depth, substance, and impact. The reductions made here are not based on the length of the document, but due to inefficiencies and the excessive time spent producing it. Accordingly, we reduce 4.00 hours from Morris' claimed time.
[4] Intervenor Compensation Claim Preparation Reduction	GPI submitted timesheets show 16.00 hours of work for preparing this request for intervenor compensation. This amounts to two eight-hour days of work. However, GPI failed to comply with program guidelines as noted in Part III.A.c, the majority of GPI's claimed contributions in Part II.A were copied and pasted from D.24-12-033 and their pleadings, there are basic math errors in Part III.B, and the number of hours GPI claimed to prepare this request in Part III.B does not match the number of hours submitted in their timesheet. Additionally, we note that there were several issues with the claim, including omission of required information, unclear or inconsistent details, and other inconsistencies that hindered the Commission's ability to evaluate and resolve the claim. Morris is an experienced intervenor and we find the 16.00 hours claimed to prepare this request for compensation to be excessive. We therefore find it reasonable to reduce Morris' Intervenor Compensation Preparation time by 50%, or 8.00 hours, and award Morris' remaining 8.00 hours claimed.
[5] 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. 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. Intervenor 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 (<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 claimed errors pertaining to this proceeding.

1. The Governing Legal Standard

GPI states 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 effectively 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.”¹² 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.”¹³

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 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....”

¹² Comments of the Green Power Institute on the Proposed Decision at 2.

¹³ *Ibid.*

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 §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."¹⁴ The Commission has explained that some of the hours requested by GPI were excessive and had limited impact on the decision-making process and did not meaningfully contribute to the outcome of the decision. Therefore, we make no changes to 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.¹⁵

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 GPI's other proposed decisions in other proceedings. 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. 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.¹⁶

2. Hourly Rates for Morris

GPI objects to Morris' 2024 hourly rates 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

¹⁴ *Ibid.*

¹⁴ *Id.* at 7.

¹⁵ *Id.* at 2-3.

¹⁶ 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.

receipt of this intervenor compensation award. Given that arrangement, we utilized 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. Therefore, we uphold Morris' 2024 hourly rate of \$475 as it already reflects the upper limits 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 serves in the role of a director, this is the correct role to be used to establish his rates. Therefore, we make no changes to the decision.

3. Reduction in Hours

GPI argues that an intervenor need not prevail on every recommendation to make a substantial contribution and may be compensated where its participation assists the Commission, enriches the record, or materially supplements another party's presentation. GPI requests that most or all reductions be rescinded. 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 §1801.3(f), once a substantial contribution has been made."¹⁷ Specifically, GPI objects to the reduction in hours for its lack of substantial contribution on Issue 1 and for excessive IComp preparation.

The Commission agrees that an intervenor need not prevail on every recommendation. However, under Pub. Util. Code §1802(j), substantial contribution is determined in the Commission's judgment based on whether the intervenor substantially assisted in making the decision. That finding does not entitle an intervenor to all claimed fees and costs; the Commission may separately determine whether the hours and costs are reasonable and commensurate with the contribution made.

With respect to Issue 1, we reduced the claim for work on "Response of the Green Power Institute to the Application of PG&E" (18.00 hours), "Direct Testimony of the Green Power Institute on the Application of PG&E" (18.50 hours) and "Rebuttal Testimony of the Green Power Institute on the Application of PG&E" (16.00 hours). These hours are excessive for the 2.5-page Response that mostly reiterated the application and expressed support, the 7.5-page Testimony that largely aligned with PG&E's proposals and offered limited original analysis without providing any added value, and a 3.5-page Rebuttal Testimony that repeated its RA and GHG credit proposal and summarized testimony. And aside from either supporting or expressing concerns about PG&E's proposal, we find that GPI did not contribute any unique perspectives on this issue. Pursuant to Pub. Util. Code §1802.5, "participation by a customer that materially supplements, complements, or contributes to the presentation of another party, including the commission staff, may be fully eligible for compensation if the participation makes a substantial contribution to a commission order or decision." GPI did not meet this standard as their participation in support of PG&E's proposal on Issue 1 was excessive and not material and

¹⁷ *Id.* at 9.

accordingly did not meet the standard of Pub. Util. Code §1802.5. We therefore make no changes.

FINDINGS OF FACT

1. Green Power Institute has made a substantial contribution in some aspects to D.24-12-033.
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.
3. The claimed costs and expenses, as adjusted herein, are reasonable and commensurate with the work performed.
4. The total of reasonable compensation is \$29,015.00.

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 \$29,015.00.
2. Within 30 days of the effective date of this decision, Pacific Gas and Electric Company shall pay Green Power Institute 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 April 16, 2025, the 75th day after the filing of Green Power Institute's request, and continuing until full payment is made.
3. Application 24-03-018 is closed.

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:	D2609025	Modifies Decision?	No
Contribution Decision(s):	D2412033		
Proceeding(s):	A2403018		
Author:	ALJ Nilgun Atamturk		
Payer(s):	Pacific Gas and Electric Company		

Intervenor Information

Intervenor	Date Claim Filed	Amount Requested	Amount Awarded	Multiplier?	Reason Change/Disallowance
Green Power Institute	Jan. 31, 2025	\$64,640	\$29,015.00	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	Consultant/Expert ¹⁸	505	2024	\$475.00
Gregg ¹⁹	Morris	Consultant/Expert ²⁰	505	2025	\$485.00

(END OF APPENDIX)

¹⁸ Morris is a consultant that is classified as an Advocate – Executive Director – Level V as described in Part III.D, Item [1].

¹⁹ The Commission added the row for Morris' 2025 hourly fee information.

²⁰ Morris is a consultant that is classified as an Advocate – Executive Director – Level V as described in Part III.D, Item [1].