

Decision 26-10-035

October 8, 2026

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Pacific Gas and Electric
Company for Approval of Modifications
to the Diablo Canyon Power Plant
Employee Retention Program. (U39E.)

Application 23-10-009

ORDER GRANTING LIMITED REHEARING OF DECISION 25-09-024

This Order addresses the application for rehearing of *Decision Denying Intervenor Compensation Claim of Community Legal Services*, Decision (D.) 25-09-024 (Decision), filed by Community Legal Services (Community Legal). The Decision denies Community Legal's intervenor compensation claim for contribution to D.24-09-002, due to failure to demonstrate eligibility for intervenor compensation, specifically significant financial hardship eligibility pursuant to Public Utilities Code section 1802(h).¹

On October 27, 2025, Community Legal timely filed an application for rehearing of the Decision (App. Reh'g.). Community Legal alleges the following legal error: (1) the Decision imposed new requirements for meeting eligibility for intervenor compensation; (2) the Decision conflated the customer status requirement with the requirement to demonstrate significant financial hardship; (3) the Decision required identification of individual members for a significant financial hardship showing; (4) the Decision improperly rejected showings of individual members including directors or donors; (5) the Decision required evidence of personal financial circumstances of individual members of a category 3 customer; (6) the Decision failed to provide

¹ All subsequent section references are to the Public Utilities Code, unless otherwise specified.

Community Legal timely rulings on eligibility for intervenor compensation; and (7) the Decision failed to fulfill legislative intent to encourage participation and compensate for significant contributions. No responses to the rehearing application were filed.

We have carefully considered the arguments raised in the rehearing application and determine that there is good cause to grant limited rehearing on the issue of whether Community Legal meets the significant financial hardship eligibility requirement.

As an initial matter, the Decision affirms the determinations in past rulings that Community Legal satisfied customer eligibility as a category 3 customer. (D.25-09-024 at 16.) Therefore, Community Legal's allegations that the Decision erred on the customer status eligibility finding lack merit.

We also reject Community Legal's claim that because it is authorized to represent the interests of residential customers as a category 3 customer, its individual members for purposes of section 1802(h) are "the average residential utility customer." (App. Rehg. pp. 14-18.) Section 1802(b)(1)(C) defines a category 3 customer as a "representative of a group or organization authorized pursuant to its articles of incorporation or bylaws to represent the interests of residential customers, or to represent small commercial customers who receive bundled electric service from an electrical corporation." For a group or organization, section 1802(h) defines "significant financial hardship" to mean that "the economic interest of the individual members of the group or organization is small in comparison to the costs of effective participation in the proceeding." The "customer" requirement in section 1802(b)(1)(C), which requires authorizing articles of incorporation or bylaws, is distinct from the "significant financial hardship" requirement in section 1802(h), which requires identification of individual members and evaluation of their economic interest in the proceeding. Community Legal's interpretation would render section 1802(h) surplusage for category 3 customers, which is an interpretation to be avoided. (See *City and County of San Francisco v. Farrell* (1982) 32 Cal.3d 47, 54.)

Moreover, Community Legal fails to establish rehearing is warranted regarding its claim that the Commission did not issue preliminary rulings on eligibility within 30 days of its Notices of Intent to Claim Intervenor Compensation in various proceedings. The purpose of the application for rehearing of the Decision is to specify the grounds on which the applicant considers the Decision to be unlawful and cannot be used as a vehicle to challenge rulings in other proceedings. (See § 1732.)

However, we find grounds to grant limited rehearing of the Decision to reconsider whether Community Legal has sufficiently demonstrated significant financial hardship under section 1802(h). In addition to residential customers generally, Community Legal claims that its individual members are its directors or donors. The assigned Administrative Law Judge (ALJ) shall reconsider whether Community Legal has demonstrated significant financial hardship under section 1802(h). If the ALJ determines Community Legal has demonstrated significant financial hardship, the ALJ shall also reconsider the remainder of Community Legal's intervenor compensation claim.

The remaining allegations raised in the application for rehearing are moot with the issuance of this order.

THEREFORE, IT IS ORDERED that:

1. Limited rehearing of Decision 25-09-024 is granted.
2. The assigned Administrative Law Judge shall reconsider Community Legal Services' intervenor compensation claim for contribution to Decision 24-09-002, including if Community Legal Services has demonstrated significant financial hardship per Public Utilities Code section 1802(h).

3. This proceeding, Application 23-10-009, remains open.

This order is effective today.

Dated October 8, 2026, at San Francisco, 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.