

Decision 10-05-009 May 6, 2010

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Southern California Edison
Company (U 338-E) for Approval of Demand
Response Programs, Goals and Budgets for
2009-2011.

Application 08-06-001
(Filed June 2, 2008)

And Related Matters.

Application 08-06-002
Application 08-06-003

**DECISION GRANTING INTERVENOR COMPENSATION
TO SAN FRANCISCO COMMUNITY POWER
FOR SUBSTANTIAL CONTRIBUTION TO DECISION 09-08-027**

TABLE OF CONTENTS

Title	Page
DECISION GRANTING INTERVENOR COMPENSATION TO SAN FRANCISCO COMMUNITY POWER FOR SUBSTANTIAL CONTRIBUTION TO DECISION 09-08-027	2
1. Background.....	2
2. Requirements for Awards of Compensation.....	5
2.1. Preliminary Procedural Issues.....	6
3. Substantial Contribution	7
4. Contributions of Other Parties.....	9
5. Reasonableness of SFCP's Requested Compensation	10
5.1. SFCP's Hours and Costs Related to and Necessary for Substantial Contribution	11
5.2. Hourly Rates	12
5.3. Direct Expenses.....	14
6. Productivity	15
7. Award.....	16
8. Comments on Proposed Decision	17
9. Assignment of Proceeding	17
Findings of Fact.....	18
Conclusions of Law	18
ORDER	19
APPENDIX	

**DECISION GRANTING INTERVENOR COMPENSATION
TO SAN FRANCISCO COMMUNITY POWER
FOR SUBSTANTIAL CONTRIBUTION TO DECISION 09-08-027**

This decision awards San Francisco Community Power (SFCP) \$17,880.91 for its substantial contributions to Decision 09-08-027. This represents a decrease of \$84,062.50 from the amount requested. We deny a portion of the compensation requested by SFCP for several reasons. SFCP's participation was primarily focused on one issue and its participation in this area did not arise directly and solely from its interest as a customer or customer representative. SFCP included time spent advocating in another proceeding in its claim for intervenor compensation for its contribution to Decision 09-08-027. SFCP also requested compensation for clerical work. Finally, SFCP made errors in its time and billing calculations. Today's award payment will be allocated to the affected utilities. This proceeding is closed.

1. Background

Pacific Gas and Electric Company (PG&E), Southern California Edison Company (SCE), and San Diego Gas & Electric Company (SDG&E) filed these applications in June 2008 seeking approval of program plans and budgets for their 2009-2011 demand response programs, and in compliance with Decision (D.) 06-03-024. The Scoping Memo and Ruling, issued November 10, 2008, identified the major issues for Commission consideration as 1) a Bridge Funding Motion, 2) Demand Response Activities, 3) Electric Service Provider Issues, 4) Integrated Demand Side Management Issues, and 4) Potential Evaluation Criteria. As relevant here, PG&E proposed to discontinue the Small Commercial

Aggregation Pilot (SCAP) program¹ and replace it with a different program administered by PG&E.

The Bridge Funding Motion requested funding and authorization to operate demand response programs and pilots in 2009. The utilities requested, among other things, that the Commission issue a decision continuing existing demand response programs and allow implementation of certain demand response pilots early in 2009. D.08-12-038 authorized the utilities to continue certain demand response programs through 2009 or until a decision was issued on the programs and budgets for 2009-2011 in the main portion of the proceeding. As relevant here, SFCP's response to the Bridge Funding Motion focused on the utilities' request to provide bridge funding and authority only for programs expected to continue in 2009-2011. SFCP argued that the utilities, by not requesting funding for certain programs, were effectively ending programs before there was a chance for a thorough review of the programs in the context of the full applications. SFCP was specifically concerned that PG&E did not ask for funding for SCAP. SFCP did not address other issues in the Bridge Funding Motion.² D.08-12-038 adopted Bridge Funding for 2009 demand response programs, including SCAP.

On March 10, 2009, PG&E and SFCP participated in a mediation aimed at resolving issues related to PG&E's application and a complaint case filed by

¹ San Francisco Community Power (SFCP) administers the SCAP program for PG&E.

² D.08-12-038 at 13.

SFCP against PG&E.³ On March 25, 2009, PG&E filed a motion to adopt a settlement agreement between PG&E and SFCP resolving issues related to the SCAP program. D.09-08-027 adopted the settlement agreement.

In these proceedings, the Commission considered which programs of each utility should be funded and at what funding level. In addition to existing programs, D.09-08-027 also authorized several demand response pilot programs to test new demand response-related technologies and integration of demand response with Advanced Metering Infrastructure systems. In addition, the Commission provided funding for the evaluation, measurement, and verification of demand response activities, and continued existing cost recovery mechanisms for demand response-related funding. The decision adopted a new methodology for calculating settlement baselines for certain demand response activities and adopted rules on concurrent customer participation in more than one demand response program.

SFCP actively participated in the proceeding by filing pleadings, appearing at the meetings and hearing leading to D.08-12-038, adoption of the settlement agreement and D.09-08-027. In addition to advocating for the continuation of SCAP, SFCP advocated for adoption of a municipal pump load demand response pilot. SFCP also argued that the approval of certain PG&E proposals be contingent on crediting the energy saved by those programs towards the power otherwise provided by certain generators that operate primarily at peak times, within San Francisco, in order to hasten the retirement of those generators. SFCP further recommended that the Commission provide

³ Complaint (C.) 08-10-015 alleged that PG&E violated Commission orders by failing to adequately support SCAP.

incentives to third parties to enroll customers in available demand response programs in lieu of approving PG&E's proposals for marketing, education and outreach.

Finally, SFCP advocated for various changes to PG&E's Capacity Bidding program and Automated Business Energy Coalition program, the replacement of APX, Inc. as the provider of data and Web-based services for demand response programs, expansion of access to the technical incentives program, termination of the Peak Student Energy Actions program, and consolidation of multiple meters at a single facility in appropriate situations.

SFCP seeks \$101,943.41 in compensation for its participation in these proceedings. PG&E filed a protest to granting SFCP intervenor compensation.

2. Requirements for Awards of Compensation

The intervenor compensation program, which is set forth in Pub. Util. Code §§ 1801-1812,⁴ requires California-jurisdictional utilities to pay the reasonable costs of an intervenor's participation if that party makes a substantial contribution to the Commission's proceedings. The statute provides that the utility may adjust its rates to collect the amount awarded from its ratepayers.

All of the following procedures and criteria must be satisfied for an intervenor to obtain a compensation award:

1. The intervenor must satisfy certain procedural requirements including the filing of a sufficient notice of intent (NOI) to claim compensation within 30 days of the prehearing conference (PHC), pursuant to Rule 17.1 of the Commission's Rules of

⁴ All subsequent statutory references are to the Public Utilities Code unless otherwise indicated.

- Practice and Procedure (Rules), or at another appropriate time that we specify. (§ 1804(a).)
2. The intervenor must be a customer or a participant representing consumers, customers, or subscribers of a utility subject to our jurisdiction. (§ 1802(b).)
 3. To seek a compensation award, the intervenor must file and serve a request for a compensation award within 60 days of our final order or decision in a hearing or proceeding. (§ 1804(c).)
 4. The intervenor must demonstrate “significant financial hardship.” (§§ 1802(g) and 1804(b)(1).)
 5. The intervenor’s presentation must have made a “substantial contribution” to the proceeding, through the adoption, in whole or in part, of the intervenor’s contention or recommendations by a Commission order or decision or as otherwise found by the Commission. (§§ 1802(i) and 1803(a).)
 6. The claimed fees and costs must be reasonable (§ 1801), necessary for and related to the substantial contribution (D.98-04-059), comparable to the market rates paid to others with comparable training and experience (§ 1806), and productive (D.98-04-059).

In the discussion below, the procedural issues in Items 1-4 above are combined and a separate discussion of Items 5-6 follows.

2.1. Preliminary Procedural Issues

Under § 1804(a)(1) and Rule 17.1(a)(1), a customer who intends to seek an award of intervenor compensation must file an NOI before certain dates. SFCP filed a timely NOI and the assigned Administrative Law Judge (ALJ) subsequently issued a ruling that found SFCP would experience significant financial hardship as a result of participation in this proceeding and qualifies as a “customer” for purposes of qualifying for intervenor compensation consistent with § 1802(b)(1). SFCP has satisfied the procedural requirements necessary to make its request for compensation in this proceeding.

3. Substantial Contribution

In evaluating whether a customer made a substantial contribution to a proceeding, we look at several things. First, we look at whether the Commission adopted one or more of the factual or legal contentions, or specific policy or procedural recommendations put forward by the customer. (§ 1802(i).) Second, if the customer's contentions or recommendations paralleled those of another party, we look at whether the customer's participation unnecessarily duplicated or materially supplemented, complemented, or contributed to the presentation of the other party. (§§ 1801.3(f) and 1802.5.)

As described in § 1802(i), the assessment of whether the customer made a substantial contribution requires the exercise of judgment.

In assessing whether the customer meets this standard, the Commission typically reviews the record, composed in part of pleadings of the customer and, in litigated matters, the hearing transcripts, and compares it to the findings, conclusions, and orders in the decision to which the customer asserts it contributed. It is then a matter of judgment as to whether the customer's presentation substantially assisted the Commission.⁵

With this guidance in mind, we turn to the claimed contributions SFCP made to the proceeding.

SFCP contends it made a substantial contribution to the proceeding demonstrated by the adoption of a settlement agreement between PG&E and SFCP that resolved administrative and analytical issues associated with the SCAP and rejection of the Small Commercial Load Aggregation Pilot (SCLAP) as

⁵ D.98-04-059, 79 CPUC2d 628 at 653.

advocated in testimony by SFCP.⁶ SFCP asserts that it submitted evidence and testimony in the proceeding, which formed the basis for settlement negotiations. SFCP maintains it brought unique insights into other important proceeding elements as a result of its representation of small- and medium-sized commercial customers. SFCP contends that the time spent advocating for SCAP continuation has already been excluded from this compensation request.

SFCP is correct that the Commission found the settlement reasonable and adopted it in D.09-08-027. However, SFCP is not eligible for compensation for its efforts to continue the SCAP program or for its efforts to prevent PG&E from replacing SCAP with SCLAP. Although an ALJ Ruling found SFCP eligible as a customer, that ruling is a preliminary ruling addressing solely whether SFCP would be eligible for an award of compensation. The record since developed in this proceeding and other Commission decisions indicates, however, that SCAP is now an existing program that SFCP implements under contract to PG&E. D.09-08-027 continued SCAP and authorized PG&E to pay SFCP additional funds for program implementation. SFCP benefited materially and directly from this portion of D.09-08-027. SFCP acted in its own self interest when it advocated for continuing the program.

⁶ D.06-03-024 adopted a settlement agreement that included approval of the SCAP program for 2006-2008. SFCP received \$500,000 in funds for marketing and expenses for enrolling small and medium commercial customers in the Demand Reserves Partnership Program. Subsequently, in D.06-11-049, SFCP was authorized to increase participation for the program to five megawatts of load. Under this program, SFCP enrolled small and medium commercial customers in PG&E's Capacity Bidding Program.

The Commission has held that the Legislature intended the Commission proceedings to grant “customer” status “only to parties (or their representatives) whose self interests and participation in the proceeding arise directly from their interests as customers.”⁷ SFCP’s advocacy put it in the position of being more of a contractor or consultant than a customer.

Although the majority of SFCP’s participation was related to SCAP, SFCP may nevertheless qualify for compensation for its work on other aspects of the proceeding. SFCP’s positions with respect to adoption of a municipal pump load, providing technical incentives in this pump load pilot, consolidation of multiple meters, and replacement of APX, Inc. were not adopted by the Commission. However, SFCP actively participated in the development of marketing, education and outreach budgets and strategies and made contributions to the discussion of some aspects of the demand response program funding and administration for which it should receive compensation.

4. Contributions of Other Parties

Section 1801.3(f) requires an intervenor to avoid participation that duplicates that of similar interests otherwise adequately represented by another party, or participation unnecessary for a fair determination of the proceeding. Section 1802.5, however, allows an intervenor to be eligible for full compensation where its participation materially supplements, complements, or contributes to the presentation of another party if that participation makes a substantial contribution to the Commission order.

⁷ D.96-09-040 and D.92-04-051.

SFCP's participation related to marketing, education and outreach budgets and strategies and demand response program funding and administration was not duplicative of other parties and enhanced the discussion of these issues.

5. Reasonableness of SFCP's Requested Compensation

We next consider whether the claimed fees and costs are comparable to the market rates paid to experts and advocates having comparable training and experience and offering similar services.

SFCP requests \$101,943.41 for its participation in this proceeding. SFCP proposes the following rates and hours for its consultants and attorney:

Attorney/Staff	Rate	Hours	Total
Edward G. Poole	\$350 ⁸	129.75	\$57,837.50 ⁹
Steven Moss	\$205	127.00	\$41,010.00
Paul Liotsakis, Assistant		20.00	\$1,700.00
Kerry Fleisher/Clerical		18.00	\$900.00
Expenses			\$435.91
GRAND TOTAL			\$101,943.41

In general, the components of this request must constitute reasonable fees and costs of the customer's preparation for and participation in a proceeding that resulted in a substantial contribution. The issues we consider to determine reasonableness are discussed below:

⁸ SFCP states in its request for intervenor compensation that it is requesting a rate of \$350 per hour. However, the timesheet submitted reflects a rate of \$450 per hour. In light of the fact that SFCP justifies Poole's rate as being below that of the advocates for The Utility Reform Network (TURN) and Disability Rights Advocates, we understand the rate shown in the timesheet to be an oversight.

⁹ Because of the error reflected on Poole's timesheets, the total shown reflects the higher hourly rate.

5.1. SFCP's Hours and Costs Related to and Necessary for Substantial Contribution

We first assess whether the hours claimed for the customer's efforts that resulted in a substantial contribution to the Commission decision are reasonable by determining to what degree the hours and costs are related to the work performed and necessary for the substantial contribution.

The majority of SFCP's efforts in this proceeding were devoted to continuing and adequately supporting the SCAP program that it administers for PG&E. Although SFCP maintains it did not request compensation for its work related to that issue, we disagree. SFCP is requesting compensation for 294 hours of work. Approximately 75-80 percent of SFCP's advocacy in this proceeding was related to SCAP. Accordingly we deny compensation to SFCP for its work in this proceeding that concerns the program for which it receives funding, the SCAP.

SFCP's request for compensation did not allocate its hours according to issue area, as required by Rule 17.4(b). SFCP has been advised in the past that its requests should provide greater detail about SFCP's work, specifically that hours should be allocated by issue area. However, we grant SFCP compensation only for that portion of its work in this proceeding not related to SCAP because SFCP's efforts in other areas (discussed above) contributed to the resolution of those issues. We disallow 75% of the hours claimed (after adjustments for errors made in billing and errors made in requesting compensation for another proceeding as discussed below). We caution SFCP that we may make even larger disallowances in the future if it again fails to allocate its time and costs among issues.

SFCP included in its request for intervenor compensation eight (8) hours of time that Poole spent advocating in C.08-10-015.¹⁰ For example, SFCP included time spent attending the PHC in C.08-10-015 in the time and billing submitted for this proceeding. SFCP may not claim intervenor compensation for work in another proceeding.

5.2. Hourly Rates

SFCP requests an hourly rate of \$350 for Edward Poole. SFCP argues the rate is justified because Poole is an attorney with more than 22 years of energy and regulatory legal experience. SFCP contends that an hourly rate of \$350 for an attorney with Poole's background and experience is reasonable given that the rates for TURN's legal advocates are in excess of \$400 per hour. We find that Poole's requested rate is reasonable because it is within the hourly intervenor rates adopted by the Commission in D.08-04-010 for attorneys with similar background and experience.

SFCP states that Moss has testified many times before the Commission, he has a degree in public policy from the University of Michigan, and is the Executive Director of SFCP. D.07-04-010 awarded Moss \$180 for work conducted in 2006. SFCP does not attempt to justify a rate increase to \$205 for Moss. However, we increase the previous rate for Moss to add the cost-of-living allowance (COLA) as follows:

¹⁰ SFCP states that it waived its right to collect over \$11,000 in fees and costs related to the complaint proceeding. However, we note that a small number of hours related to C.08-10-015 were included in the time sheets submitted by Poole.

Year	Rate	COLA
2007	185	3% ¹¹
2008	190	3% ¹²
2009	190	0% ¹³

The rate of Moss, therefore, is set at \$190 per hour for work conducted in 2008-2009.

SFCP requests a rate of \$85 per hour for Paul Liotsakis. Liotsakis has a Master of Business Administration degree and leads SFCP's low-income and small business programs. Liotsakis has been compensated for work before the Commission in the past. Most recently, D.07-04-010 authorized an hourly rate of \$45 in 2006 for Liotsakis. SFCP again does not attempt justify a rate increase to \$85 for Liotsakis. The rate requested is almost to double the hourly rate granted for Liotsakis's time in 2006. However, we will grant a smaller increase to \$55 from the previous rate for Liotsakis to acknowledge both an increase in the COLA and the additional years of experience.¹⁴

Fleisher is SFCP's Office Manager and provided research and clerical support for the work conducted here. Again, SFCP failed to break down the time spent by Fleisher to show what percent of her time was allocated to research and

¹¹ D.07-01-009 authorized a 3% COLA over an expert's authorized 2006 hourly rate.

¹² D.08-04-010 authorized a 3% COLA adjustment to an expert's authorized 2007 hourly rate.

¹³ Commission Resolution ALJ-235 did not allow a COLA to be added to an expert's 2008 rate for 2009 rates.

¹⁴ In order to increase the hourly rates approved in the future, SFCP must provide a justification for the requested increase.

what percentage was clerical work. As a result of SFCP's failure to break down the time spent by Fleisher, we estimate that her time was equally divided between research and clerical work. Clerical work is considered a routine task that is included in overhead, which should be captured in an attorney's hourly rates consistent with our standard practice.¹⁵ We reduce the compensation requested for Fleisher's time by 50%.¹⁶ We find the rate of \$50 to be consistent with rates authorized for similar work and to be reasonable.

In addition, hours spent preparing the claim for intervenor compensation are permitted but at half the approved hourly rate. SFCP inadvertently failed to reduce the hourly rate on 1.5 hours of time spent by Poole on "Finalize request for Compensation." Time spent on preparation of a claim for intervenor compensation must be billed at half the approved hourly rate. Thus, we reduce SFCP's claim accordingly.

5.3. Direct Expenses

The itemized direct expenses submitted by SFCP include the following:

Printing & Photocopying	\$226.55
Postage & Delivery	\$185.36
Telephone & Fax	\$24.00
Total Expenses	\$435.91

¹⁵ See, e.g., D.06-09-011, 200 Cal.PUC LEXIS 315, *33; D.99-11-006, 1999 Cal.PUC LEXIS 657, *30.

¹⁶ This is after the 75% reduction for all hours billed by SFCP.

The cost breakdown included with the request shows the miscellaneous expenses to be commensurate with the work performed. We find these costs reasonable.

6. Productivity

D.98-04-059 directed customers to demonstrate productivity by assigning a reasonable dollar value to the benefits of their participation to ratepayers.

(D.98-04-059 at 34-35.) The costs of a customer's participation should bear a reasonable relationship to the benefits realized through its participation. This showing assists us in determining the overall reasonableness of the request.

SFCP states its most conspicuous significant contribution to the decision is related to the SCAP program and opposition to SCLAP.¹⁷ SFCP also states that it brought unique insights into other important areas of the proceeding as a result of its representation of small- and medium-sized commercial customers. SFCP was not able to quantify the precise monetary benefits to ratepayers that resulted from its participation in other areas of the proceeding. We agree that SFCP's participation in the development of marketing, education and outreach budgets and strategies and contributions to certain aspects of the demand response program funding and administration will benefit ratepayers through a reduction in energy usage. We also agree that these programs, improved through SFCP's participation, have social benefits which, though hard to quantify, are substantial. Thus, we find SFCP's efforts in the areas for which they are receiving compensation have been productive.

¹⁷ As discussed above, SFCP is not entitled as a beneficiary of SCAP to compensation for its participation in this area.

7. Award

As set forth in the table below, we award SFCP \$17,880.91:

Work on Proceeding				
Attorney/Staff	Year	Hours¹⁸	Hourly Rate	Total
Edward G. Poole	2008/2009	29.75 ¹⁹	\$350	\$10,412.50
Steven Moss	2008/2009	31.75	\$190	\$6,032.50
Paul Liotsakis	2008/2009	5.00	\$55	\$275.00
Kerry Fleisher	2008/2009	2.25 ²⁰	\$50	\$112.50
Work on Proceeding Total:				\$16,832.50
Preparation of NOI and Compensation Request				
Attorney/Staff	Year	Hours	Hourly Rate	Total
	2009	3.50	\$175	\$612.50
NOI and Compensation Request Total:				\$612.50

CALCULATION OF FINAL AWARD

Work on Proceeding	\$16,832.50
NOI and Compensation Request Preparation	\$612.50
Expenses	\$435.91
TOTAL AWARD	\$17,880.91

¹⁸ The hours shown reflect the reduction of 75 percent.

¹⁹ Poole's hours reflect the reduction of 75 percent and other calculation errors and are calculated as follows: Total requested hours 129.75 minus 8 hours properly allocated to C.08-10-015 minus 3.5 hours allocated to preparation of claim for intervenor compensation is 118.25 hours total. 75% of 118.25 is 88.69. 118.25 minus 88.69 is 29.56, which was rounded to the next quarter hour.

²⁰ Fleisher's hours reflect the reduction of 75 percent, resulting in 4.5 hours of time properly allocated to this proceeding. However, because Fleisher provided both research (reimbursable) and clerical support which the Commission does not compensate for, her time is again reduced by half to remove compensation for clerical work.

Consistent with previous Commission decisions, we order that interest be paid on the award amount (at the rate earned on prime, three-month commercial paper, as reported in Federal Reserve Statistical Release H.15) commencing on the 75th day after SFCP filed its compensation request, and continuing until full payment of the award is made.

We direct PG&E, SDG&E, and SCE to allocate payment responsibility among themselves based upon their California-jurisdictional gas and electric revenues for the 2009 calendar year, to reflect the year in which the proceeding was primarily litigated.

We remind all intervenors that Commission staff may audit their records related to the award and that intervenors must make and retain adequate accounting and other documentation to support all claims for intervenor compensation. SFCP's records should identify specific issues for which it requested 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.

8. Comments on Proposed Decision

The proposed decision of the ALJ in this matter was mailed to the parties in accordance with Pub. Util. Code § 311 and comments were allowed under Rule 14.3. No comments were received.

9. Assignment of Proceeding

Dian M. Grueneich is the assigned Commissioner, and Jessica Hecht is the assigned ALJ in this proceeding.

Findings of Fact

1. SFCP has satisfied all the procedural requirements necessary to claim compensation in this proceeding.
2. SFCP made a substantial contribution to D.09-08-027 as described herein.
3. SFCP is not eligible for compensation for its efforts to continue the SCAP program or for its efforts to prevent PG&E from replacing SCAP with SCLAP because it benefited materially and directly from this portion of D.09-08-027.
4. SFCP's work in the complaint C.08-10-015 did not make a substantial contribution to D.09-08-027.
5. SFCP requested hourly rates for its representatives that, as adjusted herein, are reasonable when compared to the market rates for persons with similar training and experience.
6. SFCP requested related expenses that are reasonable and commensurate with the work performed, except for clerical expenses.
7. The total of the reasonable compensation is \$17,880.91.
8. The Appendix to this decision summarizes today's award.

Conclusions of Law

1. SFCP has fulfilled the requirements of §§ 1801-1812, which govern awards of intervenor compensation, and is entitled to intervenor compensation for its claimed expenses, as adjusted herein, incurred in making substantial contributions to D.09-08-027.
2. SFCP should not receive compensation for work related to the SCAP program.
3. SFCP should not receive compensation for hours worked in C.08-10-015.
4. SFCP should not receive compensation for clerical work.
5. SFCP should be awarded \$17,880.91 for its contribution to D.09-08-027.

6. This order should be effective today so that SFCP may be compensated without further delay.

7. This proceeding should be closed.

O R D E R

IT IS ORDERED that:

1. San Francisco Community Power is awarded \$17,880.91 as compensation for its substantial contributions to Decision 09-08-027.

2. Within 30 days of the effective date of this decision, Pacific Gas and Electric Company, San Diego Gas & Electric Company, and Southern California Edison Company must pay San Francisco Community Power their respective shares of the award. We direct Pacific Gas and Electric Company, San Diego Gas & Electric Company, and Southern California Edison Company to allocate payment responsibility among themselves, based on their California-jurisdictional gas and electric revenues for the 2009 calendar year, to reflect the year in which the proceeding was primarily litigated. Payment of the award shall include interest at the rate earned on prime, three-month commercial paper as reported in Federal Reserve Statistical Release H.15, beginning on November 18, 2009, the 75th day after the filing date of San Francisco Community Power's request for compensation, and continuing until full payment is made.

3. Application (A.) 08-06-001, A.08-06-002, and A.08-06-003 are closed.

This order is effective today.

Dated May 6, 2010, at San Francisco, California.

MICHAEL R. PEEVEY

President

DIAN M. GRUENEICH

JOHN A. BOHN

TIMOTHY ALAN SIMON

NANCY E. RYAN

Commissioners

APPENDIX**Compensation Decision Summary Information**

Compensation Decision:	D1005009	Modifies Decision? N
Contribution Decision(s):	D0908027	
Proceeding(s):	A0806001, A0806002, and A0806003	
Author:	Hecht	
Payer(s):	Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company	

Intervenor Information

Intervenor	Claim Date	Amount Requested	Amount Awarded	Multiplier?	Reason Change/Disallowance
San Francisco Community Power	09/04/09	\$101,943.41	\$17,880.91	No	1. failure to make substantial contribution, 2. failure to justify hourly rate, 3. arithmetic errors, 4. failure to allocate by issue, 5. work performed in another proceeding on behalf of a complainant, and 6. clerical time not compensable.

Advocate Information

First Name	Last Name	Type	Intervenor	Hourly Fee Requested	Year Hourly Fee Requested	Hourly Fee Adopted
Edward	Poole	Attorney	San Francisco Community Power	\$350	2008-2009	\$350
Steven	Moss	Expert	San Francisco Community Power	\$205	2008-2009	\$190
Paul	Liotsakis	Research	San Francisco Community Power	\$85	2008-2009	\$55
Kerry	Fleisher	Research/ Clerical	San Francisco Community Power	\$50	2008-2009	\$50

(END OF APPENDIX)