

Decision 12-04-042 April 19, 2012

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Application of Pacific Gas and Electric Company  
To Revise Its Electric Marginal Costs, Revenue  
Allocation, and Rate Design, including Real Time  
Pricing, to Revise its Customer Energy Statements,  
and to Seek Recovery of Incremental  
Expenditures. (U39M)

Application 10-03-014  
(Filed March 22, 2010)

**DECISION AWARDING COMPENSATION TO THE VOTE SOLAR INITIATIVE  
FOR SUBSTANTIAL CONTRIBUTION TO DECISION 11-05-047**

<b>Claimant:</b> The Vote Solar Initiative (Vote Solar)	<b>For contribution to Decision (D.) 11-05-047</b>
<b>Claimed:</b> \$139,970.75 <sup>1</sup>	<b>Awarded:</b> \$112,313.70 (Reduced 20%)
<b>Assigned Commissioner:</b> Michael R. Peevey	<b>Assigned ALJ:</b> Thomas R. Pulsifer

**PART I: PROCEDURAL ISSUES****A. Brief Description of Decision:**

D.11-05-037 adopted various residential rate design changes for Pacific Gas & Electric Company (PG&E) customers, including creation of a California Alternative Rates for Energy (CARE) Tier 3 rate, reduction of baseline quantities and adoption of a nonbypassable Conservation Incentive Adjustment (CIA). D.11-05-047 rejects PG&E's proposal to impose a residential customer charge and to eliminate non-CARE Tier 4.

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<sup>1</sup> See footnote 2.

**B. Claimant must satisfy intervenor compensation requirements set forth in Public Utilities Code §§ 1801-1812:**

	<b>Claimant</b>	<b>CPUC Verified</b>
<b>Timely filing of notice of intent (NOI) to claim compensation (§ 1804(a)):</b>		
1. Date of Prehearing Conference:	May 19, 2010	Correct
2. Other Specified Date for NOI:		
3. Date NOI Filed:	June 18, 2010	Correct
4. Was the notice of intent timely filed?		Yes
<b>Showing of customer or customer-related status (§ 1802(b)):</b>		
5. Based on ALJ ruling issued in proceeding number:	A.10-03-014	Correct
6. Date of ALJ ruling:	November 30, 2010	Correct
7. Based on another CPUC determination (specify):	R.10-05-006 (March 3, 2011); A.10-11-015 (June 3, 2011).	Correct
8. Has the claimant demonstrated customer or customer-related status?		Yes
<b>Showing of “significant financial hardship” (§ 1802(g)):</b>		
9. Based on ALJ ruling issued in proceeding number:	A.10-03-014	Correct
10. Date of ALJ ruling:	November 30, 2010	Correct
11. Based on another CPUC determination (specify):	R.10-05-006 (March 3, 2011); A.10-11-015 (June 3, 2011).	Correct
12. Has the claimant demonstrated significant financial hardship?		Yes
<b>Timely request for compensation (§ 1804(c)):</b>		
13. Identify Final Decision	D.11-05-047	Correct
14. Date of Issuance of Final Decision:	June 2, 2011	Correct
15. File date of compensation request:	July 27, 2011	Correct
16. Was the request for compensation timely?		Yes

**PART II: SUBSTANTIAL CONTRIBUTION****A. Claimant's claimed contribution to the final decision:**

<b>Contribution</b>	<b>Citation to Decision or Record</b>	<b>Showing Accepted by CPUC</b>
1. Vote Solar's testimony demonstrated that utility bill savings is the most important component of a customer's decision to invest in photovoltaic (PV). Vote Solar produced a table based on a typical PG&E solar customer to illustrate the significance of bill savings compared to available incentives and tax credits in PG&E's service territory. See Ex. 16, Vote Solar-Rose, at 19.	"We recognize that utility bill savings are the most important driver of a customer's decisions to invest in PV." D.11-05-047, at 48 (§ 4.3.2 Discussion).	Yes
2. Vote Solar testified that tier consolidation (i.e., eliminating Tier 4) will cause a significant reduction in customer bill savings and will extend the amount of time it takes for a customer's system to "payback" the initial investment. See Ex. 16, Vote Solar-Rose, at 28-29. The Decision cites the essence of Vote Solar's testimony in its discussion.	"The elimination of Tier 4 would cause a significant reduction in a customer's annual bill savings associated with PV installations, and thereby extend the customer's payback period." D.11-05-047, at 48 (§ 4.3.2 Discussion).	Yes
3. Vote Solar testified that the success of the California Solar Initiative (CSI) program in PG&E's territory has led to a steep decline in incentives, making rate design increasingly important to achieving the overall CSI goals. See Ex. 16, Vote Solar-Rose, at 19. The Decision echoes this portion of Vote Solar's testimony in its discussion and Findings of Fact.	"Rate Design will play a larger role in the success of the CSI program as CSI incentive payments step down." D.11-05-047, at 48 (§ 4.3.2 Discussion), at 44 (§ 4.3.1 Party Positions) (citing Vote Solar's cross examination, Tr. at 521, line 1 to Tr. at 523, line 7, Vote Solar-Rose), at 80 (Findings of Fact 23).	Yes
4. Vote Solar testified and reiterated in briefs and comments how the CSI program spurs the residential solar market and how, in turn, the residential solar market contributes to California energy policies such as the Renewables Portfolio Standard, Assembly Bill (AB) 32 greenhouse gas reduction and the state's loading order. See Ex.	"The continuation of a four-tier rate design will preserve a price signal to encourage customers to install solar PV facilities and promote progress toward achieving the CSI	Yes

<p>16, Vote Solar-Rose, at 9. Vote Solar testified that elimination of Tier 4 would negatively impact both the residential solar market and those broader energy goals. The Decision adopts Vote Solar's position regarding the importance of retaining a fourth tier and cites the broader policy goals highlighted in Vote Solar's testimony.</p>	<p>goal of creating a self-sustaining residential solar PV market. D.11-05-047, at 48 (§ 4.3.2 Discussion); see also at 80 (Findings of Fact 23) ("Promoting the market for residential PV helps advance the state's loading order, meet greenhouse gas (GHG) emission reduction goals, and achieve RPS compliance.").</p>	
<p>5. Vote Solar testified that the underlying purpose of the CSI program is to create a residential solar market that can thrive without incentives. Vote Solar demonstrated that elimination of Tier 4 would dampen price signals to invest in PV and would impede the CSI goal of a self-sustaining PV market. See Ex. 16, Vote Solar-Rose, at 39.</p>	<p>See <i>Id.</i></p>	<p>Yes</p>
<p>6. Vote Solar testified that PG&amp;E's proposal to eliminate Tier 4 from residential rates goes too far and comes too soon after consolidation of Tier 4 and Tier 5 in June of 2010. See Ex. 16, Vote Solar-Rose, at 38. Vote Solar explained that it is difficult to know the impacts of Tier 5 consolidation on the residential solar market. See Tr. at 511-12, Vote Solar-Rose.</p>	<p>"We conclude, however, that a complete consolidation of Tiers 3 and 4 goes too far. D.11-05-047, at 48 (§ 4.3.2 Discussion). "We conclude that it is too early to assess the effects of consolidating Tiers 4 and 5, which only took effect on June 1, 2010." D.11-05-047, at 48 (§ 4.3.2 Discussion).</p>	<p>Yes</p>
<p>7. In addition to testifying extensively on the impact of PG&amp;E's proposed rate design on residential solar, Vote Solar's testimony, briefing and comments also contributed to the Decision's discussion that the proposed rates would dampen conservation price signals. See, e.g., Vote Solar Brief, at 10-12; Reply Brief, at 2; Ex. 16, Vote Solar-Rose, at 23. Vote Solar testified, commented, and briefed that eliminating Tier 4 effectively removes any price distinction for usage above 200% of baseline. The Decision reflects</p>	<p>"If Tier 4 were entirely eliminated, there would be no rate incentive to conserve for usage beyond 200 percent of baseline." D.11-05-047, at 48 (§ 4.3.2 Discussion).</p>	<p>Yes</p>

Vote Solar's characterization in its discussion.		
8. Vote Solar testified that PG&E's proposed fixed customer charge would reduce the price signal to conserve energy or invest PV because it represents a charge that cannot be mitigated by conservation measures and a charge that reduces the upper tier price signal for high-usage customer that are the most likely to invest in PV. (Ex. 16, Vote Solar-Rose, at 39). The Decision adopted a position that reflects Vote Solar's testimony in its discussion and Findings of Fact.	"Because a fixed customer charge cannot be avoided by a customer's reducing usage or being more energy efficient, the customer charge offers no conservation price signal." D.11-05-047 at 33 (§ 4.1.2 Discussion), at 79 (Finding of Fact 13).	Yes

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

Claimant		CPUC Verified
a. Was Division of Ratepayer Advocates (DRA) a party to the proceeding?	Yes	Yes
b. Were there other parties to the proceeding?	Yes	Yes
c. If so, provide name of other parties:  The following parties submitted testimony or filed comments or briefs involving the residential rate design issues resolved by D.11-05-047:  PG&E, Solar Alliance, Sierra Club California, Disability Rights Advocates, DRA, Southern California Edison Company, The Utility Reform Network, Agricultural Energy Consumers Association, Kern County Taxpayers Association, County of Kern, Energy Producers and Users Coalition, Direct Access Customer Coalition, Marin Energy Authority, City and County of San Francisco, City of Hercules, California Large Energy Consumers Association and California Manufacturers and Technology Association.		Correct
d. Claimant's description of how it coordinated with DRA and other parties to avoid duplication or how claimant's participation supplemented, complemented, or contributed to that of another party:  Vote Solar intervened in this proceeding because of its concern with two of PG&E's proposals: 1) to eliminate Tier 4, and 2) to impose a customer charge. Vote Solar's organizational aim is to bring solar into the mainstream and its intervention helped put a spotlight on PG&E's residential customers who are furthering that goal by investing in solar. Vote Solar's focus on residential solar customer impacts was unique and did not duplicate the efforts of DRA or any other party.  Specifically, Vote Solar focused its efforts on modeling the potential impact of PG&E's proposed residential rate design on customers who		Vote Solar's participation was not duplicative of the arguments and evidence presented by other active parties. We make no reduction here

<p>either had invested in solar PV or were likely to do so; i.e., customers with usage in PG&amp;E's upper tiers. Vote Solar's model considered the average system size and likely usage profile of a PG&amp;E solar customer. Vote Solar then modeled and analyzed the potential impacts on the full range of solar production and customer usage profiles, demonstrating that the economic impact of PG&amp;E's proposal was negative for nearly every solar customer configuration. Vote Solar was the only party to illustrate the loss of PV value for residential customers that would result from Commission approval of PG&amp;E's proposals. The record would not include this critical information without Vote Solar's contribution.</p> <p>Other parties cited Vote Solar's unique contribution in support of their own assertions that PG&amp;E's proposal would negatively impact the vitality of the residential solar market. <i>See, e.g.</i>, Solar Alliance Comments on the Alternate Proposed Decision of Commissioner Peevey Regarding Residential Rate Design, at 7-9; DRA Brief, at 21. Vote Solar's unique focus and modeling avoided duplication and supplemented the presentations of other parties.</p>	for duplication of effort.
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### PART III: REASONABLENESS OF REQUESTED COMPENSATION

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

<b>Claimant's explanation as to how the cost of claimant's participation bore a reasonable relationship with benefits realized through claimant's participation</b>	<b>CPUC Verified</b>
<p>Vote Solar's participation in this proceeding will result in benefits to ratepayers that exceed Vote Solar's cost of participation. Vote Solar contributed to the Commission's conclusion that eliminating the distinction for usage above 200% of baseline (i.e. eliminating Tier 4) and imposing a customer charge would be harmful to the residential solar market and the state's overall energy goals. <i>See</i> D.11-05-047, at 48. Vote Solar's discussion of how the residential solar market contributes to the state's various energy policy goals—such as reduction of GHG emissions—is reflected in the text and findings of the final decision. <i>See</i> D.11-05-047, at 48 and Findings of Fact 23, at 80. Vote Solar's contribution is, in this way, reasonably related to environmental and economic interests that are hard to quantify, but substantial.</p> <p>Vote Solar's participation helped inform the Commission that the CSI program might stagnate if customers lose the most important incentive to install PV: bill savings resulting from offset usage. Vote Solar's testimony demonstrates that bill savings are the most important factor in a customer's decision to invest in PV. <i>See, e.g.</i>, Ex. 16, Vote Solar-Rose, at 19; D.11-05-047, at 48 (recognizing bill savings as the most important driver of customer decisions to invest in PV). This Decision has a direct</p>	<p>After the reductions we make to Vote Solar's claim, the remaining hours are reasonable and warrant compensation.</p>

consequence on PG&E's solar customers and on the utility's ability to meet its share of state energy goals, particularly the CSI goals. The benefits of the CSI program flow to all ratepayers through the environmental and operational benefits of distributed PV. *See* Ex. 16, Vote Solar-Rose, at 9 (discussing how the CSI program contributes to the loading order, GHG reduction, peak-shaving, and RPS goals, among others).

Vote Solar's participation in this proceeding preserved economic value for existing customers with PV who participate in the CSI program. Large numbers of PG&E customers have invested in solar to offset usage, becoming essential partners in the Commission's solar goals. Vote Solar testified that there were nearly 21,000 PG&E customers with PV systems participating in the Commission managed CSI program, representing nearly 100 MW of capacity. *See* Ex. 16, Vote Solar-Rose, at 7.

Vote Solar's testimony demonstrated that customers with PV would suffer tangible economic damage under PG&E's proposal, suggesting that the residential market, in light of declining CSI incentive levels, would slow down and put the Commission's CSI goals in jeopardy. *See* Ex. 16, Vote Solar-Rose, at 30-7.

Vote Solar's modeling of PG&E's proposed rates, compared to those existing in June 2010, showed that a customer with an average sized PV system—per PG&E's data—and upper tier usage would lose approximately \$6,000 in net present value under PG&E's proposed rates. *Id.* at 32. If a mere fraction of PG&E's 21,000 CSI customers avoided this level of loss due to Vote Solar's participation, the benefits of that participation would far exceed the costs. Vote Solar's cost of participation is, thus, reasonable in light of what was at stake for PG&E's solar customers and the future success of the CSI program.

## B. Specific Claim:\*

CLAIMED						CPUC AWARD			
ATTORNEY AND ADVOCATE FEES									
Item	Year	Hours	Rate \$	Rate Rationale	Total \$	Year	Hours	Rate \$	Total \$
K. Fox	2010	92.60 <sup>2</sup>	285	Adopted here	26,391.00	2010	83.24	285	23,723.40
K. Fox	2011	23.80	285	Adopted here	6,783.00	2011	19.48	285	5,551.80

<sup>2</sup> We have removed an hour of Fox's 2010 time here and reallocated it to the correct portion of the form for tasks which are compensated at one-half professional rate and recalculate Vote Solar's total. This hour includes Fox's time spend drafting Vote Solar's NOI.

T. Culley	2010	243.70	185	Adopted here	45,084.50	9/7/2010 thru 11/30/10	239.20 <sup>3</sup>	125	29,900.00
T. Culley	2011	100.80	185	Adopted here	18,648.00	12/1/10 thru 12/31/10	79.10	185 <sup>4</sup>	14,633.50
J. Wiedman	2010	9.50	285	Adopted here	2,707.50	2010	7.50	285	2,137.50
Subtotal: \$99,614.00						Subtotal: \$75,946.20			
EXPERT FEES									
Item	Year	Hours	Rate \$	Rate Rationale	Total \$	Year	Hours	Rate \$	Total \$
A. Browning	2010	4.50	200	Adopted here	900.00	2010	4.50	200	900.00
A. Browning	2011	0.50	200	Adopted here	100.00	2011	0.50	200	100.00
G. Rose	2010	206.75	150	Adopted here	31,012.50	2010	206.75	150	31,012.50
G. Rose	2011	3.25	150	Adopted here	487.50	2011	3.25	150	487.50
Subtotal: \$32,500.00						Subtotal: \$32,500.00			
OTHER FEES: Paralegal and Law Clerk									
Item	Year	Hours	Rate \$	Rate Rationale*	Total \$	Year	Hours	Rate \$	Total \$
T. Stearns	2011	3.40	110	D.10-07-013	374.00	2011	1.50	110	165.00
K. Christopher	2010	30.40	110	D.11-03-025	3,344.00	2010	22.00	110	2,420.00
Subtotal: \$3,718.00						Subtotal: \$2,585.00			
INTERVENOR COMPENSATION CLAIM PREPARATION **									
Item	Year	Hours	Rate \$	Rate Rationale*	Total \$	Year	Hours	Rate \$	Total \$
K. Fox	2010	2.40 <sup>5</sup>	142.50	½ rate adopted here	342.00	2010	1.40	142.50	199.50
K. Fox	2011	1.00	142.50	½ rate adopted here	142.50	2011	1.00	142.50	142.50
J. Wiedman	2011	1.10	142.50	½ rate adopted here	156.75	2011	0.00	142.50	0.00
T. Culley	2011	26.30	92.50	½ rate adopted here	2,432.75	5/27/11 thru 7/25/11	2.20	92.50	203.50
T. Stearns	2011	2.00	55.00	½ D.10-07-013 rate	110.00	2011	2.00	55.00	110.00
S. Stanfield	2010	2.30	142.50	Not adopted	327.75	2010	0.00	-0-	0.00
K. Christopher	2010	11.40	55.00	½ D.11-03-025 rate	627.00	2010	11.40	55.00	627.00

<sup>3</sup> We have segregated Culley's hours to reflect his work here as both an advocate (work prior to his admission to the California BAR on 12/1/10) and his work as a first-year attorney. We adjust Culley's hours accordingly and recalculate Vote Solar's request for an award. We make adjustments and disallowances after these steps.

<sup>4</sup> These hours represent Culley's work here as a first-year attorney.

<sup>5</sup> See footnote 2.



<i>Subtotal: \$4,138.75</i>	<i>Subtotal: \$1,282.50</i>
<b>TOTAL REQUEST: \$139,970.75</b>	<b>TOTAL AWARD: \$112,313.70</b>
<p>* 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. Claimant'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.</p> <p>**Reasonable claim preparation time typically compensated at ½ of preparer's normal hourly rate.</p>	

### C. Vote Solar's Comments Documenting Specific Claim:

Comments
<p>Vote Solar's hours are reasonable in the context of the level of effort required to participate in a fully litigated general rate case (GRC). Vote Solar's interest in preserving the vital residential solar market in PG&amp;E's territory required it to fully engage in advocacy before the Commission, through every stage of this proceeding leading up to D.11-05-47. Vote Solar's original estimate of work in its NOI assumed that parties could reach a settlement compromise, as has been the typical result of previous GRCs before this Commission. Vote Solar maintained reasonable expenses given the high demand on legal resources required by a fully litigated GRC.</p>

### D. Adoptions, Adjustments and Disallowances:

Adoptions	
<b>2010-2011 hourly rates for Kevin Fox</b>	<p>Vote Solar requests an hourly rate of \$285 for Kevin Fox's 2010-2011 work in this proceeding. Fox has no previously adopted rate approved by the Commission. Fox was admitted to the Oregon Bar on 9/22/05 and the California BAR on 6/11/08. Fox's work in this proceeding spans the period of time from 4/19/10 through 5/26/11 which represent Fox's 5-6 years as a licensed attorney. Fox is a partner at the law firm of Keyes &amp; Fox LLP, which has according to Vote Solar represented clients in regulatory proceedings for nearly 40 state public utility commissions. The law firm's practice focuses on assisting clients in achieving regulatory goals and objectives, particularly in energy market transformation efforts that facilitate growth in distributed energy resources. In addition, Fox advises renewable energy project developers on regulatory compliance matters and the drafting and negotiation of complex commercial agreements which facilitate renewable energy project development. In 2011, Fox was named by the California's Daily Journal as one of California's top 25 clean technology attorneys. Fox received his J.D. from the University of California (UC) Berkeley and a B.S. from the UC Davis, where he focused on energy policy analysis and planning and graduated with honors. Vote Solar's hourly rate request of \$285 for Fox's 2010 and 2011 work in this proceeding is at the</p>

	lower range of \$280-\$300 approved in Resolution ALJ-267 for attorneys with 5-7 years of experience. We adopt the rate as requested.
<b>2010-2011 hourly rates for Joseph Wiedman</b>	Vote Solar request an hourly rate of \$285 for Joseph Wiedman's 2010-2011 work in this proceeding. According to Vote Solar, Wiedman has worked before the Commission for over 6 years on a broad array of matters including establishment and implementation of the California Solar Initiative, energy efficiency, GHG emissions regulation, and GRCs. Wiedman has no previously adopted rates approved by the Commission. Wiedman was admitted to the California BAR on 12/1/04. Wiedman's work here spans the period of time from 4/22/10 through 3/8/11 which represents his 6-7 years as an attorney. Wiedman earned his J.D. from the UC Berkeley in 2005 and earned a B.A. with honors in Economics and Russian and East European Studies from the University of Illinois in 1997. In addition, Wiedman earned a M.S. in Applied Economics from Illinois State University in 2000, with a focus on the economics of electricity, natural gas, and telecommunications. Wiedman is a partner with the law firm Keyes & Fox LLP. Wiedman has published articles and given presentations on issues related to distributed-generation market design. Wiedman worked during the summer of 2003 as a clerk at the Commission. Vote Solar's hourly rate requests of \$285 for Wiedman's 2010 and 2011 work in this proceeding is at the lower range of \$280-\$300 approved in Resolution ALJ-267 for attorneys with 5-7 years of experience. We adopt the rate as requested.
<b>2010-2011 hourly rates for Thadeus Culley</b>	Vote Solar requests an hourly rate of \$185 for Thadeus Culley's 2010-2011 work in this proceeding. Culley has no previously adopted rates for approved by the Commission. Culley is a first-year associate with the law firm Keyes & Fox LLP. Culley earned his B.A. in history from North Carolina State University in 1999 and a J.D. from Tulane Law School in 2010, with a certificate in environmental law. Previous to this, Culley worked in the law firm as an associate and focused on issues such as net metering, interconnection, and third-party ownership of renewable generation to support the firm's work before multiple state commissions. Culley provided legal research in R.08-08-009, a proceeding which set feed-in tariff pricing. Culley worked as a student intern in Tulane's Environmental Law Clinic in 2009 where he researched, drafted and filed briefs and motions in cases based on the federal Clean Water Act. Culley was admitted into the California BAR on 12/1/10. Culley's work here spanned the period of time from 9/7/10 through 7/25/11. We compensate Culley's work from 9/7/10 through 11/30/10 at a rate equivalent to that of an advocate <sup>6</sup> (\$125 per hour) and compensate Culley's work from 12/1/10 through 7/25/12 at an hourly rate of \$185. This is the middle of the \$150-\$205 range established for attorneys with 0-2 years of experience in Resolution ALJ-267.
<b>2010-2011 hourly</b>	Vote Solar requests an hourly rate of \$200 for Adam Browning's 2010-2011

<sup>6</sup> See D.10-05-010 and D.10-10-013.

<b>rates for Adam Browning</b>	work in this proceeding as an expert. Browning last had a rate of \$100 established in D.07-06-011 for his 2005 work before the Commission. Browning is co-founder and current Executive Director of the Vote Solar which was formed in 2001. According to Vote Solar, Browning has extensive experience in solar policy development. Browning worked for eight years with the United States Environmental Protection Agency (EPA) in San Francisco where he worked on the Toxics Release Inventory program. While at the EPA, Browning won the EPA's top pollution prevention award for developing a program that reduced air emissions of mercury from gold mines in Nevada by over five tons annually. Browning received a B.A. with distinction from Swarthmore College in 1992. Vote Solar submits that given Browning's decade of experience as Executive Director and his eight years of experience in environmental policy with the EPA, the requested hourly rate is reasonable given the range of \$155-\$270 established for experts with 7-12 years of experience as outlined in Resolution ALJ-267. We agree and adopt the rate as requested.
<b>2010-2011 hourly rates for Gwen Rose</b>	Vote Solar requests an hourly rate of \$150 for Gwen Rose's 2010-2011 work in this proceeding. Rose has been the Deputy Director at the Vote Solar from 2006 to Present. In this proceeding, Rose served as an expert witness. According to Vote Solar, Rose analysis provided side-by-side comparisons of multiple rate structures to understand how a customer's bill savings change as a result of changes in rate structure. In SCE's 2011 GRC, Rose examined the proposed distribution upgrades for Catalina Island and the opportunity for distributed renewable energy projects to defer distribution investments. From 2001-June 2006, Rose worked as the Solar Program Coordinator for the City of Marin where she coordinated the solar program for the Community Development Agency and headed up solar installations for the Department of Public Works, Rose also facilitated the County of Marin's first PV project and subsequently initiated the installation of more than 500 Kilowatts of PV capacity on municipal buildings in Marin, Rose has provided technical assistance to commercial, residential and public sectors such as energy and economic performance of solar energy systems, site surveys, financing and procurement packages. In addition, Vote Solar states that Rose has written solar and climate policies for the Marin Countywide Plan and has served on several governmental advisory bodies related to solar issues. Rose has a B.S. in Physical Environmental Sciences from the UC Berkeley in 2001. Vote Solar's request for an hourly rate of \$150 for Rose's 2010-2011 work is at the lower end of the rate range of \$155-\$270 established in Resolution ALJ-267 for experts with 7-12 years of experience. We find the rate request to be reasonable and adopt it here.
<b>2010 hourly rate for Sky Stanfield</b>	We decline to adopt an hourly rate for Sky Stanfield's work in this proceeding. Stanfield's participation here was limited to some minor time preparing Vote Solar's claim for compensation. We disallow these hours among others for excessiveness.
<b>Item</b>	<b>Adjustments/Disallowances</b>

<b>Disallowance of clerical tasks</b>	<p>We disallow Vote Solar's tasks which are clerical in nature. This work is subsumed in the fees paid to attorneys.<sup>7</sup> The types of tasks we disallow are: assisting in the filing of comments, serving ex parte notices, serving of notice of ex parte communication, organizing docket submissions, organizing filings for PG&amp;E rate case, and adding comments to PG&amp;E rate-setting binder.<sup>8</sup></p> <p><b>Disallowances: 8.4 hrs Christopher (2010) and 1.9 hrs Stearns (2011)</b></p>
<b>Fox's time spent on internal communication matters.</b>	<p>Fox's time spent on internal communications represents 20% of his 2010 hours and 24% of his 2011 hours. In contrast, similar 2010 communications with other Vote Solar participants represented 7% of Culley's time, 6% or Christopher's time, 11% of Browning time, and 1% of Rose's time. In 2011, similar communications represented 4% of Culley's time and 6.5% of Rose's time. Collectively over both years, the other participants averaged a total of 6% of their hours for internal communications. We have compensated these hours without reductions. Recognizing that Fox was the lead attorney in this proceeding and adjusting these hours for excessiveness, we appropriate a more reasonable amount of 10% of his hours for internal communications and disallow the remainder.</p> <p><b>Disallowances: 9.36 hrs Fox (2010) and 3.32 hrs Fox (2011)</b></p>
<p><b>At the onset of our review, we note that Vote Solar's Opening Brief filed on December 20, 2010 and Vote Solar's Comments on the Proposed Decision filed on April 25, 2011 represent some of its most efficient work. These documents were completed with a reasonable expenditure of hours and we have compensated them here without reduction. We outline other areas below, however, where we find Vote Solar's hours are excessive considering the scope of the work and the document produced. We reduce these hours as follows:</b></p>	
<b>Hours spent preparing Vote Solar's Protest to PG&amp;E's application</b>	<p>Vote Solar requests a total of 3.5 hours (2.5 hrs Wiedman-2010 and 1.0 hr for Fox-2010). We find this request to be excessive given the scope of the work. We disallow 2.0 hrs of Wiedman's hours for this task. The adjusted total more closely reflects our standards on the reasonableness of hours.</p> <p><b>Disallowance: 2.0 hrs Wiedman (2010)</b></p>
<b>2010 Culley hours attending evidentiary hearings (EH)s</b>	<p>We disallow 4.5 hrs of Culley's time as an advocate in attendance at the EH held on 11/18/10. This time is duplicative of the compensated efforts of Fox (attorney) and Rose (expert). Culley's time records indicate that he "took notes on the cross-examination of witnesses and assisted Fox in presenting their witness Rose." In all of other three days of EHs, Vote Solar utilized only its advocate (Culley) and its expert (Rose) to fully participate.</p> <p><b>Disallowance: 4.5 hrs Culley (2010-advocate)</b></p>

<sup>7</sup> See D.11-05-044 and D.11-07-024.

<sup>8</sup> Vote Solar has listed several types of work activity in one timesheet entry. This violates the provisions of Rule 17.4, as well as the Commission's decisions setting guidelines for intervenor compensation matters (See, for example, D.98-04-059, at 51). We elect to approximate the work for each activity by dividing the total hours listed by each individual task. We admonish Vote Solar to separate work activities into one timesheet entry it may file in the future to eliminate potential reductions.

<b>Hours spent preparing Vote Solar's Reply Brief filed on January 10, 2011</b>	<p>Vote Solar requests 36.4 hrs to prepare its Reply Brief (9 pages). We disallow 18.4 hours from Culley's 2011 hours for excessiveness. The adjusted total more closely reflects our standards on the reasonableness of hours.</p> <p><b>Disallowance: 18.4 hrs Culley (2011-attorney hours)</b></p>
<b>Hour spent preparing Vote Solar's Reply Comments on the Proposed Decision</b>	<p>Vote Solar requests 14.1 hrs of time to prepare its 5 page reply comments filed on May 2, 2011. We disallow 30% of the work on this document which references and supports the work of another intervenor (TURN). Vote Solar's reference to the work of others does not constitute a substantial contribution.</p> <p><b>Disallowances: 3.3 hrs Culley (2011-attorney hours) and 1.0 hr Fox (2011)</b></p>
<b>Excessive hours on compensation matters</b>	<p>Vote Solar requests a total of 46.7 hours of compensation to prepare its NOI and its compensation claim. Two other equally active intervenors requested an average of 14.7 hrs for these same tasks. We approve a total of 18 hrs for this work considering Vote Solar's relative newness to Commission proceedings and disallow the remaining hours (28.7). To achieve the reductions in hours, we disallow Vote Solar's time as follows:</p> <p><b>Disallowances: 1.0 hr Fox (2010), 1.1 hrs Wiedman (2011), 24.1 hrs Culley (2011), and 2.3 hrs Stanfield (2010)</b></p>

#### PART IV: OPPOSITIONS AND COMMENTS

**A. Opposition: Did any party oppose the claim?**

No

**B. Comment Period: Was the 30-day comment period waived?**

Yes

#### FINDINGS OF FACT

1. Claimant has made a substantial contribution to D.11-05-047.
2. The claimed fees, as adjusted herein, are comparable to market rates paid to experts and advocates having comparable training and experience and offering similar services.
3. The total of reasonable contribution is \$112,313.70.

**CONCLUSION OF LAW**

1. The claim, with any adjustment set forth above, satisfies all requirements of Public Utilities Code §§ 1801-1812.

**ORDER**

1. Claimant is awarded \$112,313.70.
2. Within 30 days of the effective date of this decision, Pacific Gas and Electric Company shall pay claimant the total award. 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 October 12, 2011, the 75<sup>th</sup> day after the filing of claimant's 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 April 19, 2012, at San Francisco, California.

MICHAEL R. PEEVEY  
President  
TIMOTHY ALAN SIMON  
CATHERINE J.K. SANDOVAL  
MARK J. FERRON  
Commissioners

I abstain.

/s/ MICHEL PETER FLORIO  
Commissioner

**APPENDIX****Compensation Decision Summary Information**

<b>Compensation Decision:</b>	D1204042	<b>Modifies Decision?</b> No
<b>Contribution Decision:</b>	D1105047	
<b>Proceeding:</b>	A1003014	
<b>Author:</b>	ALJ Thomas R. Pulsifer	
<b>Payee:</b>	Pacific Gas and Electric Company	

**Intervenor Information**

<b>Intervenor</b>	<b>Claim Date</b>	<b>Amount Requested</b>	<b>Amount Awarded</b>	<b>Multiplier?</b>	<b>Reason Change/Disallowance</b>
The Vote Solar Initiative	7/29/2011	\$139,970.75	\$112,313.70	No	adjusted hourly rates, clerical tasks, excessive hours, duplication of effort, reallocation of hours for tasks compensated at one-half hourly rate, disallowance of efforts supporting the work of another intervenor (does not equal substantial contribution), disallowance of excessive hours for NOI and claim preparation

**Advocate Information**

<b>First Name</b>	<b>Last Name</b>	<b>Type</b>	<b>Intervenor</b>	<b>Hourly Fee Requested</b>	<b>Year Hourly Fee Requested</b>	<b>Hourly Fee Adopted</b>
Joseph	Wiedman	Attorney	The Vote Solar Initiative	\$285	2010 and 2011	\$285
Kevin	Fox	Attorney	The Vote Solar Initiative	\$285	2010 and 2011	\$285
Adam	Browning	Expert	The Vote Solar Initiative	\$200	2010 and 2011	\$200
Gwen	Rose	Expert	The Vote Solar Initiative	\$150	2010 and 2011	\$150
Sky	Stanfield	Attorney	The Vote Solar Initiative	\$285	2010	Not adopted
Thadeus	Culley	Advocate	The Vote Solar Initiative	\$185	9/7/2010 thru 11/30/2010	\$125 <sup>9</sup>
Thadeus	Culley	Advocate	The Vote Solar Initiative	\$185	12/1/2010 thru 12/31/2010	\$185
Paralegal (Tony Stearns)			The Vote Solar Initiative	\$110	2011	\$110
Law Student (Kevin Christopher)			The Vote Solar Initiative	\$110	2010	\$110

**(END OF APPENDIX)**

<sup>9</sup> Culley was admitted into the California BAR on 12/1/10.