

Decision 84 09 005 SEP 6 1984

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of PACIFIC GAS AND
ELECTRIC COMPANY for authority to
revise gas rates and tariffs
effective April 1, 1984, under the
Gas Adjustment Clause.

(GAS)

Application 84-03-07
(Notice Filed July 19, 1984)

SUPPLEMENTAL OPINION

Toward Utility Rate Normalization (TURN), a nonprofit organization, filed in this proceeding on July 19, 1984 its Notice of Intent to Claim Compensation under the provisions of Article 18.6, Rule 76.23 of the Commission's Rules of Practice and Procedure. TURN is a party to this submitted proceeding and actively participated through cross-examination of witnesses and the filing of briefs.

The purpose of Article 18.6 is to establish procedures for awarding reasonable fees and costs to participants in proceedings before this Commission. Rule 76.23 provides that after evidentiary hearings are completed, the participant shall file a Notice of Intent to claim compensation, which must set forth:

1. A showing of significant financial hardship for such participation, or reference a previous decision (issued in the same calendar year) indicating that the participant has met its burden of showing of financial hardship;
2. A specific budget showing the total compensation to which the participant believes it may be entitled, and
3. A statement of the nature and extent of the participation in the proceeding.

Staff and applicant may file a statement within 15 days after the participant's filing commenting on any portion of the filing and making appropriate recommendations to the Commission. Applicant Pacific Gas & Electric Company (PG&E) filed a statement on August 3, 1984. PG&E's response indicates that it will fully state its objections to an award of compensation when TURN files such a request. No objection is made to a finding of eligibility.

Decision (D.) 84-08-038 issued August 1, 1984 in Application (A.) 83-12-53 (Southern California Edison Company) found that TURN and its constituent consumer class would suffer a significant financial hardship absent its potential ability to receive compensation, and granted TURN's petition for a finding of Eligibility for Compensation. The Commission's action in D.84-08-038 satisfies the requirement of Rule 76.23 concerning a showing of significant financial hardship.

TURN's estimated budget for this proceeding is as follows:

<u>Attorney Fees - M. Florio</u>	
140 hours at \$150	\$21,000
Other Reasonable Costs	<u>1,000</u>
Total	\$22,000

The notice states that the estimated hours of attorney work represents an approximation of the the total time devoted by TURN to this application. After a decision is entered in this proceeding, a further pleading will be filed by TURN only for those issues upon which TURN has made a substantial contribution. TURN also will make a further showing justifying the hourly fee sought.

Finding of Fact

TURN has complied with the provisions of Rule 76.23 of the Commission's Rules of Practice and Procedure.

Conclusion of Law

TURN should be found eligible for compensation in this proceeding, pursuant to Rule 76.25.

SUPPLEMENTAL ORDER

IT IS ORDERED that the petition of Toward Utility Rate Normalization (TURN) for a finding of eligibility for compensation under Rules 76.23 and 76.25 of the Commission's Rules of Practice and Procedure is granted.

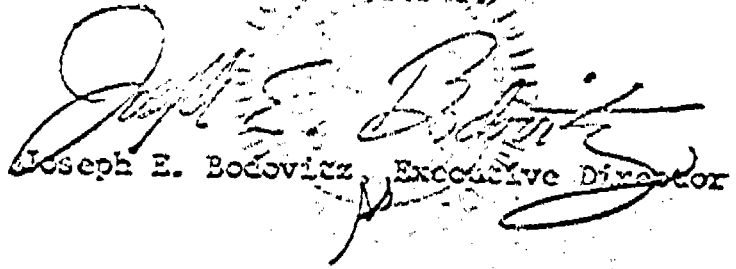
This order becomes effective 30 days from today.

Dated SEP 6 1984, at San Francisco, California.

LEONARD M. GRIMES, JR.
President

VICTOR CALVO
PRISCILLA C. GREW
DONALD VIAL
WILLIAM T. BACLEY
Commissioners

I CERTIFY THAT THIS DECISION
WAS APPROVED BY THE ABOVE
COMMISSIONERS.


Joseph E. Bodovitz, Executive Director