

ORIGINAL

Decision 91-11-028 November 6, 1991

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Pacific Gas and Electric Company for authority, among other things, to increase its rates and charges for electric and gas service.

Application 88-12-005
(Filed December 5, 1988)

(Electric and Gas) (U 39 M)

And Related Matter.

I.89-03-033

**ORDER GRANTING LIMITED REHEARING
OF DECISION 91-07-037**

Toward Utility Rate Normalization (TURN) has filed an application for rehearing of Decision (D.) 91-07-037. In D.91-07-037, we found that TURN had made a substantial contribution to Pacific Gas and Electric Company's 1991 Rate Design Window proceeding and awarded TURN compensation in the amount of \$13,502.81.

TURN alleges that the Commission erred in denying compensation for 7 hours of attorney time spent on preparing its request for compensation pursuant to D.91-01-007. In D.91-01-007 we stated that, "in the future, we will not authorize compensation for the cost of calculating and submitting a fee request." (D.91-01-007 at p. 12.) Upon reconsideration, we have decided to continue our policy of authorizing reasonable fees for services relating to the preparation of requests for eligibility and requests for compensation. Although we still have concerns regarding the "fees on fees" policy, we believe that it is more appropriate to review this issue in the context of a rulemaking proceeding which will provide affected parties prior notice and an opportunity to be heard. We will grant a limited rehearing of D.91-07-037 for the purpose of determining whether TURN's claim for 7 hours of attorney time for preparation of its request for compensation is reasonable.

Therefore, IT IS ORDERED that limited rehearing of D.91-07-037 is granted in order to determine the reasonableness of TURN's request for 7 hours of attorney time for preparation of its request for compensation.

The assigned Administrative Law Judge shall review the record and prepare a decision in accordance with this order.

This order is effective today.

Dated November 6, 1991, at San Francisco, California.

PATRICIA M. ECKERT
President
JOHN B. OHANIAN
DANIEL Wm. FESSLER
NORMAN D. SHUMWAY
Commissioners

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


NEAL J. SHULMAN, Executive Director