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Decision 91-11-072 November 20, 1991

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
PACIFIC GAS AND ELECTRIC COMPANY for )  
authority to revise its gas rates )  
and tariffs effective April 1, 1990, )  
in its Annual Cost Allocation )  
Proceeding. )

(U 39 G)

Application 89-08-024  
(Filed August 15, 1989)

**ORIGINAL**

**ORDER GRANTING LIMITED REHEARING  
OF DECISION 91-09-023**

Toward Utility Rate Normalization (TURN) has filed an application for rehearing of Decision (D.) 91-09-023. In D.91-09-023, we found that TURN had made a substantial contribution to D.90-04-021 in Pacific Gas and Electric Company's second Annual Cost Allocation Proceeding (ACAP) and awarded TURN compensation in the amount of \$67,865.

TURN alleges that the Commission erred in denying compensation for 18 hours of attorney time spent on preparing its request for compensation pursuant to D.91-07-001. In D.91-07-001 we stated that, "in the future, we will not authorize compensation for the cost of calculating and submitting a fee request." (D.91-07-001 at p. 12.) Subsequent to the issuance of the instant decision, we modified D.91-07-001 to indicate that we will continue to consider reasonable fee requests for services relating to the preparation of eligibility and compensation filings. Although we still have concerns regarding "fees on fees", we recognized that it would be more appropriate to review this issue in an order instituting rulemaking. (See D.91-11-030.) We will therefore grant a limited rehearing of D.91-09-023 for the purpose of determining whether TURN's claim for 18 hours of attorney time for preparation of its request for compensation is reasonable.

Therefore, IT IS ORDERED that limited rehearing of D.91-09-023 is granted in order to determine the reasonableness of TURN's request for 18 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.

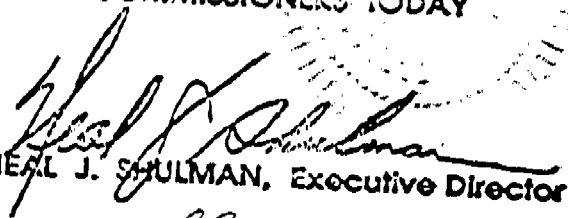
This order is effective today.

Dated November 20, 1991, at San Francisco, California.

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

Commissioner John B. Ohanian,  
being necessarily absent, did  
not participate.

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

  
NEAL J. SHULMAN, Executive Director

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