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Decision 95-11-008 November 8, 1995

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation)
on the Commission's own motion into)
the Pacific Telesis Group's)
"spinoff" proposal.)

I.93-02-028
(Filed February 17, 1993)

ORIGINAL

O P I N I O N

In Decision (D.) 95-03-007, we awarded \$92,807 in compensation to the Mexican American Political Association and World Institute on Disability (as represented by Public Advocates, Inc.; hereafter referred to as "Public Advocates") for their substantial contribution to D.93-11-011, as modified by D.94-03-036.

In its initial request for compensation, Public Advocates requested that the Commission award a total of \$175,534.05. While D.95-03-007 awarded \$92,807 to Public Advocates, \$82,723 in requested expenses were not allowed. On May 31, 1995, Public Advocates filed a Petition for Modification of D.95-03-007. The petition requests that the Commission award the "remaining" \$82,707.95 in fees and expenses (all but \$19 of the amount previously disallowed).

Public Advocates' petition provides substantial additional information and authority in support of its initial request for compensation. We have carefully reviewed Public Advocates' petition, and we find that the petition supports an augmentation of the amount awarded by D.95-03-007. As summarized in Table 1, we will increase Public Advocates' compensation award in the following respects:

1. Based on D.94-11-055, which found an hourly rate of \$250 to be reasonable for Michael Philips and Thomas Hargadon, we will increase the authorized hourly rates of Edith Adame, Michael Philips and Thomas Hargadon to the rate requested by Public Advocates.

2. Now that Public Advocates has properly documented the hours of attorney Carmela Castellano, we will authorize compensation for Ms. Castellano. Consistent with our finding in D.95-08-054, we will award compensation at the requested rate of \$150 per hour. As with other Public Advocate attorneys, we find that 75% of the hours recorded by Ms. Castellano are eligible for compensation.

(D.95-03-007, pp. 7-8.)

3. We will increase the authorized hourly rates of the law clerk from \$50 to \$55, which is the hourly rate authorized by D.94-11-055.

TABLE I
AUGMENTATION OF PUBLIC ADVOCATES COMPENSATION AWARD

Carmella Castellano		
\$150/hour x 167 hours x 75% =		\$18,787
Al Muratsuchi (law clerk)		
\$5/hour x 109.87 hours =	\$	550
Tom Hargadon		
\$125/hour x 42.0 hours =	\$	5,250
Michael Phillips		
\$125/hour x 35 hours =	\$	4,375
Edith Adame		
\$125/hour x 9.5 hours =	\$	1,069
Total Additional Award		\$29,481

Findings of Fact

1. Public Advocates has demonstrated that the hourly rates requested for attorney Castellano and expert witnesses Adame, Philips, and Hargadon are reasonable.

2. Public Advocates has documented Castellano's time as an attorney and as a witness.

Conclusions of Law

1. Public Advocates' compensation award should be augmented by \$29,481, for its substantial contributions to D.93-11-011 and D.94-03-036. Interest on this amount should accrue beginning March 19, 1994, which is 75 days from the date Public Advocates filed its request for compensation in this proceeding.

2. In order to facilitate prompt payment of compensation, this order should be made effective today.

ORDER

IT IS ORDERED that:

1. The petition by the Mexican American Political Association and the World Institute on Disability to increase its compensation award is granted in the amount of \$29,481.

2. Pacific Bell shall, within 30 days of the effective date of this order, pay the Mexican American Political Association and the World Institute on Disability \$29,481, plus interest at the rate earned on prime, three-month commercial paper as reported in the Federal Reserve Statistical Release

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G.13, such interest beginning July 13, 1994, and continuing until full payment is made.

This order is effective today.

Dated November 8, 1995, at San Francisco, California.

DANIEL Wm. FESSLER
President
P. GREGORY CONLON
JESSIE J. KNIGHT, JR.
HENRY M. DUQUE
JOSIAH L. NEEPER
Commissioners