

FEB 19 1998

Decision 98-02-099 February 19, 1998

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of PACIFIC GAS AND ELECTRIC COMPANY for Authority, Among Other Things, to Decrease its Rates and Charges for Electric and Gas Service, and Increase Rates and Charges for Pipeline Expansion Service.

(Electric and Gas (U 39 M))

Application 94-12-005
(Filed December 9, 1994)

ORIGINAL

OPINION

This decision grants Agricultural Energy Consumers Association (AECA) an award of \$21,111.02 in compensation of the \$31,959.44 requested for its contribution to Decision (D.) 97-03-017. Compensation in the full amount requested is not reasonable because AECA made a substantial contribution through only a portion of its participation, resolution of some issues on which it claims a substantial contribution was deferred for later decision, and where it made a substantial contribution its recommendation was duplicative of other parties.

1. Background

D.97-03-017 addresses Pacific Gas & Electric Company's (PG&E's) 1996 general rate case (GRC) Phase 2. A proposed decision was originally filed on June 14, 1996, but later withdrawn for consideration of potential ramifications of Assembly Bill (AB) 1890, then pending, which instituted a rate freeze through the end of 2001. The proceeding was subsequently broken out into three segments to accommodate unaffected portions of the original proposed decision. Parties submitted comments on a revised version following the passage of AB 1890. The final decision was issued on March 7, 1997.

D.97-03-017 adopts marginal cost principles for the limited purposes of payments to qualifying facilities, evaluation of demand-side management cost effectiveness and price floors for discounted special contracts. Because of the rate freeze imposed by

AB 1890, revenue allocation and rate design issues addressed in the original proposed decision were rendered moot. Portions of the original decision dealing with revenue allocation and rate design principles were deferred to PG&E's Rate Design Window proceeding for tariff modifications consistent with AB 1890.

D.97-03-017 resulted in some limited benefits to agricultural energy consumers. The decision elected to extend the availability of agricultural anti-bypass rate schedules designed to encourage water well pumping customers to use electricity rather than natural gas or diesel fuel. In addition, the deferral of decision on revenue allocation and rate design resulting from AB 1890's rate freeze benefited agricultural customers in that application of such factors could have resulted in disproportionate equal percent marginal cost (EPMC) targets for those classes of energy consumers, as compared with targets for agricultural consumers elsewhere in California. (D.97-03-017, p. 36.) As a result, we directed PG&E to investigate the causes of this effect and explore alternate methods of computing marginal costs and revenue allocation.

AECA now requests compensation for its participation in Phase 2 of this proceeding.

2. Requirements for Awards of Compensation

Intervenors who seek compensation for their contributions in Commission proceedings must file requests for compensation pursuant to Public Utilities (PU) Code §§ 1801-1812. Section 1804(a) requires an intervenor to file a notice of intent (NOI) to claim compensation within 30 days of the prehearing conference or by a date established by the Commission. The NOI must present information regarding the nature and extent of compensation and may request a finding of eligibility.

Other code sections address requests for compensation filed after a Commission decision is issued. Section 1804(c) requires an intervenor requesting compensation to provide "a detailed description of services and expenditures and a description of the customer's substantial contribution to the hearing or proceeding." Section 1802(h) states that "substantial contribution" means that,

"in the judgment of the commission, the customer's presentation has substantially assisted the Commission in the making of its order or decision because the order or decision has adopted in whole or in part on one or more factual contentions, legal contentions, or specific policy or procedural recommendations presented by the customer. Where the customer's participation has resulted in a substantial contribution, even if the decision adopts that customer's contention or recommendations only in part, the commission may award the customer compensation for all reasonable advocate's fees, reasonable expert fees, and other reasonable costs incurred by the customer in preparing or presenting that contention or recommendation."

Section 1804(e) requires the Commission to issue a decision which determines whether or not the customer has made a substantial contribution and the amount of compensation to be paid. The level of compensation must take into account the market rate paid to people with comparable training and experience who offer similar services, consistent with § 1806.

3. Eligibility

3.1. Notice of Intent to Claim Compensation

By a ruling dated August 28, 1997, AECA was found to have timely filed its NOI after the first prehearing conference. Though the ruling acknowledged AECA's showing of significant financial hardship, it deferred to this decision the determination of what percentage of AECA's membership faces a significant financial hardship.

3.2. Significant Financial Hardship

Section 1802(g) defines "significant financial hardship" to mean:

"either that the customer cannot afford, without undue hardship, to pay the costs of effective participation, including advocate's fees, expert witness fees, and other reasonable costs of participation, or that, in the case of a group or organization, the economic interest of the individual members of that group or organization is small in comparison to the costs of effective participation in the proceeding."

AECA must meet the test for an organization seeking to establish significant financial hardship, demonstrating that the economic interest of its members is small in

comparison to participation costs. AECA is composed of agricultural energy users with a large range of energy consumption profiles, thus complicating the process of determining financial hardship. Section 1812 provides:

"A group or association that represents the interests of small agricultural customers in a proceeding and that would otherwise be eligible for an award of compensation pursuant to Section 1804 without the presence of large agricultural customers, as determined by the commission, shall not be deemed ineligible solely because that group or organization also has members who are large agricultural customers."

AECA therefore is not automatically ineligible based upon the disparity of economic interests represented in the organization. However, we must employ a specialized analysis to determine what percentage of AECA's membership falls within the guidelines set forth for significant financial hardship.

The Commission has considered compensation requests from AECA under such an analysis on several occasions. In D.95-02-093, AECA participated in a proceeding in which Southern California Edison (SCE) sought to increase agricultural rates by 3.5%. Based upon information submitted by AECA detailing members' average bills, we compared the resulting economic stake in the proceeding with costs of participation, as derived from AECA's fee request. By comparing these figures for AECA members in SCE's service territory, we determined that customers with energy bills totaling less than \$50,000 per year had successfully demonstrated that their individual economic interests in the outcome were small in comparison to costs of participating in the proceeding. The appropriate percentage of AECA's membership falling within this profile was then applied to AECA's award of compensation.

We again considered AECA in D.96-02-011, in which AECA sought compensation for its participation in SCE's 1994 Rate Design Window proceeding adopting Schedule TOU-PA-6. AECA demonstrated that the same customer classes, those with annual bills under \$50,000, were sufficiently impacted to demonstrate significant financial hardship as in D.95-02-093. As a result, 86.05% of AECA's participation costs were compensated.

AECA was also awarded compensation in D.96-08-040. In that decision, AECA was awarded compensation for its involvement in the Commission's electrical restructuring proceeding. We found that although it was difficult to assess AECA members' economic stake in the proceeding, a figure of 1% to 3% energy savings resulting from participation provided a workable estimate for compensation purposes. Applying this percentage to the information provided by AECA, we again determined that AECA members with bills less than \$50,000 faced a significant financial hardship within the meaning of § 1802(g).

Finally, in D.96-11-048 we determined that AECA had substantially contributed to Phase 2B of SCE's general rate case, which addressed continuation of the TOU-PA-6 rates. We found that AECA members with annual bills of less than \$50,000 had individual interests of \$65 - \$262 in continuation of these rates; compared with a participation cost of \$205 per member, this customer class demonstrated significant financial hardship within the meaning of the statute.

In each case, we examined only information regarding AECA members within the affected utility's service territory. This is consistent with our decision in D.95-02-093, in which we noted that "it is appropriate to only consider resources and the benefits of those customers directly impacted by the outcome of this particular case." (D.95-02-093, p. 8.) Our analysis, therefore, requires us to determine AECA members' economic stake in the proceeding and balance it against the information provided by AECA on customer billing profiles in PG&E's service territory as well as AECA's claimed per-member costs of effective participation.

AECA's economic stake in this proceeding was limited. Because AB 1890 imposes a rate freeze through 2001, no rate changes resulted from D.97-03-017. PG&E had expressed its intent to observe a rate freeze even before AB 1890's passage. AECA's involvement in the proceeding extended mainly to PG&E's internal cost calculation methods, without immediate effect upon rates paid by agricultural customers. In the short term, AECA's recommendations on marginal cost principles could not economically impact its membership.

The sole area in which AECA's efforts in this proceeding affected a tangible economic result for its members was that of agricultural anti-bypass rates, so-called DAP (Diesel Alternative Power) and GAP (Natural Gas Alternative Power). These rates are applicable only to certain accounts. PG&E has estimated that 5.7% of the 88,000 agricultural accounts in its service territory are eligible for the 6-11% savings. AECA calculates representative economic impact for its membership by multiplying the 5.7% of the average annual bill for each customer class by 6-11% on eligible accounts:

Annual Electric Bill	Econ. Interest as 5.7% of Average Annual Bill	Max. Econ. Interest as Saving of 6.11% on Eligible Accounts
\$250,000-\$449,000	\$19,439	\$1,166-\$2,138
\$125,000-\$249,000	\$10,505	\$630-\$1,156
\$50,000-\$124,999	\$4,864	\$292-\$535
\$25,000-\$49,999	\$2,081	\$125-\$229
Under \$25,000	\$600	\$36-66

These figures represent a reasonable estimate of the potential impacts on each customer's bill. We must compare these numbers with the average cost of participation for each member of AECA.

AECA reports its actual expenditures for participation in the proceeding as \$51,882.21, or \$86.90 per each of the 597 members in PG&E's service territory. For customers with annual bills between \$25,000 and \$50,000, each member stands to gain \$125 - \$229 at a cost of \$86.90. For members with bills lower than \$25,000, the potential gain falls to \$36 - \$66. We agree with AECA that members with annual bills below \$50,000, the economic stake in the proceeding is small in comparison to the costs of effective participation in the proceeding.

AECA reports that it has 597 members in PG&E service territory. 368 of these members have annual bills lower than \$50,000. (Request, p. 3.) From these figures, AECA calculates that 61.6% of its members would incur significant financial hardship within the meaning of the statute. AECA therefore requests compensation totaling 61.6% of its actual costs of representation. This figure is reasonable in light of the

information submitted by AECA, and we accordingly approve compensation of 61.6% of AECA's reasonably incurred fees awarded below.

As in the past, AECA argues that its efforts at cost-effective participation may be penalized if the organization spends less on representation. This argument was rejected in D.96-08-040, where we noted that

"every other party seeking compensation . . . has the same problem. For groups such as AECA that depend on a limited pool of member contributions, participating in a given proceeding will always require it to be as cost-effective as possible, or to decrease its efforts on other fronts. The eligibility provisions of the intervenor compensation rules recognize this fact; they do not penalize parties for spending cost-effectively."

(D.96-08-040, p. 15.) In any event, our approval of AECA's requested fee percentage diminishes the relevance of this argument.

4. Contributions to Resolution of Issues

AECA represents that it contributed to our decision in two areas. First, AECA asserts that the Commission concluded that PG&E's marginal cost estimates and revenue allocation were technically flawed and resulted in extraordinarily high rates for agricultural customers. Second, AECA asserts that the Commission adopted its position that the DAP and GAP rate options not be eliminated. AECA states that the Commission adopted this position when the Commission's decision eliminated the rate design portion of the ALJ's proposed decision.

Contrary to AECA's representations, the decision makes no findings or conclusions that the marginal cost estimates and revenue allocation were technically flawed. The decision does conclude that, in view of the AB 1890 rate freeze and the Cost Recovery Plan decision (D.96-12-077), the adopted unit marginal costs would be applied to limited purposes; and that if the new marginal costs were used for revenue allocation, agricultural customers would experience a 54 percent increase in their EPMC targets. It concluded that PG&E should investigate the causes for this dramatic increase in EPMC targets and explore alternative methods of computing marginal costs and revenue allocation in its next General Rate Case. It ordered the assigned administrative law judge in PG&E's Rate Design Window Proceeding to review the record in this

proceeding and issue a proposed decision covering tariff modifications. So the Commission chose to resolve revenue allocation and rate design issues in a later decision, but based on the record developed prior to the issuance of the decision to which AECA now claims to have made a substantial contribution, D.97-03-017.

Since revenue allocation and rate design issues were not resolved in D.97-03-017, AECA has not made a substantial contribution to D.97-03-017 by its participation regarding those issues. AECA may demonstrate a substantial contribution and request compensation related to the decision in the Rate Design Window Proceeding which ultimately resolves revenue allocation and rate design issues.

However, we find that AECA did make a more narrow, but still substantial contribution. Its contribution is most clearly demonstrated in the post-submission stage of the proceeding, in its comments, first to the ALJ's proposed decision and then on the impact of AB 1890 on the proposed decision.

In its comments on the ALJ's proposed decision, AECA asked the Commission to fund an independent study of agricultural ratemaking models, supporting this argument with the results of the long-run marginal cost testimony of both PG&E and the Division of Ratepayer Advocates. Though we did not adopt this specific recommendation, it was largely on the basis of AECA's request that we concluded further investigation into the increase in agricultural customer's EPMC targets should be conducted.

In its comments on the impact of AB 1890 on the proposed decision, AECA argued that the rate design and revenue allocation portions of the proposed decision should be deleted, which the Commission ultimately did, as described above. We note, however, that PG&E and the California Farm Bureau Federation (CFBF) also recommended that these sections of the proposed decision be deleted.

Therefore, we conclude that AECA made a substantial contribution to D.97-03-017 on 1) the need to further study the ratemaking method as it affects agricultural customer's rates; and 2) deleting from the final decision and deferring for later resolution the portions of the proposed decision which addressed rate design and

revenue allocation. Some of AECA's participation which resulted in a substantial contribution duplicated the effort of similar interests, specifically CFBF.

5. The Reasonableness of Requested Compensation

AECA claims its participation cost is \$51,882.21. As stated above, it requests compensation for 61.6% of its costs, which amount to \$31,959.44, as follows:

Attorney's Fees

Peter W. Hanschen	(103.25 hours at \$250/hr)	\$25,812.50
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Economic Consultant Fees¹

Steven Moss	(75.7 hours at \$100/hr)	\$7,570.00
Wendy Illingworth	(57.4 hours at \$100/hr)	\$5,740.00
Consultant Fees Subtotal		\$13,310.00

AECA Executive Director's Participation

Michael Boccadoro	(83.0 hours at \$125/hr)	\$10,375.00
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Other Reasonable Costs

Local Travel/Transportation	\$ 146.43
Outside Services	\$ 15.62
Photocopying	\$1,522.25
Postage	\$ 199.29
Telecommunications	\$ 38.46
Messenger	\$ 31.47
Facsimile	\$ 431.19
Other Costs Subtotal	\$2,384.71

Total Costs	\$51,882.21
COMPENSATION REQUESTED (61.6% of total costs)	\$31,959.44

¹ By letter to the Administrative Law Judge dated November 17, 1997, AECA revised downward its request for economic consultant fees. The revision adjusted for AECA's experts' time spent on AECA's marginal cost testimony. As noted above, marginal cost issues are now being resolved in other phases of this proceeding.

5.1. Hours Claimed

AECA states that over 90% of its efforts in this proceeding were aimed at issues of marginal cost and revenue allocation. The remaining 10% of AECA's time was spent in urging the continuation of DAP and GAP rate options. AECA provides detailed time records for Peter Hanschen, Michael Boccadoro, Steven Moss, and Wendy Illingworth, describing time by date and activity. However, in three respects, the allocation of the time among activities and parties does not provide sufficient detail to award AECA for its substantial contribution without adjustment. The allocation detail is especially important in light of the fact that resolution of revenue allocation and rate design issues presented during this phase was deferred to the Rate Design Window Phase of this proceeding.²

First, although AECA withdrew its request for compensation related to Illingworth's marginal cost testimony, it did not make any adjustment to its request for Hanschen's, Moss' and Boccadoro's efforts with respect to issues deferred to the Rate Design Window (RDW) Proceeding. AECA would have us believe that Illingworth developed testimony without any consultation with her client or her colleague. We suspect that some of the effort on the part of Hanschen, Moss, and Boccadoro recorded as meetings, phone calls, and other correspondence with Moss regarded the testimony and efforts of Illingworth. As a result, we will reduce AECA's award for reasonable attorney's fees, consultant fees, and director's participation by 5%.

Second, some of the detail provided leads us to believe AECA has inappropriately included hours of participation in the Rate Design Window proceeding (See, for example, Hanschen's time records for 12/17/96 through 1/29/97 and Moss' time records for 2/5/97.) Participation in the RDW proceeding did not make a

² We note that the ALJ invited AECA to revise its request in light of the fact that resolution of the revenue allocation and rate design issues presented during this phase of the proceeding was deferred. AECA revised its request downward, but only for the time spent by one of its economic experts, and only for the time that expert spent on AECA/CFBF's marginal cost testimony.

substantial contribution to D.97-03-017, and that participation will not be compensated at this time. AECA's award will be reduced by \$3,712.50 to reflect this adjustment.³

Third, award of the full amount claimed by AECA would not be reasonable, in light of the allocation provided, because much of AECA's participation did not result in a substantial contribution, and where it did result in a substantial contribution, it duplicated the efforts of similar interests. AECA claims that Hanschen's, Moss', and Boccadoro's efforts were related to "general policy issues, including revenue allocation and marginal cost, and are eligible for compensation in this phase." A review of AECA's opening brief supports this claim. However, AECA does not identify any specific revenue allocation or marginal cost policy recommendation it made which substantially assisted the Commission in D.97-03-017. On the contrary, AECA wrongly claims that the Commission concluded, in agreement with AECA, that PG&E's marginal cost estimates and revenue allocation were technically flawed.

Though we have found AECA made a substantial contribution in its procedural recommendation that we defer resolution of rate design and revenue allocation issues, so did other parties of similar interest. And this position was advocated well after the briefing stage, and largely on the basis of the passage of AB 1890 (and not the underlying record). AECA's comments on the ALJ's proposed decision show AECA relying largely on the long-run marginal cost testimony of PG&E and DRA (and not its own testimony) to support its recommendation, largely adopted by the Commission, for further study of the increase in agricultural customer's EPMC targets. It is not clear from the request and time-record allocation of activities how AECA's participation during the prehearing and hearing stages of the proceeding lead to the ultimate substantial contribution we find that it made, described above. And yet, the greater proportion of its costs of participation were incurred during the prehearing and hearing

³ This adjustment removes \$3,012.50 from attorney's fees and \$700 from consultants' fees. Our exclusion of these fees does not preclude AECA from requesting compensation for these activities after a decision in the Rate Design Window proceeding is rendered.

stages. Because some of its substantial contribution was duplicative and because award of the full amount claimed by AECA would not be reasonable, in light of the allocation provided, because much of AECA's participation did not result in a substantial contribution, we will further reduce AECA's award by 25%.

5.2. Hourly Rates

AECA requests an hourly rate of \$250 per hour for the work of attorney Peter Hanschen, a partner with Graham & James. Mr. Hanschen's work in this proceeding occurred in the latter part of 1995, continuing throughout 1996 and early 1997. AECA requests the same rate here for Mr. Hanschen as that approved in D.96-08-040 and D.96-11-048, proceedings roughly contemporaneous with that in question. We find \$250 per hour to be a reasonable rate and apply it here.

AECA requests an hourly rate of \$100 for its expert Steven Moss. This rate was previously approved D.96-02-011, D.96-08-040, and D.96-11-048. We apply it here as well.

AECA also requests a \$100 hourly rate for expert Wendy Illingworth. We have not previously had occasion to consider Ms. Illingworth's compensable hourly rate. Ms. Illingworth is a Vice President in the San Francisco office of Foster Associates, Inc., a national economic and regulatory consulting firm. She holds an M.A. in economics from the University of Arizona. Her prior experience includes work as a staff member at the National Economics Research Associates, Tucson Power Company, and PG&E with emphasis in energy forecasting, rate design, and marginal cost analysis as well as generation expansion and production cost studies. Ms. Illingworth has also previously testified on agricultural energy issues before this Commission. We find the hourly rate requested for Ms. Illingworth to be reasonable in view of her qualifications and experience.

Finally, AECA requests \$125 per hour for the work of Executive Director Michael Boccadoro. This rate was found reasonable in D.96-08-040 and D.96-11-048. We will apply it here as well.

5.3. Other Costs

AECA's costs for copying, postage, travel, and other miscellaneous expenses incurred during its participation in this proceeding are reasonable and should be compensated in full.

6. Award

We award AECA \$21,111.02. This award is summarized below:

Attorney's Fees

Peter W. Hanschen	(103.25 hours at \$250/hr)	\$25,812.50
	(less 5% re Illingworth)	- 1,290.63
	(less \$3,012.50 re RDW)	- 3,012.50
	Adjusted Attorney's Fees Claim	\$21,509.38

Economic Consultant Fees⁴

Steven Moss	(75.7 hours at \$100/hr)	\$ 7,570.00
Wendy Illingworth	(57.4 hours at \$100/hr)	\$ 5,740.00
	Consultant Fees Subtotal	\$13,310.00
	(less 5% re Illingworth)	- 665.5
	(less \$700 re RDW)	- 700.00
	Adjusted Consultant Fees Claim	\$11,944.50

AECA Executive Director's Participation

Michael Boccadoro	(83.0 hours at \$125/hr)	\$10,375.00
	(less 5% re Illingworth)	- 518.75
	Adjusted Director's Claim	\$ 9,856.25

⁴ By letter to the Administrative Law Judge dated November 17, 1997, AECA revised downward its request for economic consultant fees. The revision adjusted for AECA's experts' time spent on AECA's marginal cost testimony. As noted above, marginal cost issues are now being resolved in other phases of this proceeding.

Other Costs	
Local Travel/Transportation	\$ 146.43
Outside Services	\$ 15.62
Photocopying	\$1,522.25
Postage	\$ 199.29
Telecommunications	\$ 38.46
Messenger	\$ 31.47
Facsimile	\$ 431.19
Other Costs	\$ 2,384.71
Adjusted Costs Subtotal	\$45,694.84
(less 25% re duplication, partial contribution)	- 11,423.71
COMPENSATION AWARDED (61.6% of adjusted costs)	\$21,111.02

Consistent with previous Commission decisions, we will order that interest be paid on the award amount (calculated at the three-month commercial paper rate), commencing July 20, 1997 (the 75th day after AECA filed its compensation request) and continuing until the utility makes its full payment of award.

As in all intervenor compensation decisions, we put AECA on notice that the Commission Energy Division may audit AECA's records related to this award. Thus, AECA must make and retain adequate accounting and other documentation to support all claims for intervenor compensation. AECA's records should identify specific issues for which it requests compensation, the actual time spent by each employee, the applicable hourly rate, fees paid to consultants, and any other costs for which compensation may be claimed.

Findings of Fact

1. AECA has made a timely request for compensation for its contribution to D.97-03-017.
2. AECA has made a showing of significant financial hardship by demonstrating that the economic interests of 61.6% of its individual members would be extremely small compared to the costs of participating in this proceeding.
3. AECA contributed substantially to D.97-03-017 on two issues: 1) the need to further study the ratemaking method as it affects agricultural customer's rates; and

2) deleting from the final decision and deferring for later resolution the portions of the proposed decision which addressed rate design and revenue allocation.

4. It would be reasonable to compensate AECA for its costs of preparation and participation on the two issues to which it made a substantial contribution.

5. AECA's allocation of time and costs among activities and parties does not provide sufficient detail to award AECA for its substantial contribution as requested, without adjustment.

6. On November 17, 1997, in response to an Administrative Law Judge inquiry, AECA withdrew its request for compensation related to Illingworth's marginal cost testimony, but did not make any adjustment to reflect Illingworth's communications with AECA's attorney, director, or other consultant.

7. AECA did not make any adjustment to its request to reflect its attorney's, director's, or other consultant's efforts with respect to issues deferred to the RDW proceeding.

8. Some of the allocation detail AECA provided leads us to believe AECA has inappropriately included hours of participation in the RDW proceeding.

9. AECA requested hourly rates for attorneys and experts that are no greater than the market rates for individuals with comparable training and experience.

10. The miscellaneous costs incurred by AECA are reasonable.

Conclusions of Law

1. AECA has fulfilled the requirements of Sections 1801-1812 which govern awards of intervenor compensation.

2. We should reduce AECA's award for reasonable attorney's fees, consultant fees, and director's participation by 5% to reflect 1) their communications with Illingworth, and 2) to account for costs claimed for issues deferred to the RDW proceeding where allocation of those costs among activities made specific dollar reductions impossible.

3. Participation in the RDW proceeding did not make a substantial contribution to D.97-03-017, and that participation will not be compensated at this time. AECA's award

should be reduced by \$3,712.50 to reflect this adjustment for activities specifically recorded as RDW activities.

4. AECA's award should be reduced by 25% because its substantial contribution was duplicative and because award of the full amount claimed by AECA would not be reasonable since much of AECA's participation did not result in a substantial contribution.

5. AECA should be awarded \$21,111.02 for its contribution to D.97-03-017.

6. This order should be effective today so that AECA may be compensated without unnecessary delay.

O R D E R

IT IS ORDERED that:

1. Agricultural Energy Consumers Association (AECA) is awarded \$21,111.02 in compensation for its substantial contribution to Decision 97-03-017.

2. Pacific Gas & Electric (PG&E) shall pay AECA \$21,111.02 within 30 days of the effective date of this order. PG&E shall also pay interest on the award at the rate earned on prime, three-month commercial paper, as reported in Federal Reserve Statistical Release G.13, with interest, beginning July 20, 1997, and continuing until full payment is made.

A.94-12-005 ALJ/BAR/tcg *

3. Application 94-12-005 is closed.

This order is effective today.

Dated February 19, 1998, at San Francisco, California.

RICHARD A. BILAS
President
P. GREGORY CONLON
JESSIE J. KNIGHT, JR.
HENRY M. DUQUE
JOSIAH L. NEEPER
Commissioners