

Decision \_\_\_\_\_

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Application of Pacific Gas and Electric Company (U 39 M) for Authority, Among Other Things, to Increase Rates and Charges for Electric and Gas Service Effective On January 1, 2011.	Application 09-12-020
Order Instituting Investigation on the Commission's Own Motion into the Rates, Operations, Practices, Service and Facilities of Pacific Gas and Electric Company.	Investigation 10-07-027

**CLAIM AND DECISION ON REQUEST FOR INTERVENOR COMPENSATION**

<b>Claimant:</b> James Weil, for Aglet Consumer Alliance (Aglet)	<b>For contributions to:</b> Decision (D.) 11-05-018
<b>Claimed (\$):</b> \$ 269,610.47	<b>Awarded (\$):</b>
<b>Assigned Commissioner:</b> Michael Peevey	<b>Assigned ALJ:</b> David Fukutome
I hereby certify that the information I have set forth in Parts I, II, and III of this Claim is true to my best knowledge, information and belief. I further certify that, in conformance with the Rules of Practice and Procedure, this Claim has been served this day upon all required persons (as set forth in the Certificate of Service attached as Attachment 1).	
<b>Signature:</b> /s/	
<b>Date:</b> June 24, 2011	<b>Printed Name:</b> James Weil

**PART I: PROCEDURAL ISSUES** (to be completed by Claimant except where indicated)

**A. Brief Description of Decision:**

In D.11-05-018 the Commission adopted, with minor modifications, a settlement that resolved all but one issue in the revenue requirement phase of the test year 2011 general rate case of Pacific Gas and Electric Company (PG&E). The settlement resulted in a test year revenue requirement increase of \$450 million, which was \$615 million less than PG&E's

request, and attrition increases of \$180 million in 2012 and \$185 million in 2013.

The remaining contested issue was ratemaking treatment for retired electric and gas meters that are replaced by Smart Meters. The decision authorized PG&E to amortize undepreciated plant over six years, while earning a reduced rate of return.

**B. Claimant must satisfy intervenor compensation requirements set forth in Public Utilities Code §§ 1801-1812:**

	<b>Claimant</b>	<b>CPUC Verified</b>
<b>Timely filing of notice of intent to claim compensation (§ 1804(a)):</b>		
1. Date of Prehearing Conference	February 19, 2010	
2. Other Specified Date for NOI:		
3. Date NOI Filed:	March 16, 2010	
4. Was the notice of intent timely filed?		
<b>Showing of customer or customer-related status (§ 1802(b)):</b>		
5. Based on ALJ ruling issued in proceeding number:	See comment below.	
6. Date of ALJ ruling:		
7. Based on another CPUC determination (specify):		
8. Has the claimant demonstrated customer or customer-related status?		
<b>Showing of “significant financial hardship” (§ 1802(g)):</b>		
9. Based on ALJ ruling issued in proceeding number:	See comment below.	
10. Date of ALJ ruling:		
11. Based on another CPUC determination (specify):		
12. Has the claimant demonstrated significant financial hardship?		

<b>Timely request for compensation (§ 1804(c)):</b>		
13. Identify Final Decision	D.11-05-018	
14. Date of Issuance of Final Decision:	May 13, 2011	
15. File date of compensation request:	June 24, 2011	
16. Was the request for compensation timely?		

**C. Additional Comments on Part I (use line reference # as appropriate):**

#	Claimant	CPUC	Comment
5	Customer status		The Commission has not issued an eligibility ruling in response to Aglet's NOI. Aglet is a Category 3 customer. See p. 2 of the NOI for discussion of Aglet's customer status.
9	Significant financial hardship		The Commission has not issued an eligibility ruling in response to Aglet's NOI. See pp. 3-4 of the NOI for discussion of significant financial hardship. The Commission did not issue a finding of financial hardship for Aglet in another proceeding within one year prior to filing of the instant application.

**PART II: SUBSTANTIAL CONTRIBUTION** (to be completed by Claimant except where indicated)

**A. In the fields below, describe in a concise manner Claimant's contribution to the final decision** (see § 1802(i), § 1803(a) & D.98-04-059) (For each contribution, support with specific reference to final or record.)

Contribution	Citation to Decision or Record	Showing Accepted by CPUC
1. <u>General</u> . Certain general activities are necessary for full participation in the proceeding, but time spent on the activities cannot be fairly assigned to specific issues. The activities include initial review of the application, initial discovery requests, review of initial discovery responses, coordination with other customer interests, review of protests of other parties, initial review of Division of Ratepayer Advocates (DRA) and intervenor testimony, review of PPH transcripts, review of errata to testimony, scheduling, common briefing outline, comparison exhibits and issue	See Attachments 2 and 3 for listings and totals of Aglet time spent on general activities.	

summaries, and review of motions and other pleadings,.		
<p>2. <u>Scale of Request.</u> Aglet’s analysis of the scale of PG&amp;E’s revenue requirement requests assisted Aglet in understanding the reasons for the requests, and it led to review of PG&amp;E’s claimed commitment to industry leadership, and measurement of customer satisfaction.</p> <p>Aglet’s recommendations for related findings of fact were subsumed by the adopted settlement.</p>	<p>See Exhibit Aglet-3, pp. 4-8; Exhibit Aglet-5, pp. 18, 19-30, 40-41, 48-49; Exhibit Aglet-6, pp. 97-101.</p> <p>See Aglet recommended findings of fact in Exhibit Aglet-3, p. 1, bullet points at lines 14 and 16.</p>	
<p>3. <u>Financial Health.</u> Aglet was the only party to analyze PG&amp;E’s financial health.</p> <p>The issue was not covered in the adopted settlement. The Commission adopted findings of fact on financial health.</p>	<p>See Exhibit Aglet-3, pp. 8-13; Exhibit Aglet-5, pp. 31-37; Exhibit Aglet-6, pp. 117-130. Aglet recommended specific findings of fact. (Exhibit Aglet-3, p. 1, bullet point at line 18.)</p> <p>See D.11-05-018, pp. 82-83, Findings of Fact 15 and 16.</p>	
<p>4. <u>Economic Impact of Capital Spending.</u> Aglet (and Greenlining and other parties) analyzed PG&amp;E’s report on the economic impact of its proposed capital expenditures. Aglet opposed the report’s conclusions.</p> <p>Aglet contributed to the settlement, which includes a provision that PG&amp;E withdraw the disputed testimony.</p>	<p>See Exhibit Aglet-3, pp. 17-19; Exhibit Aglet-5, p. 44. Aglet recommended a specific finding of fact. (Exhibit Aglet-3, p. 1, bullet point at line 25.)</p> <p>See D.11-05-018, Attachment 1, p. 1-20, Section 3.12(q).</p>	
<p>5. <u>Productivity, Escalation.</u> Aglet was the only party to recommend that the Commission rescind a previous order that PG&amp;E must include total factor productivity (TFP) studies in general rate cases, and that the Commission make certain productivity adjustments to test year labor expenses.</p> <p>The settlement includes a provision that the Commission eliminate the requirement to prepare TFP studies.</p> <p>In exchange for concessions in other areas, Aglet withdrew its recommendation regarding labor productivity adjustments.</p>	<p>See Exhibit Aglet-3, pp. 50-54; Exhibit Aglet-5, pp. 45-47; Exhibit Aglet-6, pp. 147-149. Aglet recommended specific findings of fact and orders. (Exhibit Aglet-3, p. 3, bullet points at lines 15 and 18.)</p> <p>See D.11-05-018, Attachment 1, p. 1-19, Section 3.12(k).</p> <p>See D.11-05-018, Attachment 1, p. 1-20, Section 3.12(r)(4).</p>	

<p>6. <u>Nuclear Costs</u>. Aglet supported DRA’s recommendation to reduce nuclear expenses by \$3.5 million. Aglet was the only party to analyze the trend of capital expenditures at Diablo Canyon Power Plant, recommend that PG&amp;E submit a report on spent fuel storage payments, recommend that certain nuclear fuel handling costs be treated as operating expense not capital expenditures, and recommend that critical spares be treated as plant held for future use (PHFU).</p> <p>The \$3.5 million nuclear expense reduction is subsumed in a \$42 million reduction in Energy Supply revenue requirements adopted in the settlement.</p> <p>The settlement includes provisions that PG&amp;E will submit a report on spent fuel storage payments, and it will treat fuel handling costs as an operating expense not capital expenditures.</p> <p>Aglet withdrew its recommendations regarding sunk benefits for Diablo Canyon capital projects and treatment of critical spares as PHFU.</p>	<p>See Exhibit Aglet-3, pp. 42-50; Exhibit Aglet-5, pp. 87-96; Exhibit Aglet-6, p. 111. Aglet recommended specific findings of fact and orders. (Exhibit Aglet-3, p. 2, bullet points at lines 20 and 21; p. 3, bullet points at lines 1, 6 and 11.)</p> <p>See D.11-05-018, Attachment 1, p. 1-6, Section 3.4.1.</p> <p>See D.11-05-018, Attachment 1, p. 1-7, Section 3.4.2(a); and p. 1-9, Section 3.4.2(h).</p> <p>See D.11-05-018, Attachment 1, p. 1-20, Sections 3.12(r)(2) and 3.12(r)(3).</p>	
<p>7. <u>Information Technology (IT)</u>. Aglet analyzed PG&amp;E’s requested IT revenue requirements and made several related findings and recommendations. DRA and TURN testimony also addressed IT issues.</p> <p>PG&amp;E requested test year IT expenses of \$311 million and test year IT capital expenditures of \$287 million; Aglet recommended expenses of \$245 million and capital expenditures of \$239 million. Aglet recommended that the Commission open an investigation into PG&amp;E’s management of IT spending.</p> <p>Aglet contributed to the settlement, which calls for a minimum \$50 million reduction in test year revenue requirement to resolve DRA and intervenor arguments regarding IT costs.</p> <p>In exchange for concessions in other areas, Aglet withdrew its recommendation for an</p>	<p>See Exhibit Aglet-1, specifically recommendations at p. 6, lines 2-9. See also supporting documents in Exhibit Aglet-2.</p> <p>See Exhibit Aglet-1, p. 1, Table 1; p. 6, line 3.</p> <p>See D.11-05-018, Attachment 1, p. 1-14, Section 3.7(a).</p> <p>See D.11-05-018, Attachment 1, p. 1-20, Section 3.12(r)(5).</p>	

<p>investigation of PG&amp;E's management of IT spending.</p>		
<p>8. <u>Customer Care.</u> Aglet analyzed the interaction between Customer Care costs and Smart Meter benefits, and the overall trend of Customer Care costs. Aglet opposed PG&amp;E's position that the Commission should not rely on recorded costs for 2008, 2009 and 2010.</p> <p>Aglet made a substantial contribution to the settlement on this issue. The settlement calls for a minimum test year expense reduction of \$137 million.</p>	<p>See Exhibit Aglet-3, pp. 19-22; Exhibit Aglet-5, p. 1. Aglet recommended specific findings of fact. (Exhibit Aglet-3, p. 2, bullet points at lines 1 and 4.)</p> <p>See D.11-05-018, Attachment 1, p. 1-10, Section 3.5.1.</p>	
<p>9. <u>Load Building.</u> Aglet opposed PG&amp;E's request for \$7 million of test year expense for load building (customer retention and economic development) activities. Other parties also opposed PG&amp;E's request.</p> <p>Aglet made a substantial contribution to the settlement, which reduces test year revenue requirement by the entire \$7 million, and requires PG&amp;E to record a portion of related costs "below the line."</p>	<p>See Exhibit Aglet-3, pp. 27-38; Exhibit Aglet-5, pp. 3-9, 60-72; Exhibit Aglet-6, pp. 73-78. Aglet recommended a specific finding of fact and Commission orders. (Exhibit Aglet-3, p. 2, bullet point at line 10.)</p> <p>See D.11-05-018, Attachment 1, p. 1-10, Section 3.5.1(b).</p>	
<p>10. <u>Uncollectibles.</u> Aglet recommended an uncollectibles factor of 0.2853%, and opposed PG&amp;E's proposal for a rolling average of the uncollectibles factor and a new uncollectibles balancing account.</p> <p>Aglet made a substantial contribution to the settlement, which calls for an uncollectibles factor of 0.3105% for the rate case cycle, without a rolling average or new balancing account.</p>	<p>See Exhibit Aglet-3, pp. 22-27; Exhibit Aglet-5, pp. 54-56; Exhibit Aglet-6, pp. 80, 110, 129. Aglet recommended a specific finding of fact and order. (Exhibit Aglet-3, p. 2, bullet point at line 7.)</p> <p>See D.11-05-018, Attachment 1, p. 1-10, Section 3.5.2(a).</p>	
<p>11. <u>Balancing Accounts.</u> Aglet analyzed incentives created by balancing account ratemaking, and opposed PG&amp;E requests for six new balancing accounts for: customer-driven work; health care costs; renewable energy development; RD&amp;D expense; uncollectibles; and electric emergency recovery. DRA opposed some but not all of the new accounts.</p> <p>Aglet made a substantial contribution to the</p>	<p>See Exhibit Aglet-3, pp. 54-61; Exhibit Aglet-5, pp. 54-56; Exhibit Aglet-6, pp. 80, 110, 129. Aglet recommended a specific finding of fact and order. (Exhibit Aglet-3, p. 3, bullet point beginning at line 23.)</p> <p>See D.11-05-018, Attachment 1, p. 1-16,</p>	

<p>settlement, which specifies that none of the six new accounts will be adopted.</p>	<p>Section 3.10.</p>	
<p>12. <u>Reserve Funds.</u> Aglet was the only party to analyze PG&amp;E’s proposed Reserve Fund and Efficiency Fund. Aglet recommended a finding that the funds provide contingency funding of PG&amp;E expenses, and disallowance of fund amounts.</p> <p>As part of the overall compromise of disputed issues, Aglet withdrew its recommendations.</p>	<p>See Exhibit Aglet-3, pp. 14-17; Exhibit Aglet-6, pp. 102-105. Aglet recommended a specific finding of fact and order. (Exhibit Aglet 3, p. 1, bullet point at line 22.)</p> <p>See D.11-05-018, Attachment 1, p. 1-20, Section 3.12(r)(1).</p>	
<p>13. <u>Smart Meters.</u> Aglet agreed with DRA that Smart Meter costs should be removed from this general rate case. Aglet recommended that the Commission order PG&amp;E to file an application for review of the reasonableness of all costs and benefits recorded in PG&amp;E’s Smart Meter balancing accounts. TURN also submitted testimony on further Commission review of Smart Meter costs.</p> <p>Aglet made a substantial contribution to the settlement, which calls for an audit of Smart Meter costs to ensure proper booking and allocation of costs and benefits related to the Smart Meter program.</p>	<p>See Exhibit Aglet-3, pp. 18-19, 38-42; Exhibit Aglet-5, pp. 1-2, 57-59; Exhibit Aglet-6, pp. 115-116. Aglet recommended a specific finding of fact and order. (Exhibit Aglet-3, p. 2, bullet point at line 16.)</p> <p>See D.11-05-018, Attachment 1, p. 1-10, Section 3.5.2(b).</p>	
<p>14. <u>Attrition.</u> Aglet analyzed PG&amp;E’s showing on attrition, and compared PG&amp;E’s request against other cost of living adjustments. Aglet supported DRA’s reliance on the CPI-U to calculate attrition adjustments, and added testimony that enhanced and complemented DRA’s showing. TURN did not submit attrition testimony.</p> <p>Aglet contributed to the settlement, which authorized fixed dollar amounts for 2012 and 2013 attrition adjustments. The settled amounts are substantially lower than adjustments that would result from PG&amp;E’s attrition proposal. See Part III, Section A herein, fifth paragraph, for estimated ratepayer savings.</p> <p>The settlement adopted Aglet’s</p>	<p>See Exhibit Aglet-3, pp. 61-70; Exhibit Aglet-5, pp. 50-53; Exhibit Aglet-6, pp. 100-101. See Exhibit Aglet-3, pp. 67-69 for testimony that specifically enhanced and complemented DRA testimony on use of the CPI-U. Aglet recommended specific findings of fact and orders. (Exhibit Aglet-3, p. 4, bullet points at lines 3 and 8.)</p> <p>See D.11-05-018, Attachment 1, p. 1-17, Sections 3.11. 3.11.1 and 3.11.2.</p> <p>See D.11-05-018, Attachment 1, p. 1-17,</p>	

<p>recommendation to limit z-factor adjustments to five specific factors.</p>	<p>Section 3.11.3.</p>	
<p>15. <u>Settlement.</u> Aglet participated actively in negotiation of many provisions of the unopposed settlement, including overall test year revenue requirements and attrition adjustments. The settlement is a compromise of strongly held views, and Aglet conceded certain of its positions in order to reach agreement with PG&amp;E and other settling parties. The Commission should not require that the settlement adopt all of Aglet’s recommendations or that Aglet prevail on every issue for which it seeks compensation. The settlement is reasonable in light of the whole record, and Aglet’s compensation request is reasonable in light of the whole record.</p> <p>The Commission adopted the settlement with minor revisions.</p>	<p>See Attachment 2, James Weil time records beginning June 8, 2010 and specifically the period from August 3 through October 15, 2010. See also Additional Comment in Part II, Section C herein, regarding Section B.d, Aglet’s role in coordinating the settlement process.</p> <p>See D.11-05-018, pp. 79-84, Findings of Fact 1-7, 17-18; p. 86, Conclusions of Law 1-2; pp. 88-101, Ordering Paragraph 1 and following orders that implement the settlement.</p>	
<p>16. <u>Return on Meters.</u> Aglet submitted a reply brief on the one issue not resolved by the settlement. PG&amp;E sought a full rate of return on retired meters. Aglet supported the position of TURN that retired meters replaced by Smart Meters should not earn a rate of return. Aglet argued that retired meters are not used and useful, PG&amp;E’s reliance on group depreciation rules was misplaced, and PG&amp;E was asking the Commission for a rate of return on two meters for every customer.</p> <p>The Commission adopted a compromise, allowing PG&amp;E to amortize retired meter capital costs over six years, while earning a reduced rate of return.</p> <p>Aglet made a substantial contribution to the Commission’s deliberations. In discussion of fairness to ratepayers, the decision states, “As Aglet argued, ‘PG&amp;E is asking the Commission to approve a rate of return on two meters for every customer.’” plus a footnote citing Aglet’s reply brief. The Commission also criticized PG&amp;E’s</p>	<p>See Aglet reply brief, filed November 15, 2010.</p> <p>See D.11-05-018, p. 100, Ordering Paragraph 45.</p> <p>See D.11-05-018, discussion at pp. 62-63, and discussion in Section 5.6.6 at pp. 63-64.</p>	



<p>reliance on group depreciation rules.</p> <p>The decision suggests that Aglet’s concern about application of group depreciation rules to retired meters can be explored in PG&amp;E’s next general rate case.</p>	<p>See D.11-05-018, discussion at p. 71.</p>	
<p>17. <u>Levelization</u>. The Proposed Decision of ALJ Fukutome calculated retired meter revenue requirements using a levelization method.</p> <p>Aglet opposed this method because it would allow PG&amp;E to earn a rate of return on deferred revenue requirements.</p> <p>The Commission did not adopt Aglet’s recommendation. Aglet voluntarily excludes associated hours from this compensation request. See Attachment 2, p. 15, Issue #17.</p>	<p>See Proposed Decision of ALJ Fukutome, discussion at pp. 69-71.</p> <p>See Opening Comments of Aglet Consumer Alliance, March 14, 2011, pp. 5-7.</p> <p>See D.11-05-018, discussion at pp. 78-79.</p>	

**B. Duplication of Effort (§§ 1801.3(f) & 1802.5):**

	<b>Claimant</b>	<b>CPUC Verified</b>
<b>a. Was DRA a party to the proceeding? (Y/N)</b>	Yes	
<b>b. Were there other parties to the proceeding? (Y/N)</b>	Yes	
<b>c. If so, provide names of other parties:</b> The Utility Reform Network (TURN); fourteen other parties that signed the settlement (see D.11-05-018, Attachment 1, p. 1-1, settlement title page); and parties that did not sign but did not oppose the settlement (City and County of San Francisco, Greenlining, San Diego Gas & Electric Company, Southern California Edison Company).		
<b>d. Describe how you coordinated with DRA and other parties to avoid duplication or how your participation supplemented, complemented, or contributed to that of another party:</b> See Attachment 2, Time and Cost Records of James Weil, for coordination activities by Aglet with DRA and TURN, specifically on November 13, 2009, December 29, 2009, January 6, 2010, February 11, 2010, and March 5, 2010. As a result of coordination with those parties: (a) Aglet testimony addressed attrition and TURN testimony did not; (b) Aglet testimony addressed financial health, and DRA and TURN testimony did not; (c) Aglet testimony addressed the economic impacts of capital spending and DRA testimony did not; and (d) Aglet testimony addressed nuclear generation issues that DRA did not. Aglet also coordinated its showing on load building with Modesto and Merced Irrigation Districts. During settlement activities, Aglet coordinated extensively with all of the settling parties.		
In another proceeding the Commission stated, “Regarding contributions by other parties, we agree with Aglet that in a proceeding involving multiple participants, it is virtually impossible to completely avoid some duplication of the work of other parties. Aglet states that it took all reasonable steps to keep duplication to a minimum and to		

<p>ensure that its work served to supplement, complement, or contribute to the showing[s] of the other very active parties in this proceeding, DRA and TURN. ... We find that Aglet has reasonably avoided duplication of the work of other participants.” (D.08-12-018, pp. 7-8.) Aglet has again taken reasonable steps to keep duplication to a minimum in this proceeding.</p>	
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**C. Additional Comments on Part II (use line reference # or letter as appropriate):**

#	Claimant CPUC	Comment
A	Issue nos.	<p>See Attachment 2, Time and Cost Records of James Weil, p. 15, for listing of the 17 substantive issues in which Aglet participated, along with Weil’s professional hours recorded or allocated to each issue. Aglet’s daily time records categorize time spent in evidentiary hearings, some hearing preparation, and review of hearing transcripts as “All Aglet Issues” because minute-by-minute recording of hearing-related time by issue was impractical. Aglet then allocated proportionally the “All Aglet Issues” hours to substantive issues #2 through #14, which were the issues in Aglet’s testimony.</p> <p>See also Attachment 3, Time Records of Jan Reid, p. 2, for listing of Reid’s time spent on four of the same 17 issues.</p>
B.d	Aglet role in settlement	<p>Aglet took a lead role in coordinating intervenor participation in the settlement and organizing and drafting settlement provisions on behalf of all settling parties other than PG&amp;E. Aglet coordinated the informal procedural schedule and maintained document control for DRA, TURN, Aglet and other non-utility parties. Aglet contributed extensively to the drafting of settlement provisions and the motion for adoption of the settlement. (Aglet believes that this explanation does not contravene Rule 12.6 of the Commission’s Rules of Practice and Procedure regarding confidentiality of settlement discussions.)</p>

**PART III: REASONABLENESS OF REQUESTED COMPENSATION** (to be completed by Claimant except where indicated)

**A. General Claim of Reasonableness (§§ 1801 & 1806):**

Concise explanation as to how the cost of claimant’s participation bears a reasonable relationship with benefits realized through participation (include references to record, where appropriate)	CPUC Verified
<p>The settlement and other provisions of D.11-05-018 will result in test year 2011 ratepayer savings of \$615 million relative to PG&amp;E’s request (D.11-05-018, Attachment 3, p. 1, line 1, column (H).) Attrition year 2012 savings will be approximately \$95.7 million, and attrition year 2013 savings will be approximately \$158.7 million. (Compare PG&amp;E requested \$275.7 million in 2012, Exhibit Aglet-3, p. 62, line 12, against settled \$180 million; and requested \$343.7 million in 2013 against settled \$185 million.) Over the three year rate case cycle, total ratepayer savings might exceed \$2.1 billion. (\$615 million for three years, \$95.7 million for two years, and \$158.7 million for one year.) Giving Aglet credit for any reasonable share of these savings, the ratepayer</p>	

benefits due to Aglet's participation will greatly exceed Aglet's compensation claim.

Looking specifically at issues of interest to Aglet, the settlement explicitly reduces PG&E's test year 2012 revenue requirement by \$7 million, which is PG&E's entire request for customer retention and economic development programs. (D.11-05-018, Attachment 1, p. 1-10, Section 3.5.1(b).) The reduction will endure for the three year rate case cycle. DRA, Aglet, Modesto and Merced Irrigation Districts, and other parties opposed the request. Aglet deserves partial credit for this reduction.

The settlement requires that PG&E will treat Diablo Canyon Power Plant labor costs associated with spent fuel removal, drying, loading and encapsulation as operating expense, not capital expenditures. (D.11-05-018, Attachment 3, p. 1-7, Section 3.4.2(a).) The 2011 amount at stake was \$11.7 million. (Exhibit Aglet-3, p. 49, line 13.) Aglet was the only party to address this issue. Treating these costs as expense rather than capital will save ratepayers approximately \$1.8 million, before consideration of the time value of money. (\$11.7 million x 8.79% authorized rate of return x 1.8 net-to-gross multiplier) This benefit is due solely to Aglet's participation.

The settlement will save ratepayers a minimum of \$50 million in IT revenue requirements in test year 2011. (D.11-05-018, Attachment 1, p. 1-14, Section 3.7(a).) The savings will endure for three years. The settlement explicitly mentions intervenor arguments regarding IT costs. DRA, TURN and Aglet were the intervenors that submitted testimony on IT costs. Aglet deserves a share of the credit for IT cost savings.

As shown in the first paragraph in this section, the settlement will save ratepayers approximately \$95.7 million in attrition year 2012 and approximately \$158.7 million in attrition year 2013. Total attrition savings for ratepayers will be roughly \$350 million. (\$95.7 million for two years, \$158.7 million for one year.) DRA and Aglet were the only parties to provide detailed testimony on attrition. Aglet's contribution to the settlement of attrition issues will save ratepayers many millions of dollars.

**B. Specific Claim:**

CLAIMED						CPUC AWARD			
ATTORNEY AND ADVOCATE FEES									
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Year	Hours	Rate \$	Total \$
			\$						
<i>Subtotal:</i>						<i>SUBTOTAL:</i>			
EXPERT FEES									
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Year	Hours	Rate \$	Total \$
James Weil	2009	6.2	\$300	D.08-05-033, Ordering Par. 2	\$1,860				

	2010	724.4	\$300	D.08-05-033, Ordering Par. 2	\$217,320				
	2011	35.1	\$300	D.08-05-033, Ordering Par. 2	\$10,530				
Jan Reid	2010	148.8	\$185	D.08-11-054, discussion p. 8	\$27,528				
	2011	1.9	\$185	D.08-11-054, discussion p. 8	\$351.50				
Subtotal:					\$257,589.50	<b>Subtotal:</b>			

**OTHER FEES**

Describe here what OTHER HOURLY FEES you are claiming (paralegal, travel, etc.):

Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Year	Hours	Rate \$	Total \$
James Weil travel	2010	42.8	\$150	D.08-05-033, Ordering Par. 2	\$6,420				
James Weil travel	2011	3.1	\$150	D.08-05-033, Ordering Par. 2	\$465				
Subtotal:					\$6,885	Subtotal:			

**INTERVENOR COMPENSATION CLAIM PREPARATION \*\***

Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Year	Hours	Rate \$	Total \$
James Weil (NOI)	2010	2.0	\$150	D.08-05-033, Ordering Par. 2	\$300				
James Weil (Request)	2011	18.2	\$150	D.08-05-033, Ordering Par. 2	\$2,730				
Jan Reid	2011	1.8	\$92.50	D.08-11-054, discussion p. 8	\$166.50				
Subtotal:					\$3,196.50	<b>Subtotal:</b>			

**COSTS**

#	Item	Detail	Amount	Amount
1	Postage	Postage, overnight delivery	\$100.79	
2	Copies	Commercial copies, \$255.54 Aglet copies, 697 at 8 cents, \$60.40 Aglet copies, 2,577 at 10 cents, \$257.70 Aglet copies, 795 at 11 cents, \$87.45	\$661.09	
3	FAX	33 pages at \$1.00	\$33.00	
4	James Weil travel costs	Bridge tolls: \$96.00 Parking, San Francisco: \$252.00 Vehicle mileage: 2009: 110 miles at 55 cents, \$60.50	\$1,144.59	

	2010: 1,361 miles at 50 cents, \$680.50 2011: 109 miles at 51 cents, \$55.59		
	Subtotal:	\$1,939.47	<b>Subtotal:</b>
	TOTAL REQUEST \$:	\$269,610.47	<b>TOTAL AWARD \$:</b>
<p>When entering items, type over bracketed text; add additional rows as necessary.          *If hourly rate based on CPUC decision, provide decision number; otherwise, attach rationale.          **Reasonable claim preparation time typically compensated at ½ of preparer's normal hourly rate.</p>			

**C. Attachments or Comments Documenting Specific Claim (Claimant completes; attachments not attached to final Decision):**

Attachment or Comment #	Description/Comment
1	Certificate of Service
2	Time and Cost Records of James Weil
3	Time Records of Jan Reid
	<p>Comment: Aglet recognizes that preparation of this compensation request took more the usual number of hours. However, the increased hours are reasonable considering the scope of the proceeding, the extent of Aglet's participation, and the number of issues in which Aglet participated. Attachment 2, the spreadsheet of time records for James Weil, is 15 pages long. In Part II, Section A of this request, Aglet lists 17 issues. Aglet's time spent on the compensation request includes time to review D.11-05-018. The narrative portion of the decision is more than 100 pages long.</p>

**D. CPUC Disallowances & Adjustments (CPUC completes):**

#	Reason

**PART IV: OPPOSITIONS AND COMMENTS**  
 Within 30 days after service of this claim, Commission Staff  
 or any other party may file a response to the claim(see § 1804(c))

(CPUC completes the remainder of this form)

**A. Opposition: Did any party oppose the claim (Y/N)?**

If so:

Party	Reason for Opposition	CPUC Disposition

**B. Comment Period: Was the 30-day comment period waived (see Rule 14.6(c)(6)) (Y/N)?**

If not:

Party	Comment	CPUC Disposition

**FINDINGS OF FACT**

1. Claimant [has/has not] made a substantial contribution to Decision (D.) \_\_\_\_\_.
2. The claimed fees and costs [, as adjusted herein,] are comparable to market rates paid to experts and advocates having comparable training and experience and offering similar services.
3. The total of reasonable contribution is \$\_\_\_\_\_.

**CONCLUSION OF LAW**

1. The claim, with any adjustment set forth above, [satisfies/fails to satisfy] all requirements of Public Utilities Code §§ 1801-1812.

**ORDER**

1. Claimant is awarded \$\_\_\_\_\_.
2. Within 30 days of the effective date of this decision, \_\_\_\_\_ shall pay claimant the total award. Payment of the award shall include interest at the rate earned on prime,

three-month commercial paper as reported in Federal Reserve Statistical Release H.15, beginning \_\_\_\_\_, 200\_\_, the 75<sup>th</sup> day after the filing of claimant's request, and continuing until full payment is made.

3. The comment period for today's decision [is/is not] waived.
4. [This/these] proceeding[s] [is/are] closed.
5. This decision is effective today.

Dated \_\_\_\_\_, at San Francisco, California.

**Attachment 1:  
Certificate of Service by Customer**

I hereby certify that I have this day served a copy of the foregoing **CLAIM AND ORDER ON REQUEST FOR INTERVENOR COMPENSATION** by (check as appropriate):

- |                                     |                          |
|-------------------------------------|--------------------------|
| <input type="checkbox"/>            | hand delivery;           |
| <input type="checkbox"/>            | first-class mail; and/or |
| <input checked="" type="checkbox"/> | electronic mail          |

to the following persons appearing on the official Service List:

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Executed this 24th day of June, 2011, at Sebastopol, California.

/s/

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