

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Continue
Implementation and Administration of
California Renewable Portfolio Standard Program.

Rulemaking 11-05-005
(Filed May 5, 2011)

**UPDATED
NOTICE OF INTENT TO CLAIM INTERVENOR COMPENSATION
AND, IF REQUESTED (and checked), ALJ RULING
ON SHOWING OF SIGNIFICANT FINANCIAL HARDSHIP**

Sustainable Conservation			
Assigned Commissioner: Ferron		Assigned ALJ: Mattson, Simon, DeAngelis	
I hereby certify that the information I have set forth in Parts I, II, III and IV of this Notice of Intent (NOI) is true to my best knowledge, information and belief. I further certify that, in conformance with the Rules of Practice and Procedure, this NOI and has been served this day upon all required persons (as set forth in the Certificate of Service attached as Attachment 1).			
		Signature: /S/	
Date:	6/9/11	Printed Name:	Jody London

PART I: PROCEDURAL ISSUES

(To be completed by the party ("customer") intending to claim intervenor compensation)

A. Status as "customer" (see Pub. Util. Code § 1802(b)): The party claims "customer" status because it (check one):	Applies (check)
1. Category 1: Represents consumers, customers, or subscribers of any electrical, gas, telephone, telegraph, or water corporation that is subject to the jurisdiction of the Commission (§ 1802(b)(1)(A))	
2. Category 2: Is a representative who has been authorized by a "customer" (§ 1802(b)(1)(B)).	
3. Category 3: Represents a group or organization authorized pursuant to its articles of incorporation or bylaws to represent the interests of residential customers, to represent "small commercial customers" (§ 1802(h)) who receive bundled electric service from an electrical corporation (§ 1802(b)(1)(C)), or to represent another eligible group.	√
4.	

B. Timely Filing of NOI (§ 1804(a)(1)):	Check
1. Is the party's NOI filed within 30 days after a Prehearing Conference?	Yes <input type="checkbox"/>

Date of Prehearing Conference: _____	No <input type="checkbox"/> Yes <input checked="" type="checkbox"/>
2. Is the party's NOI filed at another time (for example, because no Prehearing Conference was held, the proceeding will take less than 30 days, the schedule did not reasonably allow parties to identify issues within the timeframe normally permitted, or new issues have emerged)?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
2a. The party's description of the reasons for filing its NOI at this other time: The Order Instituting Rulemaking directs parties to file updated Notices of Intent within 30 days of when the OIR was mailed (May 10, 2011).	
2b. The party's information on the proceeding number, date, and decision number for any Commission decision, Commissioner ruling, or ALJ ruling, or other document authorizing the filing of its NOI at that other time: OIR 11-05-005, May 10, 2011.	

PART II: SCOPE OF ANTICIPATED PARTICIPATION

(To be completed by the party ("customer") intending to claim intervenor compensation)

A. Planned Participation (§ 1804(a)(2)(A)(i)):
<ul style="list-style-type: none"> The party's description of the nature and extent of the party's planned participation in this proceeding (as far as it is possible to describe on the date this NOI is filed). Sustainable Conservation anticipates participating fully in this proceeding on the issues identified below. Sustainable Conservation anticipates participating in workshops, hearings, and other proceedings that may occur in the course of deliberations. The organization will file comments and reply comments as directed and in accordance with CPUC <i>Rules of Practice and Procedure</i>. Should hearings be held, Sustainable Conservation reserves the opportunity to participate in them as best benefits the organization's interests. The party's statement of the issues on which it plans to participate. At this time, Sustainable Conservation expects to participate on the following issues: <ul style="list-style-type: none"> ❖ Renewable Distributed Energy Collaborative. ❖ Implementation of Senate Bill 32. ❖ Interconnection for small distributed generation. ❖ Other issues that may arise.

B. The party's itemized estimate of the compensation that the party expects to request, based on the anticipated duration of the proceeding (§ 1804(a)(2)(A)(ii)):				
Item	Hours	Rate \$	Total \$	#
ATTORNEY FEES				
Don Liddell	42	\$ 300	\$ 12,600.00	1

			Subtotal:	\$ 12,600.00
EXPERT FEES				
Allen Dusault	78	\$ 238.00		\$ 18,088.00
Jody London	132	\$ 195.00		\$ 24,667.50
			Subtotal:	\$ 55,355.50
OTHER FEES				
			Subtotal:	
COSTS				
Travel				\$ 350
Postage				\$ 50
			Subtotal:	\$ 400
TOTAL ESTIMATE \$:				\$55,755.50
Comments/Elaboration (use reference # from above):				
1. At this time, Sustainable Conservation intends to use a senior regulatory expert, Jody London, as its lead advocate. We will retain a lawyer to address significant legal issues that may arise in the course of the proceeding.				
When entering items, type over bracketed text; add additional rows to table as necessary. Estimate may (but does not need to) include estimated claim preparation time. Claim preparation is typically compensated at ½ of preparer's normal hourly rate.				

PART III: SHOWING OF SIGNIFICANT FINANCIAL HARDSHIP

(To be completed by party ("customer") intending to claim intervenor compensation; see Instructions for options for providing this information)

A. The party claims "significant financial hardship" for its claim for intervenor compensation in this proceeding on the following basis:	Applies (check)
1. "[T]he 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" (§ 1802(g)); or	<input type="checkbox"/>
2. "[I]n the case of a group or organization, the economic interest of the individual members of the group or organization is small in comparison to the costs of effective participation in the proceeding" (§ 1802(g)).	<input type="checkbox"/>
3. A § 1802(g) finding of significant financial hardship in another proceeding, made within one year prior to the commencement of this proceeding, created a rebuttable presumption of eligibility for compensation in this proceeding (§ 1804(b)(1)).	<input checked="" type="checkbox"/>
ALJ ruling (or CPUC decision) issued in proceeding number: D.09-12-039, issued in R.08-08-009. The OIR 11-05-005 states "We	<input type="checkbox"/>

permit a party found eligible in R.08-08-009 to remain eligible in this proceeding.)	
Date of ALJ ruling (or CPUC decision): December 17, 2009, in R.08-08-009	

B. The party’s explanation of the factual basis for its claim of “significant financial hardship” (§ 1802(g)) (necessary documentation, if warranted, is attached to the NOD):

See above. A finding of significant financial hardship already exists.

**PART IV: THE PARTY’S ATTACHMENTS DOCUMENTING SPECIFIC
ASSERTIONS MADE IN THIS NOTICE**

**(The party (“customer”) intending to claim intervenor compensation
identifies and attaches documents (add rows as necessary.) Documents are
not attached to final ALJ ruling.)**

Attachment No.	Description
1	Certificate of Service

ADMINISTRATIVE LAW JUDGE RULING¹
(ALJ completes)

	Check all that apply
1. The Notice of Intent (NOI) is rejected for the following reasons:	
a. The NOI has not demonstrated status as a “customer” for the following reason(s):	
b. The NOI has not demonstrated that the NOI was timely filed (Part I(B)) for the following reason(s):	
c. The NOI has not adequately described the scope of anticipated participation (Part II, above) for the following reason(s):	
2. The NOI has demonstrated significant financial hardship for the reasons set forth in Part III of the NOI (above).	
3. The NOI has not demonstrated significant financial hardship for the following reason(s):	
4. The ALJ provides the following additional guidance (see § 1804(b)(2)):	

¹ An ALJ Ruling will not be issued unless: (a) the NOI is deficient; (b) the ALJ desires to address specific issues raised by the NOI (to point out similar positions, areas of potential duplication in showings, unrealistic expectations for compensation, or other matters that may affect the customer’s claim for compensation); or (c) the NOI has included a claim of “significant financial hardship” that requires a finding under § 1802(g).

IT IS RULED that:

	Check all that apply
1. The Notice of Intent is rejected.	
2. Additional guidance is provided to the customer as set forth above.	
3. The customer has satisfied the eligibility requirements of Pub. Util. Code § 1804(a).	
4. The customer has shown significant financial hardship.	
5. The customer is preliminarily determined to be eligible for intervenor compensation in this proceeding. However, a finding of significant financial hardship in no way ensures compensation.	

Dated _____, at San Francisco, California.

ADMINISTRATIVE LAW JUDGE

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

I hereby certify that I have this day served a copy of the foregoing **NOTICE OF INTENT TO CLAIM INTERVENOR COMPENSATION** by (check as appropriate):

- hand delivery;
- first-class mail; and/or
- electronic mail

to the following persons appearing on the official Service List:

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Executed this 9 day of June, 2011, at Oakland, California.



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