


Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Pacific Gas and Electric Company for Authority, Among Other Things, to Increase Rates and Charges for Electric and Gas Service Effective on January 1, 2011. (U39M)	Application 09-12-020 (Filed December 21, 2009)
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CLAIM AND DECISION ON REQUEST FOR INTERVENOR COMPENSATION

Claimant: Women's Energy Matters	For contribution to D. 11-05-018		
Claimed (\$): \$122,575.09	Awarded (\$):		
Assigned Commissioner: Michael R. Peevey	Assigned ALJ: 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).			
Signature: 			
Date:	July 12, 2011	Printed Name:	Martin Homec

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

A. Brief Description of Decision: Pacific Gas and Electric Company is authorized a GRC revenue requirement increase for 2011 amounting to \$450 million, or 8.1%, over the current authorized level of \$5,582 million. The authorized increase is comprised of \$237 million for electric distribution, \$47 million for gas distribution, and \$166 million for electric generation. The decision also authorizes additional post-test year attrition increases totaling \$180 million for 2012 and \$185 million

for 2013. The Commission approved a settlement of almost all issues in the case.

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

	Claimant	CPUC Verified
Timely filing of notice of intent to claim compensation (§ 1804(a)):		
1. Date of Prehearing Conference:	February 19, 2010	
2. Other Specified Date for NOI:		
3. Date NOI Filed:	March 22, 2010	
4. Was the notice of intent timely filed?		
Showing of customer or customer-related status (§ 1802(b)):		
5. Based on ALJ ruling issued in proceeding number:		
6. Date of ALJ ruling:		
7. Based on another CPUC determination (specify):	D.10-09-015	
8. Has the claimant demonstrated customer or customer-related status?		
Showing of "significant financial hardship" (§ 1802(g)):		
9. Based on ALJ ruling issued in proceeding number:		
10. Date of ALJ ruling:		
11. Based on another CPUC determination (specify):	D.10-09-015	
12. Has the claimant demonstrated significant financial hardship?		
Timely request for compensation (§ 1804(c)):		
13. Identify Final Decision	D.11-05-018	
14. Date of Issuance of Final Decision:	May 13, 2011	
15. File date of compensation request:	July 12, 2011	
16. Was the request for compensation timely?		

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

#	Claimant	CPUC	Comment

		<p>WEM intervened in A0912020 in March, 2010, when the case had already been in progress for several months; our team was unavailable before that time due to obligations in other cases. As shown below, we participated fully and made substantial contributions despite our late arrival. All of our efforts should be compensated in full.</p> <p>WEM filed testimony; participated extensively in hearings — cross-examining witnesses on issues that were for the most part exclusively raised by WEM; made proposals for the Comparison exhibit; participated in group settlement discussions and ultimately met several times with PG&E personnel to negotiate one-on-one. (This last was recommended by ALJ Vieth, whom ALJ Fukutome told parties to contact if we needed assistance to resolve issues.)</p> <p>As we sought to get up to speed in the spring, we were hampered by PG&E’s delay of nearly two weeks to approve all of our team’s requests for access to their online documents, which included the testimony, workpapers and responses to parties’ data requests. In the interim, the company provided us a DVD that supposedly contained PG&E’s testimony and workpapers; however we learned several weeks later that they had erroneously given us the early versions of their documents that were filed with their NOI, instead of the documents filed with their applications; furthermore, the documents were not searchable. It was several more weeks before the error became clear and was corrected. This caused delays in our review of documents and our discovery efforts, and led to our request for an extension of time to file our testimony, which was granted.</p> <p>Partly as a result of this experience, partly because it was germane to our issues, WEM advocated for greater transparency in the GRC proceeding, as well as greater transparency in PG&E’s employees’ activities and in its distribution system.</p>

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
WEM efficiently represented the concerns of our diverse ratepayer constituents throughout the proceeding, including ratepayers in Community Choice (CCA) jurisdictions and ratepayers throughout PG&E’s territory who seek a cleaner, more efficient and	WEM achieved reductions in PG&E’s revenue requirements and other changes in company policy that are reflected in the settlement agreement and described below. As described herein, WEM obtained agreement to include many of our unique recommendations in the Settlement.	

<p>renewable energy system. D1105018 described WEM’s positions as follows: “WEM recommended reductions to electric distribution, Customer Care, SmartMeter, Energy Supply, and A&G funding; proposed enhanced procedures and an audit for BTL activities; recommended that PG&E provide specific information to assist renewable projects to interconnect to its distribution system; recommended procedures to better ensure attention to distribution system maintenance, including in the territories of Community Choice Aggregators; and recommended imposing automatic penalties if PG&E continues to fund customer retention and economic development activities.” D1105018, p. 14.</p>	<p>Pursuant to WEM’s recommendations, PG&E also agreed to make certain immediate improvements, providing information for interconnecting renewables (see below).</p> <p>Together with certain other parties, WEM contributed to reductions of \$2.5m in Public Affairs; \$2.5m in Corporation Relations (§3.6.1, p. 1-12); and cancellation of PG&E’s entire \$7 m request for customer and economic development programs (§3.5.1(b), p. 1-10).</p> <p>As a group, the settling parties achieved reductions in PG&E’s revenue requirements of only 37% of PG&E’s requested increase.</p>	
<p>WEM proposed enhanced procedures, an audit, and more frequent review of Below-the-Line (BTL) activities, specifically to protect Community Choice Aggregators from unfair competition and to prevent ratepayer funds from being spent on political activities or promotion of corporate objectives. These include funds related to Energy efficiency programs, whether authorized in the GRC or in other proceedings.</p>	<p>WEM achieved significant modifications in PG&E’s Below-the-Line policy and procedures in the settlement. These changes protect against use of ratepayer funds for marketing and lobbying against development or operations of Community Choice Aggregation (CCAs) (as well as municipalization efforts).</p> <p>Modifications include better record keeping by PG&E personnel, annual notifications and training for personnel; “BTL accounting for certain PG&E activities, including all marketing and lobbying activities, in response to initiatives or proposals of local agencies for municipalization or for the formation or ongoing activities of CCAs, not just activities in response to ballot measures,” and an annual compliance review that will be made available to interested parties (§3.6.2(c), p. 1-13).</p>	
<p>WEM opposed ratepayer funding for customer retention and economic development activities; our questions in</p>	<p>In the settlement, PG&E agreed to Below-the-Line treatment of all Customer Retention and Economic Development</p>	

<p>the hearings exposed how energy efficiency funds were often drawn into these efforts.</p>	<p>programs, eliminating all \$7 m of ratepayer funds for them. §3.5.1(b), p. 1-10.</p>	
<p>WEM recommended that PG&E provide specific information to assist renewable projects to interconnect to its distribution system.</p>	<p>WEM’s questions in hearings and our discussions with PG&E employees in one-on-one settlement talks regarding the difficulties and expense that small renewables developers face in trying to interconnect to PG&E’s electric system resulted in PG&E making immediate improvements in access to information about where the company’s lines can accommodate interconnection.</p> <p>PG&E agreed to provide maps, interconnection queue status, and other means of helping renewables developers determine where to locate their projects. The company has already added a section to its website addressing this issue: http://www.pge.com/b2b/energysupply/wholesaleelectricssuppliersolicitation/PVRFO/pvmap/</p>	
<p>WEM recommended that PG&E make good on its earlier promise to the community to clean up the Hunters Point Power Plant site to residential standards.</p>	<p>PG&E reinstated its earlier pledge to remediate the Hunters Point Power Plant site to residential standards if requested (§3.4.2(g), p. 1-9).</p>	
<p>WEM recommended better tracking of all costs related to Smart Meters, and greatly reducing funds for customer research, outreach and education. WEM’s 7-29-10 Recommendations for the Comparison Exhibit, pp. 2-3.</p>	<p>Ordering Paragraph 1 of the decision requires an independent audit of PG&E’s SmartMeter-related costs, which WEM supported.</p>	
<p>WEM recommended procedures to better ensure attention to distribution system maintenance, including in the territories of Community Choice Aggregators.</p> <p>In our Comparison exhibit, WEM recommended tracking vegetation and other maintenance geographically. WEM’s 7-29-10 Recommendations for the Comparison Exhibit, p. 1.</p>	<p>PG&E agreed to continue its Vegetation Management Balancing Account (VMBA) and tracking procedures. §3.2.2, p. 1-4. WEM was unable to get its other distribution maintenance recommendations included in the settlement agreement, although the parties did agree to include a similar program for gas operations and maintenance. See §3.3.2 Distribution Integrity Management Program (DIMP), p. 1-6.</p>	

<p>WEM also recommended that funds be tracked in a balancing account for maintaining the electric system used by Community Choice Aggregators (CCA)s, or that CPUC develop other methods for allocation of funds in order to assure the CCA ratepayers that they would not suffer lesser service and reliability if they choose CCA service.</p>	<p>Recent reports show that PG&E has service and inspection problems with both its electric and gas systems, indicating that WEM’s recommendations in this area would be beneficial to ratepayers and will hopefully be adopted in the future.</p> <p>The Commission has ruled that even when an intervenor’s recommendations are denied, or not included in the final decision or settlement, if they contributed to the record and assisted the Commission in its considerations of the issues, they may be considered a substantial contribution and compensated fully.</p>	
	<p>As described herein, many of WEM’s contributions in this proceeding were included in the settlement and/or put into practice immediately; it should be very clear that WEM’s contributions were very significant, provided substantial benefits to ratepayers, and should be compensated in full.</p>	

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

	Claimant	CPUC Verified
a. Was DRA a party to the proceeding? (Y/N)	Y	
b. Were there other parties to the proceeding? (Y/N)	Y	
<p>c. If so, provide name of other parties: Western Power Trading Forum/Alliance For Retail Energy, California Farm Bureau Federation, Markets/Equinix, Inc./Direct Access Customer Coalition, The Greenlining Institute, Independent Power Producers, The Utility Reform Network, Energy Management Service, Southern California Edison Company, San Diego Gas and Electric Company/Southern California Gas Company, California City-County Street Light Association, Energy Producers & Users Association, Coalition of California Utility Employees, City and County of San Francisco, Engineers and Scientists of California Local 20, South San Joaquin Irrigation District, Disability Rights, Aglet Consumer Alliance, Consumer Federation of America, Merced Irrigation District</p>		
<p>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: WEM participated in conference calls with all parties and discussed shared issues with DRA, TURN, CCSF, SSJID and AREM at various points in the case. WEM actively participated in the group settlement discussions and met one-</p>		

on-one with PG&E personnel to negotiate issues unique to WEM. Several parties supported elimination of ratepayer funds for PG&E’s customer retention programs, which specifically oppose municipalization, however this program category does not apply to PG&E’s efforts to market and lobby against Community Choice Aggregators (CCAs). There is an explicit requirement in AB117 for utilities to “cooperate” with CCAs, which the Commission had reiterated in Resolution E-4250 in April 2010. Thus, it was part of WEM’s task to demonstrate the various forms of marketing and lobbying PG&E pursued against CCAs.

C. Additional Comments on Part II (use line reference # or letter as appropriate):

#	Claimant	CPUC	Comment

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>WEM argued the issues of 1) requiring better time keeping for all PG&E employees involved in energy efficiency and solar, customer outreach, public affairs, corporate relations and regulatory law; 2) requiring below-the-line treatment (and/or cessation) of all marketing and lobbying against Community Choice Aggregation; 3) providing more transparency about interconnection and better access to PG&E’s electric system for renewable energy developers in PG&E’s service territory; and 4) better controls, including future review of activities authorized in this proceeding to ensure that ratepayers do not pay twice for the same work. WEM was the only party that argued most of these issues. PG&E agreed to improve its employees’ time records and make them available in future GRC proceedings and for an annual review that is made available to interested parties. This will allow community representatives to determine whether PG&E shareholders (not ratepayers) paid for election expenses and anti-CCA efforts.</p> <p>WEM’s work contributed to specific reductions in revenue requirements, including \$7m for eliminating ratepayer funding for customer retention and economic development, \$5 million reductions in Public Affairs and Corporate Relations.</p> <p>While it would be impossible to assign exact dollar amounts to all of the benefits WEM achieved for ratepayers, it is clear that all of WEM’s participation provided substantial benefits.</p> <p>In particular, WEM’s work ensured that PG&E employees will keep better track of their Below-the Line activities in marketing and lobbying against CCAs and the company will conduct an annual review provide access to these records to any interested parties. This will help prevent ratepayer funds being spent on activities</p>	

that should be funded by shareholders (or discontinued). In turn, this will provide for more fair competition by CCAs, and healthy competition tends to reduce prices.

WEM's work also ensured better access to the grid for renewables developers which saves costs of renewables and lessens the need for expensive GHG mitigation.

Our efforts also helped improve recourse in later proceedings, to ensure follow-through on provisions of the settlement agreement.

WEM's participation in Settlement discussions was very efficient. While we were unable to join the group talks for most of July-August, we used that time to develop and support our positions by working on our brief. This assisted us to better explain our positions in ways that were meaningful to PG&E's negotiators, which resulted in rapid progress and better outcomes in our one-on-one talks.

ISSUE ALLOCATION

Please see WEM's timesheets for more details on how WEM's time was allocated according to the following issues categories: xxx

- electric distribution ED
- customer care CC
- smart meter SM
- Energy Supply ES
- A&G funding AG
- Proposed
- Procedures* PP
- Below the Line issue BTL
- Transparency T

* Proposed procedures for ensuring certain activities are recorded Below-the-Line

B. Specific Claim:

CLAIMED						CPUCA WARD			
ATTORNEY AND ADVOCATE FEES									
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Year	Hours	Rate \$	Total \$
Barbara George	2010	278.75	\$175	A rate of \$175 for BGeorge's work in 2009 was adopted in D1005049, and D1009015 used the same rate for work in 2009 and 2010.	48,081.25				
Barbara George	2011	6.75	\$175		\$1,181.25				
Martin Homec	2010	315.3	185	D.10-05-046	\$58,330.50				

Martin Homec	2011	5	185	D.10-05-046	\$925.00				
					\$108,518.00	Subtotal:			
EXPERT FEES									
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Year	Hours	Rate \$	Total \$
Don Davy	2010	64.50	\$175	D0801017	\$11,287.50				
					Subtotal:	Subtotal:			
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 \$
Martin Homec	2010		Martin Homec	travel and bridge tolls	\$273.84				
					Subtotal:	Subtotal:			
INTERVENOR COMPENSATION CLAIM PREPARATION **									
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Year	Hours	Rate \$	Total \$
Martin Homec	2011	10.9	92.50	D.10-05-046	1,008.25				
Barbara George	2010	3	87.50	D1009015,	262.50				
Barbara George	2011	14	87.50	D1009015,	1225.00				
					Subtotal:	Subtotal:			
COSTS									
#	Item	Detail			Amount	Amount			
					Subtotal:	Subtotal:			
					TOTAL REQUEST \$:	TOTAL AWARD \$:			
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 1/2 of preparer's normal hourly rate.									

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	WEM Timesheets – excel workbook

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 75th 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.