

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking on the Commission's Own Motion to Adopt New Safety and Reliability Regulations for Natural Gas Transmission and Distribution Pipelines and Related Ratemaking Mechanisms.

Rulemaking 11-02-019
(Filed February 24, 2011)

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

Customer (party intending to claim intervenor compensation): National Asian American Coalition, Black Economic Council, Latino Business Chamber of Greater Los Angeles ("Joint Parties")		
Assigned Commissioner: Michael P. Florio		Assigned ALJ: Maribeth A. Bushey
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/ Len Canty /s/ Faith Bautista /s/ Jorge Corralejo		
Date:	February 9, 2012	Printed Name: Len Canty Faith Bautista Jorge Corralejo

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 (§	X

1802(b)(1)(C)), or to represent another eligible group.

4. The party's explanation of its customer status, economic interest (if any), with any documentation (such as articles of incorporation or bylaws) that supports the party's "customer" status. Any attached documents should be identified in Part IV.

The Join Parties are non-profit organizations who have been granted intervenor status in numerous cases before the California Public Utilities Commission, including A.10-12-005, A.10-12-006, A.10-11-015, A. 11-05-017 et al., I.11-06-009 and the related cases, A.11-06-006 et al. Each organizations' bylaws reflect support the joint parties' "customer" status, as found by Administrative Law Judge Darling in A.10-11-015 in a Ruling dated July 8, 2011.

Bylaws of the Black Economic Council

The BEC is authorized and urged to actively participate and intervene before the CPUC on all matters that it deems appropriate that will affect directly or indirectly Black consumer interests, Black rate payer interests and Black small business interests. This authorization is intended to be broad enough to include, for example, environment or smart grid or any new technology issues as well as issues affecting wireless customers, small businesses, technical assistance and general ratepayers. This is consistent with the BEC's authorizations, presently in the bylaws, to advocate for the Black community before any government agency, including the FCC, FTC, Department of Justice, the California Attorney General and the State Department of Insurance.

Bylaws of the National Asian American Coalition

The NAAC is authorized and urged to actively participate and intervene before the CPUC on all matters that it deems appropriate that will affect directly or indirectly Asian American consumer interests, Asian American rate payer interests and Asian American small business interests. This authorization is intended to be broad enough to include, for example, environment or smart grid or any new technology issues as well as issues affecting wireless customers, small businesses, technical assistance and general ratepayers. This is consistent with the NAAC's authorizations, presently in the bylaws, to advocate for the Asian American community before any government agency, including the FCC, FTC, Department of Justice, the California Attorney General and the State Department of Insurance.

Bylaws of the Latino Business Chamber of Greater Los Angeles

The corporation is authorized and urged to actively participate and intervene before the California Public Utilities Commission on all matters that it deems appropriate that will affect directly or indirectly Latino consumer interests, Latino rate payer interests and Latino small business interests. This authorization is intended to be broad enough to include, for example, environmental or smart grid or any new technology issues as well as issues affecting wireless customers, small businesses, technical assistance and general ratepayers.

B. Timely Filing of NOI (§ 1804(a)(1)):	Check
1. Is the party's NOI filed within 30 days after a Prehearing Conference? Date of Prehearing Conference: <u>June 2, 2011</u>	Yes No X
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 X No ___
2a. The party's description of the reasons for filing its NOI at this other time: Please see Joint Parties' pending motion for leave to late-file this NOI, filed February 9, 2012.	
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: Please see Joint Parties' pending motion for leave to late-file this NOI, filed February 9, 2012.	

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). <p>As intervenors, the Joint Parties intend to fully participate in all aspects of the proceeding. The Joint Parties plan to conduct discovery, prepare testimony, participate in evidentiary hearings, file briefs, engage in meetings with Commission and party staff, and prepare comments on the proposed and any alternate decisions ultimately issued by the Commission.</p> <ul style="list-style-type: none"> The party's statement of the issues on which it plans to participate. <p>The Joint Parties expect to address numerous issues in these cases. As the only non-profit intervenors based in the city of San Bruno, the Joint Parties plan to address these issues with a unique perspective on the communities' needs. These issues include: ensuring that ratepayers, especially those who are low-income or new immigrants, receive the</p>

education and outreach to ensure their confidence in the gas pipeline system; ensuring that the Commission and the utilities respond to the need of the ratepayers to be fully informed in the proceedings; and to ensure that any safety policy modifications are completed with the needs of low-income ratepayers and communities of color.

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				
Robert Gnaizda, Esq.	120	\$535	\$64,200	1
Shalini Swaroop, Esq.	150	\$215	\$32,250	2
		Subtotal:	\$96,540	3
EXPERT FEES				
Faith Bautista	150	\$390	\$58,500	4
Len Canty	40	\$390	\$15,600	5
Jorge Corralejo	10	\$390	\$3,900	6
		Subtotal:	\$78,000	7
OTHER FEES				
Law Intern	20	\$145	\$2,900	8
Law Intern	20	\$145	\$2,900	9
Paralegal	30	\$110	\$3,300	10
		Subtotal:	\$9,100	11
COSTS				
Miscellaneous Costs		3,000	\$3,000	12
		Subtotal:	\$3,000	13
TOTAL ESTIMATE \$:			\$186,640	14

Comments/Elaboration (use reference # from above):

These estimates are based upon a six month schedule that is currently under discussion by the parties to the consolidated cases. Estimates may change depending upon the consensus reached on the anticipated timeline.

#1 Counsel has over 40 years of experience trying cases before the CPUC.

#4 Expert is the CEO and President of NAAC, located in San Bruno.

#12 Miscellaneous costs include travel for experts, office costs, and possible consultation fees.

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	
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)).	
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)).	X
<p>ALJ ruling (or CPUC decision) issued in proceeding number: R.09-07- 027</p> <p>Date of ALJ ruling (or CPUC decision): July 6, 2010 for BEC and NAAC; August 26, 2010 for LBCGLA</p>	

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 NOI):
N/A

**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:

Service List of R.11-02-019

StephanieC@greenlining.org
SLG0@pge.com
carlwood@uwua.net
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Ethan.Jones@Valero.com
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bob.gorham@fire.ca.gov
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rkohut@sandiego.gov
Faith.Mabuhayalliance@gmail.com
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rkoss@adamsbroadwell.com
gxh@cpuc.ca.gov
map@cpuc.ca.gov
austin.yang@sfgov.org
marcel@turn.org
cpj2@pge.com
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sls@a-klaw.com
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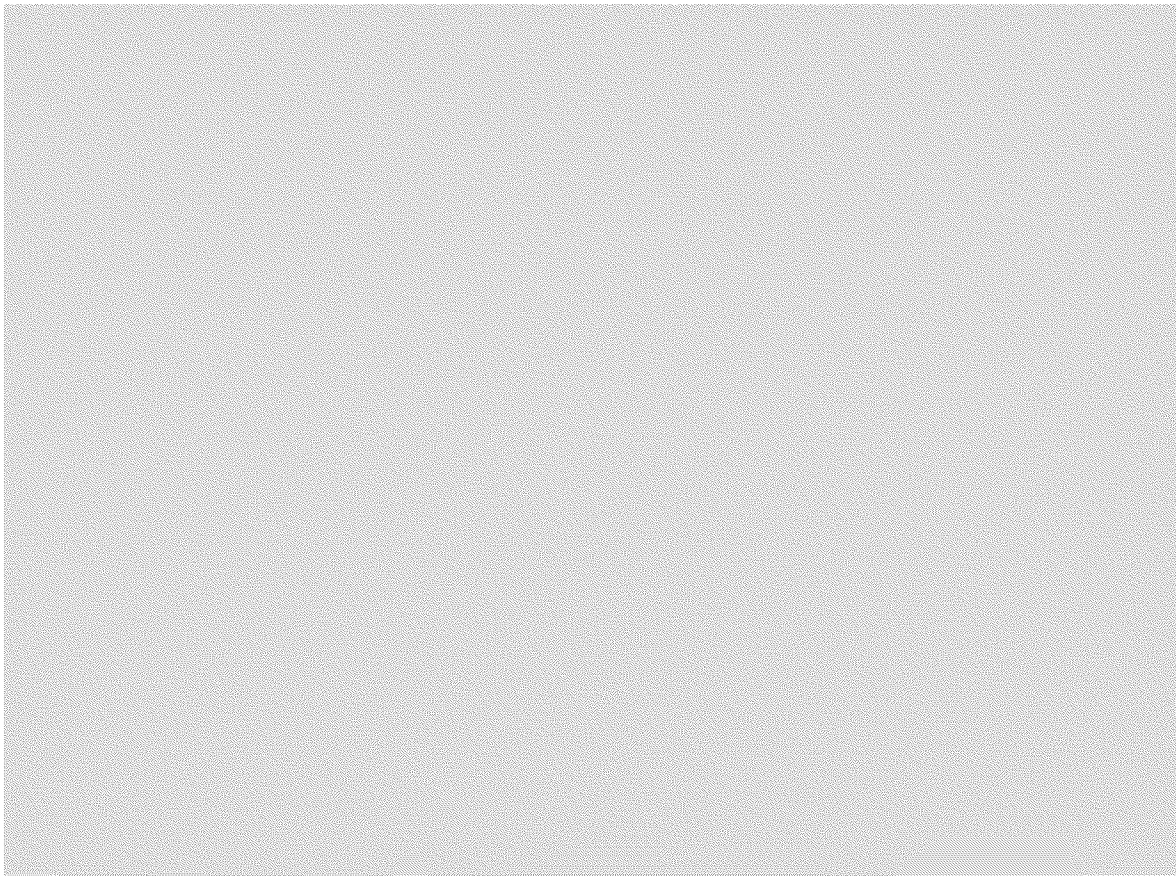
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djg@cpuc.ca.gov
dbp@cpuc.ca.gov
emm@cpuc.ca.gov
cpe@cpuc.ca.gov
hym@cpuc.ca.gov
jzr@cpuc.ca.gov
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jws@cpuc.ca.gov
jmh@cpuc.ca.gov
kpp@cpuc.ca.gov
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pzs@cpuc.ca.gov
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rmp@cpuc.ca.gov
srt@cpuc.ca.gov
skh@cpuc.ca.gov
sni@cpuc.ca.gov
tcr@cpuc.ca.gov
janill.richards@doj.ca.gov
glesh@energy.state.ca.us
rkennedy@energy.state.ca.us
sbender@energy.state.ca.us



Executed this 9th day of February, 2012, at San Bruno,
California.

/s/ Len Canty

/s/ Faith Bautista

/s/ Jorge Corralejo

Signature

Len Canty
484 LakePark Ave., Suite 338
Oakland, CA 94610

Faith Bautista
1758 El Camino Real
San Bruno, CA 94066

Jorge Carralejo
634 S. Spring St., Suite 600
Los Angeles, CA 90014

Printed name and address