

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

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| Order Instituting Rulemaking to Reform the Commission's Energy Efficiency Risk/Reward Incentive Mechanism | Rulemaking 12-01-005 (Filed January 12, 2012) |
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(UPDATED) NOTICE OF INTENT TO CLAIM INTERVENOR COMPENSATION AND, IF REQUESTED (and ¹ checked), ADMINISTRATIVE LAW JUDGE'S RULING ON WOMEN'S ENERGY MATTERS (WEM)'S SHOWING OF SIGNIFICANT FINANCIAL HARDSHIP

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|--|---------|-------------------------------|----------------|
| Customer (party intending to claim intervenor compensation): WOMEN'S ENERGY MATTERS (WEM) | | | |
| Assigned Commissioner: Mark Ferron | | Assigned ALJ: Thomas Pulsifer | |
| 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/ Barbara George | |
| Date: | 2-17-12 | Printed Name: | Barbara George |

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 the party (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. | X |
| 4. The party's explanation of its customer status, 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. | |

¹ DO NOT CHECK THIS BOX if no finding of significant financial hardship is needed (in cases where there is a valid rebuttable presumption of eligibility (Part III(A)(3)) or significant financial hardship showing has been deferred to the intervenor compensation claim).

SEE our 5-7-09 NOI filed in R0901019 (of which this is an update).

- Describe if you have any direct economic interest in outcomes of the proceeding.
None, other than as a ratepayer.

| B. Timely Filing of Notice of Intent (NOI) (§ 1804(a)(1)): | Check |
|---|------------------------|
| 1. Is the party's NOI filed within 30 days after a Prehearing Conference? Date of Prehearing Conference: _____ | Yes ___ No <u>x</u> |
| 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 <u>x</u> No ___ |
| 2a. The party's description of the reasons for filing its NOI at this other time: The OIR directed parties to file updated NOIs within 30 days of its issuance. | |
| 2b. The party's information on the proceeding number, date, and decision number for any Commission decision, Commissioner ruling, ALJ ruling, or other document authorizing the filing of NOI at that other time: The OIR in R1201005 was dated 1-19-12. | |

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)): |
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| <ul style="list-style-type: none"> • The party's statement of the issues on which it plans to participate. The Preliminary Scoping section of the OIR identified several issues that WEM plans to address; WEM's experience in these proceedings suggests subcategories: <ul style="list-style-type: none"> • Threshold issue: whether to discontinue the RRIM and establish other, better, ways to encourage maximum energy efficiency (such as engaging non-IOUs to do EE, who are aligned with ratepayer interests and do not require RRIM bonuses to mollify their conflicts of interest) • What constitutes "meaningful incentives" for utilities? (and related issues such as potential of the RRIM to encourage IOU gaming) • What is the "maximum socially-desirable level of Energy Efficiency (EE);" e.g. what sorts of targets does the RRIM encourage — short v. long-term savings, Market Transformation, C&S etc. • Protecting ratepayers' interests through accountability safeguards (e.g. |

EM&V issues; customized projects vs. DEER; relationship to procurement, etc.)

- The party's explanation as to how it plans to avoid duplication of effort with other parties and intervenors.

WEM, TURN and DRA represent ratepayers in these proceedings; over the years we have each developed our particular approach, emphasizing different issues, and we seldom overlap (though TURN and DRA sometimes file jointly). WEM will continue to coordinate with these parties, to minimize duplication.

- 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).

It appears that this proceeding intends to resolve the question left hanging since 2009 – whether and how to reform the RRIM, or abandon it. WEM has been fully involved in the reform process in the R0901019 proceeding (which is being carried over into this one) and we have already filed opening and reply comments on the OIR. We anticipate participating fully in this proceeding, although we may reassess depending on how the Commission resolves the “threshold” issue.

| 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, EXPERT, AND ADVOCATE FEES | | | | |
| [Attorney 1] | 50 | \$200 | \$10,000 | |
| [Attorney 2] | | | | |
| [Expert 1] | | | | |
| [Expert 2] TBD | 50 | \$200 | \$10,000 | |
| [Advocate 1] Barbara George | 100 | \$185 | \$18,500 | |
| [Advocate 2] | | | | |
| | | Subtotal: | \$38,500 | |
| OTHER FEES | | | | |
| [Person 1] | | | | |
| [Person 2] | | | | |
| | | Subtotal: | | |
| COSTS | | | | |
| [Item 1] Postage, copying | | | \$200 | |
| [Item 2] | | | | |
| | | Subtotal: | \$200 | |
| TOTAL ESTIMATE \$: | | | \$38,700 | |
| Estimated Budget by Issues: Potential IOU incentives 10%, Types of EE targets 10%, EM&V 30%, threshold issue 30%, relation to procurement 20% | | | | |
| Comments/Elaboration (use reference # from above): | | | | |
| 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 (as well as travel time) 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 Intervenor Compensation Claim 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 | x |

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| 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)). | |
| ALJ ruling (or CPUC decision) issued in proceeding number: D1202034 | |
| Date of ALJ ruling (or CPUC decision): February 16, 2012 | |

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):

PART IV: ATTACHMENTS DOCUMENTING SPECIFIC ASSERTIONS MADE IN THIS NOTICE
(The party (“customer”) intending to claim intervenor compensation identifies and attaches documents; add rows as necessary)

| Attachment No. | Description |
|----------------|------------------------|
| 1 | Certificate of Service |
| | |

ADMINISTRATIVE LAW JUDGE RULING²
(ALJ completes)

| | Check all that apply |
|--|----------------------|
| 1. The Notice of Intent (NOI) is rejected for the following reasons: | |
| a. The NOI has not demonstrated the party’s 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 | |

² An ALJ Ruling needs 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 Intervenor Compensation Claim); or (c) the NOI has included a claim of “significant financial hardship” that requires a finding under § 1802(g).

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| 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)): | |

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