


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

Order Instituting Rulemaking to Integrate and Refine Procurement Policies and Consider Long-Term Procurement Plans.	Rulemaking 12-03-014 (Filed March 22, 2012)
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**NOTICE OF INTENT TO CLAIM INTERVENOR COMPENSATION AND, IF REQUESTED (and [ X ]<sup>1</sup> checked), ADMINISTRATIVE LAW JUDGE'S RULING ON GREEN POWER INSTITUTE'S SHOWING OF SIGNIFICANT FINANCIAL HARDSHIP**

Customer (party intending to claim intervenor compensation): The Green Power Institute			
Assigned Commissioner: Michel Florio		Assigned ALJ: David Gamson	
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:			
Date:	May 18, 2012	Printed Name:	Gregg Morris

**PART I: PROCEDURAL ISSUES**

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

<b>A. Status as "customer" (see Pub. Util. Code § 1802(b)): The party claims "customer" status because the party (check one):</b>	<b>Applies (check)</b>
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.	

<sup>1</sup> 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).

The GPI has been participating actively on behalf of the interests of renewable energy development in the original Procurement Proceeding, R.01-10-024, the successor Procurement Proceedings, R.04-04-003 R.06-02-013, R.08-02-007, and R.10-05-006, and the RPS Proceedings, R.04-04-026, R.06-02-012, R.06-05-027, R.08-08-009, and R11-05-005. As specified in § 1802 (b) of the Public Utility Code, the GPI plans to participate in the Long-Term Procurement Proceeding as a “representative of an organization pursuant to its articles of incorporation or bylaws to represent the interests of residential customers” of Pacific Gas and Electric Company, Southern California Edison Company, Southern California Gas Company, and San Diego Gas and Electric Company. The GPI has previously been found to be an eligible category-three customer in Proceedings R.01-10-024, R.04-04-003, R.04-04-025, R.04-04-026, R.05-06-040, I.05-09-005, R.06-02-012, R.06-03-004, R.06-04-009, R.06-05-027, R.08-08-009, R.08-12-009, R.09-08-009, R.10-05-006, R.10-12-007, and R.11-03-012.

The GPI is a program of the Pacific Institute for Studies in Development, Environment, and Security. The Pacific Institute is a non-profit, public-purpose environmental research organization (IRS Code § 501(c)(3)) founded in 1987, and located in Oakland and Berkeley, California. Its Bylaws describe its Purposes and Objectives as follows:

## ARTICLE 2. PURPOSES AND OBJECTIVES

### SECTION 1. PURPOSES

Pursuant to the Articles of Incorporation, the specific purposes for which this corporation is organized are to engage in scientific research and provide public education about complex problems threatening the well-being of human society. The corporation activities include but are not limited to the objectives described in Section 2.

### SECTION 2. OBJECTIVES

Consistent with the purposes of the corporation set forth in the Articles of Incorporation and as stated in the Section 1 of this Article, the primary objectives of this corporation shall be the following:

- (a) to engage in scientific research about complex problems threatening the well-being of human society;
- (b) to foster integrative research methodology and policy analysis in addressing problems related to political and economic development, to global security and to the world environment;
- (c) to provide public education by way of community forums, regular newsletters, and classroom presentations and curricula;
- (d) to participate in regulatory and public proceedings by providing information about scientific, technical, and economic implications of public-policy options;
- (e) to conduct seminars for faculty and students, aiding both the educational and research missions of the university;

(f) to publish research findings of interest to policymakers, academic scholars and the general public.

*From: Bylaws of Pacific Institute for Studies in Development, Environment, and Security, a California Nonprofit Public Benefit Corporation, as revised May 2005.*

The Pacific Institute has more than 100 members who are California residential customers of the regulated gas and electric utility companies. The Pacific Institute represents the interests of its members by conducting research into complex issues with important environmental implications, and applying that research in the public-policy arena. The GPI is the Pacific Institute's program on renewable energy, and represents an important focus of the Institute. The GPI, on behalf of and in the interests of the Pacific Institute and its officers and members, has been conducting research on renewable energy development and the environmental impacts of energy production in California for over two decades. The GPI represents customers who have a concern for environmental quality in California, and supports efforts to implement renewable energy policy in California in a way that is sufficiently cost effective to allow the renewable energy industries to grow and flourish in the state. The GPI represents customers with a concern for the environment that distinguishes their interests from the interests represented by other consumer advocates who are intervening actively in this proceeding. As an environmental-research organization, neither the GPI, nor the Pacific Institute, have any direct economic interest in the outcome of this proceeding.

<b>B. Timely Filing of Notice of Intent (NOI) (§ 1804(a)(1)):</b>	<b>Check</b>
1. Is the party's NOI filed within 30 days after a Prehearing Conference? Date of Prehearing Conference: <u>April 18, 2012</u>	Yes <input checked="" type="checkbox"/> No <input 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 type="checkbox"/> No <input type="checkbox"/>
2a. The party's description of the reasons for filing its NOI at this other time:	
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:	

## 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)):

The GPI expects to be an active participant in the long-term procurement proceeding, concentrating in the areas of procurement planning to achieve the implementation of the State’s mandated 33-percent renewables by 2020 target, and long-term procurement planning in the context of the implementation of the state’s greenhouse-gas emissions-reduction goals (AB 32). The ultimate extent of the GPI’s involvement in these proceedings will depend in part on the work done by other parties representing similar interests. We expect to consult regularly with other participating environmental and consumer organizations and renewable energy associations, as we have done in previous rounds of the LTPP proceedings.

The GPI has been actively participating in the Commission’s general procurement and RPS procurement proceedings. We are concerned with the slow progress that is being made in implementing California’s RPS program, and the fact that renewables procurement is often treated as the unwanted stepchild of general procurement, rather than being given its rightful place in the loading order. This is of particular concern in the context of the implementation of AB 32, and the state’s longer-term goals for reducing greenhouse-gas emissions. We have been and will continue to participate actively in hearings and workshops, prepare comments and testimony, and submit motions and briefs as appropriate, as the Proceeding advances.



<b>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)):</b>				
<b>Item</b>	<b>Hours</b>	<b>Rate \$</b>	<b>Total \$</b>	<b>#</b>
<b>ATTORNEY, EXPERT, AND ADVOCATE FEES</b>				
Gregg Morris	320	240	\$76,800	
GPI Associates	80	70	\$ 5,600	
		<b>Subtotal:</b>	\$82,400	
<b>OTHER FEES</b>				
[Person 1]				
[Person 2]				
		<b>Subtotal:</b>		
<b>COSTS</b>				
Filing and Service Expenses			\$ 100	
		<b>Subtotal:</b>	\$ 100	
<b>TOTAL ESTIMATE \$:</b>			\$82,500	
Estimated Budget by Issues:				
Planning Assumptions	15%			
Scenarios	15%			
Integration Analysis	25%			
System Need Analysis	30%			
Procurement of Greenhouse-Gas Products	15%			
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)

<b>A. The party claims "significant financial hardship" for its Intervenor Compensation Claim in this proceeding on the following basis:</b>	<b>Applies (check)</b>
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)).	X
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)).	
CPUC decision D.11-09-013, issued in proceeding number R.08-08-009, on September 12, 2011, was the most recent decision awarding intervenor compensation to the GPI. D.11-09-013 confirmed the finding of significant financial hardship for the GPI.	

**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):**

The GPI is part of the Pacific Institute for Studies in Development, Environment, and Security, a non-profit (501(c)(3)), policy-oriented environmental research institution that brings an interdisciplinary perspective to the understanding and analysis of complex public policy problems. As a public-purpose research institution, the GPI is dependent on outside funding sources to perform its work. This proceeding is a very intense and complex process, and the GPI has identified a strong need for the analytical input that we are providing. The GPI cannot afford, without undue hardship, to pay for the costs of the effective participation of our staff and professionals in this proceeding without the assistance of the intervenor compensation program. Because the nature of our participation focuses on the technical and environmental impacts of the matters under consideration in this proceeding, the direct economic impacts on the organization and its members are anticipated to be negligible.

**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 RULING<sup>2</sup>**

<sup>2</sup> 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

(ALJ completes)

	Check all that apply
<b>1. The Notice of Intent (NOI) is rejected for the following reasons:</b>	
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):	
<b>2. The NOI has demonstrated significant financial hardship for the reasons set forth in Part III of the NOI (above).</b>	
<b>3. The NOI has not demonstrated significant financial hardship for the following reason(s):</b>	
<b>4. The ALJ provides the following additional guidance (see § 1804(b)(2)):</b>	

**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.

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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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ADMINISTRATIVE LAW JUDGE