

Decision \_\_\_\_\_

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

Order Instituting Rulemaking on the Commission's Own Motion to Address the Issue of Customers' Electric and Natural Gas Service Disconnection	Rulemaking 10-02-005 (Filed February 4, 2010)
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**INTERVENOR COMPENSATION CLAIM OF The Greenlining Institute  
AND DECISION ON INTERVENOR COMPENSATION CLAIM OF The  
Greenlining Institute**

<b>Claimant: The Greenlining Institute</b>	<b>For contribution to D.10-12-051 &amp; D.12-03-054</b>
<b>Claimed (\$): \$16,925.75</b>	<b>Awarded (\$):</b>
<b>Assigned Commissioner: Michel Florio</b>	<b>Assigned ALJ: Maryam Ebke</b>
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).	
<b>Signature:</b> /s/ Stephanie C. Chen	
<b>Date:</b> 5/21/2012	<b>Printed Name:</b> Stephanie C. Chen

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

<b>A. Brief Description of Decision:</b>	D.10-12-051 approves a settlement between SDG&E and SoCal Gas (the Joint Utilities) and Disability Rights Advocates, DRA, Greenlining, NCLC, and TURN. The settlement resolves all Phase I and II issues in the proceeding for the Joint Utilities.  D.12-03-054 continues in effect certain of the interim measures and takes several additional steps to reduce the number of disconnections in the service territories of PG&E and SCE.
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**B. Claimant must satisfy intervenor compensation requirements set forth in Public Utilities Code §§ 1801-1812:**

	<b>Claimant</b>	<b>CPUC Verified</b>
<b>Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):</b>		
1. Date of Prehearing Conference:	n/a	
2. Other Specified Date for NOI:	March 5, 2010	
3. Date NOI Filed:	March 5, 2010	
4. Was the NOI timely filed?		
<b>Showing of customer or customer-related status (§ 1802(b)):</b>		
5. Based on ALJ ruling issued in proceeding number:	R.10-02-005	
6. Date of ALJ ruling:	March 29, 2010	
7. Based on another CPUC determination (specify):		
8. Has the Claimant demonstrated customer or customer-related status?		
<b>Showing of “significant financial hardship” (§ 1802(g)):</b>		
9. Based on ALJ ruling issued in proceeding number:	R.11-10-002	
10. Date of ALJ ruling:	pending	
11. Based on another CPUC determination (specify):		
12. Has the Claimant demonstrated significant financial hardship?		
<b>Timely request for compensation (§ 1804(c)):</b>		
13. Identify Final Decision:	D.12-03-054	
14. Date of Issuance of Final Order or Decision:	March 22, 2012	
15. File date of compensation request:	5/21/12	
16. Was the request for compensation timely?		

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

<b>#</b>	<b>Claimant</b>	<b>CPUC</b>	<b>Comment</b>
9-10	X		Greenlining’s last ruling finding significant financial hardship was issued on January 10, 2011, in R.09-08-009. That ruling is more than one year old, rendering it inapplicable to this claim. Greenlining set forth a new demonstration of significant financial hardship in its NOI in A.11-10-002, which was filed on January 6, 2012. However, as of the time of this filing a ruling is still pending in that proceeding. Because it is uncertain whether a ruling will issue before this compensation request is addressed, Greenlining includes here, as Attachment A, its demonstration of significant financial hardship as it pertains to this proceeding.

**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 the record.)**

Contribution	Specific References to Claimant’s Presentations and to Decision	Showing Accepted by CPUC
<p><b>A. Payment Plans</b></p> <p>The Joint Utilities Settlement establishes minimum payment arrangement requirements, longer payment plans, and notice and information on negotiated payment plans. Greenlining participated in all aspects of settlement negotiation and implementation.</p> <p>Greenlining advocated for customers’ ability to choose their billing or payment date, to help align the utility billing cycle with the household’s monthly cash flow. Greenlining urged that CARE and FERA customers, at a minimum, should have this choice. Time spent on choice of payment date was reported under the Payment Plan category.</p>	<p>D.10-12-051, p. 7.</p> <p>Joint Motion for Adoption of the Settlement Agreement, filed 9/9/10, p. 9.</p> <p>Settlement § II(B)</p> <p>Opening Comments on ALJ’s Ruling, filed 9/15/10, pp. 5-8.</p> <p>Reply Comments on ALJ’s Ruling, filed 9/24/10, pp. 2-4.</p> <p>Opening Comments on ALJ’s Ruling, filed 5/20/11, pp. 12-13.</p> <p>Joint Comments on PD, pp. 2-3.</p> <p>D.12-03-054 ultimately did not require PG&amp;E and SCE to widely advertise the availability of choice of billing date, but it does require them to ensure that it is included among the options presented to struggling customers who call for assistance. (§ 3.7)</p>	
<p><b>B. Deposits</b></p> <p>The Joint Utilities Settlement contains terms governing re-establishment of credit deposits. Greenlining participated in all aspects of settlement negotiation and implementation.</p> <p>Greenlining provided comment on how the utilities should define “in good standing” for purposes of assessing or waiving connection or reconnection deposits, and</p>	<p>D.10-12-051, p. 7.</p> <p>Joint Motion for Adoption of the Settlement Agreement, filed 9/9/10, pp. 9-10.</p> <p>Settlement § II(B)</p> <p>Opening Comments on ALJ’s Ruling, filed 9/15/10, pp. 8-11.</p>	

<p>provided comment on what deposit requirements should apply to each type of customer. Greenlining also commented on the merits of Automated Payment Plans as an alternative to deposits.</p>	<p>Reply Comments on ALJ’s Ruling, filed 9/24/10, pp. 4-5.</p> <p>D.12-03-054 ultimately allowed an exception to deposit waivers for customers who have written several bad checks within a year, and those who have been involved in fraud. Customers who have filed bankruptcy can still take advantage of deposit waivers. (§ 3.12; Conclusion of Law 9)</p>	
<p><b>C. Notification, Communication &amp; Customer Service</b></p> <p>The Joint Utilities Settlement establishes an “extreme weather policy” which restricts disconnections during exceptionally hot or cold weather, an important customer service/customer protection offering.</p> <p>It also established protocols for pre-disconnection telephone communication with customers, and for automated information regarding disconnection. Greenlining participated in all aspects of settlement negotiation and implementation.</p> <p>Greenlining advocated that Customer Service Representatives (CSRs) be able to enroll customers in CARE over the phone, saving time and improving the customer experience.</p>	<p>D.10-12-051, p. 8, p. 17 FOF 5.</p> <p>Joint Motion for Adoption of the Settlement Agreement, filed 9/9/10, p. 11.</p> <p>Settlement § II(D)</p> <p>D.10-12-051, p. 8.</p> <p>Joint Motion for Adoption of the Settlement Agreement, filed 9/9/10, p. 12.</p> <p>Settlement § II(F)</p> <p>Opening Comments on ALJ’s Ruling, filed 5/20/11, pp. 5-7.</p> <p>Reply Comments on ALJ’s Ruling, filed 5/31/11, p. 3.</p> <p>D.12-03-054 § 3.3; Conclusion of Law 3,</p>	
<p><b>D. Language Access</b></p> <p>The Joint Utilities Settlement requires the Joint Utilities to provide inserts with their 48-hour notices that contain in-language information on how to obtain assistance and avoid disconnection. Greenlining participated in all aspects of settlement negotiation and implementation.</p>	<p>D.10-12-051, p. 8.</p> <p>Joint Motion for Adoption of the Settlement Agreement, filed 9/9/10, p. 12.</p> <p>Settlement §§ II(F) and II(J)(2)</p>	

<p>Greenlining supported the proposed TEAM program expansion to include select energy issues, but urged that more was needed. Greenlining argued for in-language direct communications, including billing and disconnection notices; or at a minimum, for in-language information prominently included with disconnection notices on where customers can receive help.</p> <p>Greenlining participated in the workshop regarding the proposed CHANGES program, and filed comments in response to Resolution CSID-004, establishing the CHANGES pilot program.</p>	<p>Opening Comments on ALJ's Ruling, filed 9/15/10, pp. 4-5.</p> <p>Opening Comments on ALJ's Ruling, filed 5/20/11, pp. 7-9.</p> <p>Joint Comments on the PD, pp. 3, 11-12.</p> <p>Reply Comments on PD, pp. 1-3.</p> <p>D.12-03-054 ultimately declined to adopt Greenlining's proposals for in-language billing and information, but directed SCE and PG&amp;E to review the cost-effectiveness of providing such information (§ 3.4)</p> <p>ALJ's Ruling on Phase II Issues, issued 8/26/10, deferred language access issues to a pilot program, ultimately named CHANGES, initiated by the Commission's Consumer Services &amp; Information Division (p. 2)</p>	
<p><b>E. Remote Shutoffs</b></p> <p>The Joint Utilities Settlement establishes remote disconnection policies, including in-person field deliveries of 48-hour notices for sensitive customers. Greenlining participated in all aspects of settlement negotiation and implementation.</p> <p>Greenlining provided comment on how "sensitive customer" should be defined, for purposes of receiving heightened protections and outreach measures prior to a remote disconnection. Greenlining advocated for an expanded definition that would include elderly, disabled, or seriously ill customers for whom disconnection would present a health risk. Greenlining advocated that sensitive customers, however defined, should be ineligible for remote disconnection, or at a minimum receive an in-person field visit prior to disconnection, to prevent health risks.</p>	<p>D.10-12-051, p. 8.</p> <p>Joint Motion for Adoption of the Settlement Agreement, filed 9/9/10, pp. 11, 14-15.</p> <p>Settlement §§ II(E) and II(G)</p> <p>Opening Comments on ALJ's Ruling, filed 9/15/10, pp. 11-12.</p> <p>Reply Comments on ALJ's Ruling, filed 9/24/10, pp. 5-7</p> <p>Opening Comments on ALJ's Ruling, filed 5/20/11, pp. 11-12.</p> <p>Joint Comments on PD, pp. 1-2, 7-9.</p> <p>D.12-03-054 ultimately required an in-person visit 48 hours prior to disconnection of vulnerable or sensitive customers, and expanded the definition of sensitive customers to include those with a serious illness. It did not include elderly or households with children in the definition,</p>	

<p>While this proceeding was pending, it became known that SCE was planning to begin using remote disconnection, likely before this proceeding concluded. TURN filed a petition for the Commission to direct SCE to delay implementation of remote disconnection until after a final decision offering guidance issued in this proceeding. Greenlining filed in support of the motion. The motion was ultimately granted.</p>	<p>but it did emphasize that the standards it set forth were only a minimum. (§ 3.5; Conclusion of Law 5)</p> <p>Response of the Greenlining Institute, filed 9/29/11.</p> <p>Ruling Granting Motion to Temporarily Delay Implementation of Remote Disconnections, issued 10/14/11.</p>	
<p><b>F. Benchmarks and disconnection mitigation</b></p> <p>The Joint Utilities Settlement establishes disconnection benchmarks for CARE and non-CARE customers, for the Joint Utilities. Greenlining participated in all aspects of settlement negotiation and implementation.</p> <p>Greenlining consistently advocated for establishment of disconnection benchmarks, as a means of correcting the discrepancy between CARE and non-CARE disconnection rates, as well as for overall disconnection mitigation.</p>	<p>D.10-12-051, p. 7, p. 17 FOFs 7 &amp; 8.</p> <p>Joint Motion for Adoption of the Settlement Agreement, filed 9/9/10, pp. 6-9.</p> <p>Settlement § II(B)</p> <p>Opening Comments on ALJ’s Ruling, filed 9/15/10, pp. 2-3.</p> <p>Opening Comments on ALJ’s Ruling, filed 5/20/11, pp. 3-5.</p> <p>Reply Comments on ALJ’s Ruling, filed 5/31/11, pp. 1-3.</p> <p>Joint Comments on PD, pp. 10-11.</p> <p>D.12-03-054 ultimately adopted benchmarks for PG&amp;E and SCE, and set forth guidelines governing utility and Commission actions if benchmarks are met or not. (§ 3.9; Conclusions of Law 6-8)</p>	

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

	Claimant	CPUC Verified
a. Was the Division of Ratepayer Advocates (DRA) a party to the proceeding?	Yes	
b. Were there other parties to the proceeding with positions similar to yours?	Yes	

<p><b>c. If so, provide name of other parties: Division of Ratepayer Advocates (DRA), The Utility Reform Network (TURN), National Consumer Law Center (NCLC), Disability Rights Advocates (DisabRA), Center for Accessible Technology (CforAt), City and County of San Francisco</b></p>	
<p><b>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:</b></p> <p>Greenlining’s advocacy differed from that of other consumer parties, in that it focused on low income customers and customers with limited English proficiency. We were the primary advocate on issues of language access, but also weighed in on all the other issues addressed in the proceeding. Throughout the proceeding, the parties conferred regularly with each other to keep apprised of each other’s work and ensure that resources were maximized and efforts were supportive rather than duplicative. In many instances, we filed jointly or supported each others’ filings rather than filing several separate documents.</p> <p>Greenlining participated in all settlement negotiations on issues relevant to its constituencies. This process ensured that the consumer parties were aware of each others’ positions, and coordinated their efforts appropriately.</p>	

**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):**

<p><b>a. 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)</b></p> <p>Given that the second phase of this proceeding alone spanned almost two years, the cost of Greenlining’s participation is quite minimal. This is in part due to extensive collaboration with other consumer advocates, but also because most of the attorneys working on this proceeding were relatively new to the practice, and thus bill at a significantly lower amount than most of the attorneys working on this proceeding from other organizations.</p> <p>Given current unemployment and overall economic conditions, the number of</p>	<p><b>CPUC Verified</b></p>
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customers who will be at risk of disconnection over the next few years alone will likely exceed one million. A significant number of these will be CARE customers, who remain disproportionately at risk of disconnection. If each of these customers saves just \$1 as a result of the protections arising from this decision, the total amount will *vastly* exceed the cost of Greenlining's participation. Customers are in fact likely to save much more than \$1, thanks to over-the-phone CARE enrollment, deposit waivers, extended payment plans, better outreach and education, and other provisions.

Additionally, customers will benefit from the health risk mitigation this decision affords. Sempra customers will not be disconnected during extreme heat or extreme cold. All vulnerable or sensitive customers will receive an in-person visit prior to remote disconnection, to ensure that no health risk would arise if disconnection were to proceed. These benefits are difficult to quantify monetarily, but certainly increase the benefit side of the equation. These qualitative benefits plus the monetary savings customers will realize from this decision vastly outweigh the cost of Greenlining's participation in the proceeding.

**b. Reasonableness of Hours Claimed.**

Greenlining's hours claimed are reasonable. Between the two phases of the proceeding – much longer than was originally envisioned – Greenlining's hours for the two phases combined only minimally exceeded our NOI's estimate hours. Where possible, work for Greenlining was performed by relatively new practitioners, since the subject matter was less technical than some other Commission proceedings, and thus more accessible to new practitioners. While these attorneys may have taken slightly longer than more experienced practitioners to complete similar tasks, that is to be expected of a new attorney. The Commission's rates for new versus experienced attorneys reflect this difference, by compensating newer attorneys at rates far lower than those for more experienced attorneys.

Because the proceeding lasted approximately two years, Greenlining experienced some turnover in staff during the proceeding, and thus different people worked on the end of it than worked on the beginning. Greenlining sought to streamline the time spent on this transition to the greatest possible extent. Wherever possible, Greenlining sent only one representative to meetings (even though the utilities rarely send only one, and often send several). However, sometimes it is not possible for a junior attorney to speak for the organization, so he/she must be accompanied by someone senior, with more authority. Greenlining endeavored to minimize this necessity as much as possible.

**c. Allocation of Hours by Issue**

Greenlining's time is allocated by issue category as follows:

A. Payment Plans	10.71%
B. Deposits	5.90%
C. Notification, Communication & Customer Service	5.57%
D. Language Access	26.67%
E. Remote Shutoffs	6.01%
F. Benchmarks & Disconnection Mitigation	5.25%
G. Multiple Issues / General	39.89%
<b>Total</b>	<b>100%</b>

This claim contains an unusual amount of time in the Multiple Issues/General category. This is because there was an unusually large number of separate but related issues that were the subject of active discussion through the duration of this proceeding. The long list of directives on pages 2-3 of the final decision are a testament to the large number of issues on the table.

The categories used herein combine some smaller issues together, to make the claims process easier, and not all of the active issues are included here because Greenlining was only indirectly or tangentially involved in them. Because there was an unusually high number of active issues being discussed at any one time, it became quite difficult to split small amounts of time (.3, .4, etc) into the 5 or 6 different issues that were addressed during a particular meeting or other activity. As a result, Greenlining elected to use a Multiple Issues category to encompass these small amounts of time spent on a relatively large number of issues. All were issues within the scope of the proceeding. Greenlining encourages Commission staff to contact us should they have any questions on our issue allocation, or any other aspect of this claim.

**B. Specific Claim:**

CLAIMED						CPUCA WARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate	Basis for Rate*	Total \$	Hours	Rate	Total \$
Stephanie Chen	2010	6.4	\$185	D.12-04-043	\$1,184.00			
Stephanie Chen	2011	2.6	\$185	D.12-04-043	\$481.00			
Stephanie Chen	2012	6.8	\$185	D.12-04-043	\$1,258.00			
Jean Chung	2010	4.1	\$110	D.11-01-023	\$451.00			
Alicia Miller	2010	54.8	\$150	D.11-04-026	\$8,220.00			
Ryan Young	2010	2.4	\$125	D.12-04-043	\$300.00			
Ryan Young	2011	4.5	\$150	D.12-04-043	\$675.00			
Enrique Gallardo	2011	9.9	\$370	D.10-10-013	\$3,663.00			
<b>Subtotal:</b>					<b>\$16,232.00</b>	<b>Subtotal:</b>		
OTHER FEES								
Describe here what OTHER HOURLY FEES you are Claiming (paralegal, travel **, etc.):								
Item	Year	Hours	Rate	Basis for Rate*	Total \$	Hours	Rate	Total \$
[Person 1]			\$					
[Person 2]								

					<b>Subtotal:</b>				<b>Subtotal:</b>
<b>INTERVENOR COMPENSATION CLAIM PREPARATION **</b>									
<b>Item</b>	<b>Year</b>	<b>Hours</b>	<b>Rate</b>	<b>Basis for Rate*</b>	<b>Total \$</b>	<b>Hours</b>	<b>Rate</b>	<b>Total \$</b>	
Stephanie Chen	2012	7.5	\$92.5	D.12-04-043	\$693.75				
					<b>Subtotal:</b>	<b>\$693.75</b>			<b>Subtotal:</b>
<b>COSTS</b>									
<b>#</b>	<b>Item</b>	<b>Detail</b>			<b>Amount</b>	<b>Amount</b>			
					<b>Subtotal:</b>				<b>Subtotal:</b>
					<b>TOTAL REQUEST \$:</b>	<b>\$16,925.75</b>			<b>TOTAL AWARD \$:</b>
<p>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.          **Travel and Reasonable Claim preparation time typically compensated at 1/2 of preparer's normal hourly rate.</p>									

**C. Attachments Documenting Specific Claim and Comments on Part III (Claimant completes; attachments not attached to final Decision):**

Attachment or Comment #	Description/Comment
Attachment A	<b>Demonstration of Significant Financial Hardship</b>
Attachment 1	<b>Certificate of Service</b>

**D. CPUC Disallowances, Adjustments, and Comments (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)

<b>A. Opposition: Did any party oppose the Claim?</b>	
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If so:

Party	Reason for Opposition	CPUC Disposition

<b>B. Comment Period: Was the 30-day comment period waived (see Rule 14.6(2)(6))?</b>	
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If not:

Party	Comment	CPUC Disposition

**FINDINGS OF FACT**

1. Claimant [has/has not] made a substantial contribution to Decision (D.) \_\_\_\_\_.
2. The requested hourly rates for Claimant’s representatives [,as adjusted herein,] are comparable to market rates paid to experts and advocates having comparable training and experience and offering similar services.
3. The claimed costs and expenses [,as adjusted herein,] are reasonable and commensurate with the work performed.
4. 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. [for multiple utilities: “Within 30 days of the effective date of this decision, ^, ^, and ^ shall pay Claimant their respective shares of the award, based on their California-jurisdictional [industry type, for example, electric] revenues for the ^ calendar year, to reflect the year in which the proceeding was primarily litigated.”] 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 75<sup>th</sup> 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 decision is effective today.

Dated \_\_\_\_\_, at San Francisco, California.

## Attachment A

### **Demonstration of Significant Financial Hardship Under Cal. Pub. Util. Code § 1802(g)**

*Cal. Pub. Util. Code § 1802(g):*

*"Significant financial hardship" means either that the 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, or that, in 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.*

Greenlining is an organization authorized in its Articles of Incorporation to represent the interests of both residential and small commercial electric and gas customers, with particular focus on low-income and of-color communities and customers. A copy of Greenlining's Articles of Incorporation was previously filed with the Commission in R.10-02-005 (as an attachment to our NOI, filed March 5, 2010). As such, Greenlining is a Category 3 customer as defined in D.98-04-059.

As a Category 3 customer, Greenlining must satisfy the "comparison test" by demonstrating that the economic interest of its members and constituencies in the instant proceeding is small relative to the cost of effective participation in the proceeding. Greenlining submits that it satisfies this test.

The instant proceeding addressed several issues related to affordability, improved customer service for struggling customers, and disconnection reduction. The low income customers Greenlining represents are particularly vulnerable to disconnection, and as such stand much to gain from the protections resulting from this proceeding. CARE enrollment over the phone will increase the number of eligible customers who are enrolled in CARE, who will then save at least 20% on their bills. Elimination of certain disconnection/reconnection deposits will save customers money, as will the adjusted calculation of deposit amounts. Finally, though not monetarily quantifiable, vulnerable customers will benefit from having an in-person field visit prior to remote disconnection, to ensure that disconnection will not result in a life- or health-threatening situation. Given that hundreds of thousands of customers are disconnected each year, sometimes more than once, the amount these customers will save collectively greatly exceeds the modest cost of Greenlining's participation in this proceeding.

Because the cost of participation exceeds the financial benefit to be reaped by individual customers, Greenlining satisfies the "comparison test" as described above. In satisfying this test, Greenlining submits that it has successfully demonstrated significant financial hardship as appropriate for a Category 3 customer.