

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)

**L. JAN REID
NOTICE OF INTENT TO
CLAIM INTERVENOR COMPENSATION**

1. Summary

Pursuant to Public Utilities Code Section (PUC §)1804(a), I, L. Jan Reid, hereby notify the Commission and all parties in this proceeding that I intend to claim compensation in this proceeding. I request a finding that I am a customer as defined in the PUC, a finding of significant financial hardship, and a ruling that I am eligible for compensation in this rulemaking.

In preparing this notice of intent (NOI), I have relied on eligibility rules and information requirements set forth in Decision (D.) 98-04-059, as modified by D.99-02-039. The format of the NOI is consistent with the Commission's "Intervenor Compensation Program Guide" dated April 2005.

2. Timely Filing

Administrative Law Judge (ALJ) David Gamson convened a prehearing conference in this proceeding on April 18, 2012 in San Francisco. The due date for filing the NOI is Friday, May 18, which will be the 30th day since the prehearing conference. I will send this pleading to the Docket Office via Federal Express on Thursday, May 17, intending that it be timely filed.

3. Customer Status

PUC § 1802(b) defines "customer" in three ways: Category 1 applies to a participant representing consumers; Category 2 applies to a representative authorized by a customer; and Category 3 applies to a representative of a group or organization that is authorized by its articles or bylaws to represent the interests of residential customers. I meet the definition of a Category 1 customer.

I receive electric and gas service from Pacific Gas and Electric Company at 3185 Gross Road, Santa Cruz, California, 95062. Although I represent myself in this proceeding, I will take positions that I believe will benefit all residential customers of PG&E and not just myself. It is my understanding that in order to receive an award of compensation, a Category 1 customer must describe how its "participation goes beyond the customer's self-interest and benefits other customers generally." (See Intervenor Compensation Program Guide, p. 9)

For these reasons, I am a Category 1 customer as that term is defined in PUC § 1802(b) and I am qualified to file this NOI.

4. Adequacy of Representation

In D.98-04-059, the Commission determined that to be eligible for compensation an intervenor must show that it will represent customer interests that would otherwise be underrepresented.

The best test of the adequacy of representation will come after this proceeding is submitted for decision. Only then will the Commission know whether my work has duplicated the efforts of other parties.

The Utility Reform Network (TURN) is also a party in this proceeding. I anticipate that some of my positions on disputed issues may differ from TURN's positions.

However, the Commission should recognize at this stage of the proceeding that I am the only intervenor who will act specifically on behalf of all residential customers. The Commission's Division of Ratepayer Advocates (DRA) is a party, but in this proceeding, DRA does not solely represent the specific interests of small customers. DRA acts on behalf of all customers and must balance its positions when large and small customers might not agree.

As ALJ Angela Minkin noted in Application 98-09-003 *et al*:

Participation in Commission proceedings by parties representing the full range of affected interests is important. Such participation assists the Commission in ensuring that the record is fully developed and that each customer group receives adequate representation. (Ruling issued July 7, 1999, p. 3.)

I am qualified to participate in this matter. I left the Commission in 2005 after almost seven years of experience in risk management and in analysis of energy supply and other utility issues on behalf of the Commission's Office of Ratepayer Advocates. Since 2005, I have represented Aglet Consumer Alliance (Aglet) in Commission proceedings involving gas hedging plans, electric and natural gas procurement, renewables procurement, general rate cases, cost-of-capital, resource adequacy, and demand response. I have served on PG&E's core hedging advisory group and on the procurement review groups of PG&E, Southern California Edison Company, and San Diego Gas & Electric Company. My knowledge and experience should support and complement, but not duplicate, the work of DRA and TURN.

5. Significant Financial Hardship

PUC § 1804(a)(2)(B) allows a customer to include in the NOI a showing that participation in the proceeding will pose a significant financial hardship. Alternatively, the customer may include the required showing in its request for compensation. I elect to make this showing now.

PUC § 1802(g) defines significant financial hardship:

“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.

The Intervenor Compensation Program Guide states:

According to D.98-04-059, the “cannot afford, without undue hardship, to pay” standard applies only to Category 1 and 2 customers.

If you are in one of these categories and cannot without undue hardship afford to pay the costs of effective participation, you must provide financial information demonstrating this hardship. As described in D.98-04-059, this means that Category 1 and 2 customers must disclose their gross and net monthly income, monthly expenses. The Commission may seek additional information if needed to determine undue hardship.

Listings of my annual gross and net income, annual expenses, cash, and assets are shown in Confidential Attachments A and B. By separate motion filed concurrently with this NOI, I request that I be allowed to file this information under seal. The only guaranteed income that I receive is a monthly pension of \$891.76 from the State of California. All other income may vary significantly from year to year.

Since July 2005, I have derived the majority of my income from awards of compensation arising from my participation in Commission proceedings on behalf of either Aglet or myself. There are now pending a total of three compensation requests that cover my work, dating from January 27, 2009.

Based on my estimate of the cost of effective participation as compared to my income, expenses, and assets, I do not have the resources to pay for the costs of effective participation. I believe that I qualify for a ruling of eligibility for compensation on the merits of this pleading.

6. Nature and Extent of Planned Participation

PUC § 1804(a)(2)(A)(i) requires that an NOI include a statement of the nature and extent of the customer's planned participation. I participated in the April 18, 2012 prehearing conference and I intend to participate further by conducting discovery, participating in workshops, serving testimony, and filing other necessary pleadings.

I expect to focus my work on the following issues: PG&E's capacity need, renewable integration, Greenhouse Gas (GHG) policy and procurement, once-through cooling (OTC), PG&E's bundled procurement plan, PG&E's system procurement plan, risk management, resource adequacy (RA), nuclear power plants, standardized planning assumptions, grid reliability, cost allocation methodology, procurement rulebook, CAISO market, nuclear fuel procurement, and procurement review groups (PRGs). I may address other issues as the proceeding unfolds.

I recognize the Legislative intent expressed in PU Code §1801.3(f) that the Commission should administer its intervenor compensation program in a manner that avoids unproductive, unnecessary, or duplicative participation. I have conferred with DRA and TURN regarding the issues identified in this proceeding. I intend to continue that cooperation, in order to minimize duplication of effort regarding issues of concern to residential customers.

7. Itemized Estimate of Costs of Participation

PU Code §1804(a)(2)(A)(ii) requires that the NOI shall include an itemized estimate of the compensation that I expect to request, given the likely duration of the proceeding. I expect to request compensation in the amount of \$147,515, as shown in the table below.

\$142,450	770 hours of professional time by L. Jan Reid, at \$185 per hour
+ <u>4,625</u>	50 hours of compensation time, at \$92.50 per hour
\$147,075	Subtotal, compensable time
230	Copies
160	Postage, overnight delivery
+ <u>50</u>	FAX charges
<u>\$ 440</u>	Subtotal, compensable other costs
\$147,515	Total Estimated Cost of Participation

Pursuant to Rule 17.1(c), my expected budget for participating on each issue is: general costs (9% of the total), PG&E's capacity need (7%), renewable integration (10%), GHG (7%), OTC (3%), PG&E's bundled procurement plan (13%), PG&E's system procurement plan (7%), risk management (3%), RA (3%), nuclear power plants (13%), standardized planning assumptions (3%), grid reliability (2%), cost allocation methodology (3%), procurement rulebook (3%), CAISO market (7%), nuclear fuel procurement (2%), and PRGs (5%).

I will provide time records, expense records, and justification for hourly rates in a request for an award of compensation, if I eventually file one.

8. Conclusion

I respectfully request that ALJ Gamson issue a preliminary ruling in which he: (1) finds that L. Jan Reid is a customer as defined in PU Code §1802(b); (2) finds that L. Jan Reid has made an adequate showing of significant financial hardship; (3) in consultation with Assigned Commissioner Michael Florio,

concludes that L. Jan Reid has met the requirements of PU Code §1804(a) for eligibility for compensation; and (4) rules that L. Jan Reid is eligible for compensation in this proceeding. I recognize that a finding of significant financial hardship in no way ensures eventual compensation, as explained in PUC § 1804(b)(2).

* * *

Dated May 17, 2012, at Santa Cruz, California.

L. Jan Reid
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Santa Cruz, CA 95062
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VERIFICATION

I, L. Jan Reid, make this verification on my behalf. The statements in the foregoing document are true to the best of my knowledge, except for those matters that are stated on information and belief, and as to those matters I believe them to be true.

I declare under penalty of perjury that the foregoing is true and correct.

Dated May 17, 2012, at Santa Cruz, California.

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