

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

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Order Instituting Rulemaking on the Commission's Own Motion to Address the Issue of Customer's Electric and Natural Gas Service Disconnection	Rulemaking 10-02-005 (Filed February 4, 2010)
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INTERVENOR COMPENSATION CLAIM OF THE UTILITY REFORM NETWORK AND DECISION ON INTERVENOR COMPENSATION CLAIM OF THE UTILITY REFORM NETWORK

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Claimant: The Utility Reform Network (TURN)	For contribution to D.10-12-051 and D.12-03-054
Claimed (\$): \$53,561.59	Awarded (\$):
Assigned Commissioner: Michel Peter Florio	Assigned ALJ: Maryam Ebke
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).	
Signature:	/S/
Date: 5-29-12	Printed Name: Hayley Goodson, Staff Attorney

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

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A. Brief Description of Decision:	In D.10-12-051, <i>Decision Granting Petition to Modify Decision 10-07-048, and Approving Settlement Agreement</i> , the Commission adopted a settlement agreement between TURN, the Division of Ratepayer Advocates (DRA), Disability Rights Advocates (DisabRA), the Greenlining Institute, the National Consumer Law Center (NCLC), San Diego Gas & Electric Company (SDG&E), and Southern California Gas Company (SoCalGas). The settlement agreement resolved all Phase 1 and Phase 2 issues in this proceeding for SDG&E and SoCalGas (collectively, the Sempra Utilities). The Commission also modified the Phase 1 decision, D.10-07-048, to relieve the Sempra Utilities of the obligations contained therein.
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	In D.12-03-054, <i>Decision on Phase II Issues: Adoption of Practices to Reduce the Number of Gas and Electric Service Disconnections</i> , the Commission resolved Phase 2 of this proceeding by extending through 2013 the interim measures adopted by D.10-07-048 and adopting additional policies to reduce the number of disconnections, particularly of CARE customers, in the service territories of Pacific Gas and Electric Company (PG&E) and Southern California Edison Company (SCE).
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B. Claimant must satisfy intervenor compensation requirements set forth in Public Utilities Code §§ 1801-1812:

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

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

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#	Claimant	CPUC	Comment
15	X		The 60 th day after the issuance of D.12-03-054 fell on Monday, May 28, 2012, which was Memorial Day, a holiday. Pursuant to Rule 1.15 of the Commission's Rules of Practice and Procedure, this Request for Compensation is timely filed on the first business day thereafter.

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.)

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Contribution	Specific References to Claimant's Presentations and to Decision	Showing Accepted by CPUC
1. In Resolution CSID-004, the Commission adopted the Community Help and Awareness with Natural Gas and Electricity Services (CHANGES) pilot program, to assist limited English proficient consumers with utility service education, dispute and need resolution. Preventing service disconnections is one of the goals of the CHANGES program. TURN demonstrated that the CBOs participating in the CHANGES program should be trained to assist consumers in filing complaints with the Consumer Affairs Branch, rather than just working on dispute resolution with the utilities. While the CHANGES program is not directly linked to R.10-02-005, their purposes are complementary. For this reason, and because CHANGES is not formally connected to any other proceeding, TURN submits that it is reasonable and appropriate for us to seek compensation for our time associated with Res. CSID-004 in this docket. [Work on this issue is coded as "CHANGES."]	<ul style="list-style-type: none"> ffi TURN Comments on Draft Res. CSID-004 (10-21-10), p. 4; ffi TURN Reply Comments on Draft Res. CSID-004 (10-26-10), pp. 1-2; ffi <i>Compare</i> Res. CSID-004, p. 4 (Pilot Components -- Dispute and Need Resolution) <i>with</i> Draft Res. CSID-004, p. 5 (Pilot Components -- Complaint Resolution). 	
2. TURN contributed to the Commission's determination that a CARE customer disconnection rate benchmark should be adopted for PG&E and SCE. The Commission adopted TURN's recommendation that this benchmark should function as a target rather	<ul style="list-style-type: none"> ffi D.12-03-054, pp. 39-40. ffi TURN Reply Cmts on OIR (4-2-10), pp. 6-8. * While TURN's presentation on this issue was in this Phase 1 pleading, the Commission did not resolve this issue until after the issuance 	

than an absolute standard that the utility would have to meet to avoid a penalty. [*]	of the Phase 1 decision, D.10-07-048. This request does not include TURN's time devoted to presenting this issue in Phase 1, as that time was included in TURN's prior request for compensation in this proceeding.	
3. TURN contributed to the Commission's determination that SCE should be permitted to deviate from the Uniform Notice of Disconnection Procedures to the extent such deviation benefits customers. [Ph2-Com]	ffi TURN Reply Cmts on Ph 2 PD (2-6-12), p. 5; ffi D.12-03-054, p. 49.	
4. TURN demonstrated that the Phase 2 PD should be modified to direct PG&E and SCE to submit a post-decision filing explaining the results of their review of whether language options should be expanded for various customer communications. [Ph2-Com]	ffi TURN Cmts on Ph 2 PD, p. 3; ffi D.12-03-054, p. 49, Section 3.15.	
5. TURN demonstrated that the Phase 2 Proposed Decision should not be modified, as requested by PG&E and SCE, to assure recovery of costs tracked in the utilities memorandum accounts prior to a reasonableness review. [Ph2-Cost]	ffi TURN Reply Cmts on Ph 2 PD (2-6-12), pp. 1-3; ffi Compare D.12-03-054, p. 37 with Phase 2 PD, p. 36 (no change).	
6. TURN demonstrated that utility costs associated with implementing policies required in this proceeding should be reviewed in each utility's general rate case, rather than the Tier 3 advice letter process advocated by PG&E. [Ph2-Cost]	ffi TURN Reply Cmts in Response to 8/26/10 ALJ Ruling, pp. 7-8; ffi D.12-03-054, p. 37.	
7. TURN contributed to the Commission's determination that billing date flexibility could be beneficial for some customers at risk of disconnection, and as such, the Commission's urging the utilities to "allow such choice to the extent their billing systems allow... without the need for significant new expenditures" and to "ensure that customers who are at risk for disconnection are made aware of how they can take advantage of this option." [Ph2-CPO]	ffi TURN Opening Cmts in Response to 8/26/10 ALJ Ruling, pp. 3-9 (9-15-10); ffi TURN Opening Cmts in Response to 4/19/11 ALJ Ruling, pp. 4-8; ffi D.12-03-054, p. 34-36 and FOF 15.	
8. TURN demonstrated that the Phase 2 PD should be modified to direct PG&E and SCE to submit a post-decision filing explaining how they intend to comply with the new directive to	ffi TURN Cmts on Ph 2 PD, pp. 2-3; ffi D.12-03-054, p. 49, Section 3.15.	

<p>communicate billing date flexibility with customers. [Ph2-CPO]</p>		
<p>9. TURN demonstrated that the Phase 2 PD should be modified to clarify that approaches to customer payment intended to prevent disconnection that were proposed but not addressed on the merits, such as arrearage management plans, were being rejected without prejudice. [Ph2-CPO]</p>	<p>ffi TURN Cmts on Ph 2 PD, pp. 5-6; ffi Compare D.12-03-054, p. 48 with Phase 2 PD, p. 45.</p>	
<p>10. TURN contributed to the Commission's determination that a more comprehensive approach to bill affordability for low-income consumers may be necessary in the future. [Ph2-CPO]</p>	<p>ffi TURN Opening Cmts in Response to 4/19/11 ALJ Ruling, pp. 9-10; ffi TURN Reply Cmts in Response to 4/19/11 ALJ Ruling, pp. 1-2 ("The Commission should take a comprehensive approach to affordability and arrearage management."); ffi D.12-03-054, p. 41 (explaining that if PG&E or SCE continues to report high disconnection rates for CARE customers during 2013, then the Commission will revisit the disconnection issue in a new rulemaking, which would likely address "not only the types of disconnection practices that we have considered and adopted in this proceeding, but also the broader issue of affordability for customers generally and low-income customers in particular.").</p>	
<p>11. TURN demonstrated that the Phase 2 PD should be modified to clarify that customers may self-certify that they are entitled to enhanced protection prior to service disconnection because they "have a serious illness or condition that could become life threatening if service is disconnected." [Ph2-DP]</p>	<p>ffi TURN Cmts on Ph 2 PD, pp. 1-2; ffi D.12-03-054, p. 49.</p>	
<p>12. TURN demonstrated that the Phase 2 PD should be modified to direct PG&E and SCE to submit a post-decision filing explaining how they will notify customers with a serious illness or condition that could become life-threatening if service is disconnected of their option to self-certify to that effect and obtain enhanced protection prior to service disconnection. [Ph2-DP]</p>	<p>ffi TURN Cmts on Ph 2 PD, pp. 1-2; ffi D.12-03-054, p. 49, Section 3.15.</p>	

<p>13. TURN demonstrated that SCE should be prohibited from implementing remote dxc pending the Commission's Phase 2 decision. [Ph2-DP]</p>	<p>ffi TURN Motion (9-28-11); ffi <i>Assigned Commissioner's Ruling Granting Motion to Temporarily Delay Implementation of Remote Disconnections</i> (10-14-11)</p>	
<p>14. TURN contributed to the Commission's determination that the definition of "vulnerable" customers warranting enhanced protection prior to service disconnection should be expanded beyond the definition adopted in D.10-07-048. While TURN had advocated the addition of 3 categories -- customers who self-certify that they have a serious illness or condition that could become life-threatening if service is discontinued, self-identified seniors, and customers who self-identify as disabled -- the Commission adopted only the first of these but clarified that there were minimum standards for remote disconnection. [Ph2-DP]</p>	<p>ffi TURN Opening Cmts in Response to 8/26/10 ALJ Ruling, pp. 10-17 (9-15-10); ffi TURN Reply Cmts in Response to 8/26/10 ALJ Ruling, pp. 4-7 (9-24-10); ffi TURN Opening Cmts in Response to 4/19/11 ALJ Ruling, pp. 2-4; ffi D.12-03-054, pp. 29-31</p>	
<p>15. TURN demonstrated that the Phase 2 PD should be modified to extend the reporting requirements beyond December 2013, as originally proposed, to all parties and Commission staff to continue monitoring utility progress in addressing disconnections. [Ph2-RR]</p>	<p>ffi TURN Cmts on Ph2 PD (1-30-12), pp. 4-5; ffi <i>Compare</i> D.12-03-054, p. 46, Section 3.13, <i>with</i> Phase 2 PD, pp. 43-44.</p>	
<p>16. TURN demonstrated that the Phase 2 Proposed Decision should not be modified, as requested by PG&E, to provide until January 1, 2013, for the implementation of several measures, including CARE enrollment by CSRs over the telephone, the uniform disconnection notice procedures, large print requirements for notices, and alternative forms of communication requested by customers with disabilities, because PG&E's request was unreasonable and unsupported. [Ph2-Time]</p>	<p>ffi TURN Reply Cmts on Ph 2 PD (2-6-12), pp. 3-5; ffi D.12-03-054, p. 49, fn. 20 ("We reject PG&E's unreasonable and unsubstantiated request to delay implementation of certain measures by more than ten months to January 1, 2013.").</p>	
<p>17. TURN's efforts, in conjunction with those of the Division of Ratepayer Advocates, Disability Rights Advocates, the Greenlining Institute, and the National Consumer Law Center (collectively, the Consumer Groups), resulted in a ground-breaking Settlement Agreement with SDG&E and SoCalGas (the Sempra Utilities), which the Commission adopted in D.10-12-051. The Settlement</p>	<p>ffi D.10-12-051 (approving Settlement Agreement between TURN and other parties); ffi <i>Compare</i> Settlement Agreement adopted in D.10-12-051 <i>with</i> TURN litigation positions on: <ul style="list-style-type: none"> o Disconnection Performance Benchmarks (Settlement Agreement Section II.B; TURN </p>	

<p>Agreement resolved all Phase 1 and Phase 2 issues in this proceeding for the Sempra Utilities and includes the following key components:</p> <ul style="list-style-type: none"> a. A performance benchmark for all residential service customers, and a performance benchmark for CARE-only customers; b. Certain measures which are required if disconnections exceed the benchmarks, including minimum payment arrangement requirements, longer payment plans, if appropriate, notice and information on renegotiated payment plans, and rules addressing re-establishment of credit deposit requirements; c. A cap on cost recovery associated with implementing the Commission's Orders in this proceeding, including zero recovery for incremental O&M costs and a maximum of \$600,000 in incremental uncollectibles expense for SoCalGas and \$300,000 for SDG&E; d. An "extreme weather policy" which prohibits disconnections during specified high and low temperatures; e. Terms to improve the effectiveness of utility communications with customers, including protocols for delivering 48-hour residential customer disconnection notices including inserts in non-English languages; Braille and large print bills and 48-hour notices; Protocols for pre-disconnection customer telephone communications; offering all customers the option of automated messages providing service disconnection information; and providing for the use of sign language and relay services by field staff and CSRs; f. Remote disconnection policies, including use of in-person field deliveries of 48-hour notices, a transition process before SDG&E uses remote disconnection for customer 	<p>Reply Cmts on OIR (4-2-10), pp. 6-8);</p> <ul style="list-style-type: none"> o Customer Re-Establishment of Credit Deposits (Settlement Agreement Section II.B.5.b; TURN Cmts on OIR (3-12-10), pp. 25-29; TURN Reply Cmts on OIR (4-2-10), pp. 8-9); o Payment Plans (Settlement Agreement Section II.B.5.a; TURN Reply Cmts on OIR, pp. 9-11); o Cost Recovery (Settlement Agreement Section II.C; TURN Reply Cmts on OIR (4-2-10), pp. 12-16); o In-language Communication with Customers (Settlement Agreement Section II.F.1; TURN Cmts on OIR, pp.4-7); o Remote Disconnection Protections (Settlement Agreement Section II.G; TURN Cmts on OIR, pp.14-18); o Reporting Requirements (Settlement Agreement Section II.I; TURN Cmts on OIR, pp. 18-24). 	
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<p>nonpayment, and a prohibition on the use of remote disconnection for customers who are particularly sensitive to the health and safety risks associated with loss of utility service, including self-identified seniors (62 and older), self-identified disabled customers, Medical Baseline customers, Life Support customers, and customers who self-certify that they have a serious illness or condition that could become life threatening if service is disconnected;</p> <p>g. Enhanced reporting requirements related to arrearages and disconnections; and</p> <p>h. Ongoing dialogue (at least quarterly) between the Settling Parties regarding utility performance and other issues related to furthering the objectives stated in R.10-02-005.</p> <p>TURN participated actively in all aspects of the process that lead to the Commission's adoption of the Settlement Agreement in D.10-12-051, including developing strategy, negotiating terms, drafting and editing offers, and advocating for and defending the Settlement Agreement once submitted to the Commission. TURN also played a lead role on certain issues, including the above/below benchmark trigger framework, restrictions on customer re-establishment of credit deposits, limits on cost recovery, and protections from remote disconnection for customers especially vulnerable to risks associated with loss of utility service. The Commission should find that D.10-12-051 and the Settlement Agreement it adopted reflect TURN's substantial contribution. [Sett]</p>		
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B. Duplication of Effort (§§ 1801.3(f) & 1802.5):

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	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	Yes	

yours?		
<p>c. If so, provide name of other parties: Disability Rights Advocates (DisabRA), whose participation was assumed by the Center for Accessible Technology (CforAT) during the course of Phase 2; the Greenlining Institute; the National Consumer Law Center (NCLC).</p>		
<p>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:</p> <p>From the outset of this proceeding, TURN has been coordinating our coverage of issues with DRA and the other consumer groups to avoid duplication to the extent possible. This active coordination continued throughout Phase 2 and during settlement negotiations. For instance, the consumer groups other than DRA agreed on an allocation of issue coverage in opening comments and reply comments on the Phase 2 Proposed Decision (PD), with each party taking the lead on certain issues. We combined these sections to file joint opening comments on the PD. For reply comments on the PD, we filed separate reply comments that cross-referenced one another, thus limiting the time each party needed to devote to the issues raised by PG&E and SCE in opening comments. In the other Phase 2 filings, TURN coordinated with the other consumer groups to the extent feasible, which allowed for parties, including TURN, to take the lead on some issues in opening comments and simply support the work of other intervenors in reply comments, rather than needing to cover all salient issues in depth. This close coordination reduced the total amount of time TURN (and the other consumer groups) needed to devote to researching and drafting opening and reply comments, while providing the Commission with a full record upon which to resolve the issues before it.</p> <p>Similarly, TURN coordinated closely with DRA and the other consumers groups throughout the settlement process that resulted in D.10-12-051. This coordination resulted in task-sharing among the parties, which avoided undue duplication. As noted above, TURN played a lead or very active role on certain issues, including the benchmark mechanism, reporting requirements, customer deposits, cost recovery, and remote disconnection protections, which included conceptual work and written work product as part of the negotiation process, whereas other parties took the lead on other issues. Additionally, DRA and the consumer groups jointly drafted a reply to the response filed by PG&E and SCE to the Settling Parties' petition for modification of D.10-07-048. In drafting that document, we divided up issue coverage so as to maximize efficiency and avoid duplication.</p> <p>For all of these reasons, TURN submits that there was no undue duplication between TURN's participation and that of DRA and the other consumer groups.</p>		

C. Additional Comments on Part II (use line reference # or letter as appropriate):

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#	Claimant	CPUC	Comment

PART III: REASONABLENESS OF REQUESTED COMPENSATION (to be completed by Claimant except where indicated)

A. General Claim of Reasonableness (§§ 1801 & 1806):

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<p>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)</p> <p>TURN’s request for intervenor compensation seeks an award of approximately \$55,000 as the reasonable cost of our participation in Phase 2 of this proceeding, including the work leading to the Settlement Agreement. TURN submits that these costs are reasonable in light of the importance of the issues TURN addressed and the benefits to customers.</p> <p>TURN’s advocacy reflected in D.10-12-051 and D.12-03-054 addressed policy matters rather than specific rates or disputes over particular dollar amounts, with limited exceptions discussed below. For the most part, TURN cannot easily identify precise monetary benefits to ratepayers from our work in related to D.10-12-051 and D.12-03-054, given the nature of the issues presented. TURN submits that its positive impact however, will afford residential customers expanded opportunities to avoid service termination and to continue receiving gas and electricity services. Because utility shutoffs trigger all kinds of financial impacts, including service reinstatement costs, food spoilage and replacement costs, and possibly eviction, in addition to a host of health and safety issues, policies that assist consumers in being able to pay their bills, manage arrearages, and avoid shutoffs bestow enormous benefits upon those Californians most in need of assistance.</p> <p>On the other hand, the Cost Recovery provisions of the Settlement Agreement adopted in D.10-12-051 confer direct cost savings upon ratepayers by limiting the exposure of the Sempra Utilities’ ratepayers to the risk of much higher costs associated with the utilities’ implementation of the Orders in this proceeding. As discussed above, SDG&E’s ratepayers will pay at most \$300,000 for the utility’s activities through the Settlement term (ending 12/31/2013), while SoCalGas’ ratepayers will pay at most \$600,000. (Settlement Agreement Section II.C). While it is impossible to know what those costs might have otherwise been, PG&E reported in its April 2012 Compliance Report, filed May 23, 2012 in this proceeding, that it has recorded \$4.8 million dollars in incremental costs associated with the implementation of Orders in this proceeding. Of course those costs have yet to be subject to a reasonableness review. Related, TURN’s success at</p>	<p>CPUC Verified</p>
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ensuing that incremental costs claimed by PG&E and SCE will be subject to reasonableness reviews in those utilities' general rate cases will protect ratepayers from paying unjust or unreasonable rates associated with the activities in this proceeding. (See contributions #5 and #6 above).

For all of these reasons, the Commission should find that TURN's efforts have been productive.

b. Reasonableness of Hours Claimed.

This Request for Compensation includes approximately 173 total hours for TURN's attorneys and consultant time, or the equivalent of one month of full-time work by a single person (40 hours/week * 4.3weeks/month = 172 hours/month). TURN submits that this is a reasonable amount of time, given the duration and intensity of settlement negotiations resulting in D.10-12-051 and the fact that Phase 2, resulting in D.12-03-054, spanned a year and a half and involved seven pleadings filed by TURN.

TURN's request is also reasonable because we were efficient in staffing this proceeding and pursuing our results. At all times, this proceeding was staffed by a single attorney. TURN staff attorney Hayley Goodson covered this proceeding for all but a few months during the spring of 2011, when she was on parental leave from TURN. During this brief period of time, TURN staff attorney Nina Suetake covered this proceeding. Ms. Goodson and Ms. Suetake worked to make this necessary hand-off as smooth and efficient as possible, although modest effort was required to bring Ms. Suetake up to speed. TURN is including in this request only 2.0 hours of Ms. Suetake's time towards that effort and none of Ms. Goodson's.

TURN's request also includes 11 hours devoted to the preparation of this request for compensation. This is a reasonable figure consistent with the scale of the proceeding and TURN's level of involvement therein, and the fact that this request covers two Commission decisions.

c. Allocation of Hours by Issue

TURN has allocated its daily time entries by activity codes to better reflect the nature of the work reflected in each entry. TURN has used the following activity codes:

Code	Description	Allocation of Time
CHANGES	Community Help and Awareness of Natural Gas and Electricity Services	8.4%
Ph2-Com	Utility Communications w/ Customers (notice requirements, language access)	0.4%

Ph2-Comp	Intervenor Compensation	6.0%
Ph2-Coord	Coordination with other intervenors	4.2%
Ph2-Cost	Utility Cost Recovery	1.5%
Ph2-CPO	Customer Payment Options (choice of billing date, levelized billing, arrearage management plans)	5.8%
Ph2-Dep	Customer Deposit requirements (whether there should be exceptions for certain customers who demonstrating continued fraud or bad check activities)	0.7%
Ph2-DP	Disconnection Protections (definition and identification of "sensistive customers")	17.9%
Ph2-GP	General Participation	9.9%
Ph2-PD	Work related to the Phase 2 Proposed Decision that cannot be separated by individual issue	6.5%
Ph2-RR	Reporting Requirements	0.8%
Ph2-Time	Sunset date for policies adopted, implementation time for new practices required by D.12-03-054	2.3%
Sett	Work related to the Settlement Agreement, involving a mix of issues, including Customer Payment Options, Customer Deposits, Benchmarking, Utility Communication with Customers, Utility Cost Recovery, Disconnection Protections, and Reporting Requirements	33.5%
Sett-Impl	Work related to the implementation of the Settlement Agreement (Quarterly meetings between the Sempra Utilities and Consumer Groups)	2.0%

If the Commission believes that a different approach to issue-specific allocation is warranted here, TURN requests the opportunity to supplement this section of the request.

B. Specific Claim:

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CLAIMED						CPUCA WARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate	Basis for Rate*	Total \$	Hours	Rate	Total \$
Hayley Goodson, TURN Attorney	2010	103.75	\$295	D.10-12-015, p. 16.	\$30,606.25			

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Hayley Goodson, TURN Attorney	2011	17.25	\$310	Res. ALJ-265 and ALJ-247, 5% Step Increase. See Comment #1 below.	\$5,347.50			
Hayley Goodson, TURN Attorney	2012	35.50	\$310	Same rate as requested for Ms. Goodson's 2011 time. See Comment #2 below.	\$11,005.00			
Nina Suetake, TURN Attorney	2011	16.00	\$295	Res. ALJ-265 and ALJ-247, 5% Step Increase. See Comment #3 below.	\$4,720.00			
Jeff Nahigian, JBS Energy, Inc.	2010	0.75	\$190	D.10-07-040.	\$142.50			
<i>Subtotal:</i>					\$51,821.25	<i>Subtotal:</i>		

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OTHER FEES
Describe here what OTHER HOURLY FEES you are Claiming (paralegal, travel **, etc.):

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Item	Year	Hours	Rate	Basis for Rate*	Total \$	Hours	Rate	Total \$
[Person 1]			\$					
[Person 2]								
<i>Subtotal:</i>					\$0	<i>Subtotal:</i>		

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INTERVENOR COMPENSATION CLAIM PREPARATION **

Item	Year	Hours	Rate	Basis for Rate*	Total \$	Hours	Rate	Total \$
Hayley Goodson, TURN Attorney	2012	11.00	\$155	1/2 of requested hourly rate for 2011 (to also be applied to 2012 hours)	\$1,705.00			
[Preparer 2]								
<i>Subtotal:</i>					\$1,705.00	<i>Subtotal:</i>		

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COSTS

#	Item	Detail	Amount	Amount
	Photocopying	expense associated with copying pleadings related to D.12-03-054	\$26.00	
	Postage	expense associated with mailing pleadings related to D.12-03-054	\$9.34	
<i>Subtotal:</i>			\$35.34	<i>Subtotal:</i>
TOTAL REQUEST \$:			\$53,561.59	TOTAL AWARD \$:

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 ½ of preparer's normal hourly rate.

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

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Attachment or Comment #	Description/Comment
Attachment #1	Certificate of Service
Attachment #2	Time sheets for TURN's attorneys and expert consultant showing coded time entries
Attachment #3	TURN direct expenses associated with Phase 2 of R.10-02-005
Attachment #4	TURN Comments and Reply Comments on Draft Resolution CSID-004
Comment #1	<p>2011 Hourly Rate for TURN Attorney Hayley Goodson:</p> <p>In Res. ALJ-267, the Commission did not adopt any COLA adjustment for 2011. However, it explicitly continued the previously adopted policy of “step increases” for 2008 and beyond. Res. ALJ-247, p. 6, Finding #2. In D.08-04-010, the Commission had provided for up to two annual 5% “step increases” in hourly rates within each experience level for all intervenor representatives, and specifically explained that an attorney would be eligible for additional step increases upon reaching the next higher experience level. D.08-04-010, pp. 2, 11-12.</p> <p>TURN seeks an hourly rate of \$310 for Ms. Goodson’s work in 2011. This figure represents the hourly rate previously adopted for her work in 2010 (in D.10-12-015) escalated by a 5% step increase (rounded to the nearest \$5 increment). Ms. Goodson is a 2003 law school graduate. In 2008, TURN sought and was awarded an hourly rate of \$280, the low end of the range set for attorneys with 5-7 years of experience. D.08-08-027, p. 5 (adopting the requested rate), and D.08-04-010, p. 5 (setting the ranges for 2008). In D.10-12-015, the Commission awarded a 5% step increase to \$295 for Ms. Goodson’s work in 2010. TURN seeks here the second step increase for Ms. Goodson upon reaching the 5-7 year experience level. Ms. Goodson was in her eighth year of practice at TURN in 2011.</p> <p>TURN’s showing in support of this requested increase is based on and consistent with the showing TURN made in our first request for compensation in this proceeding, R.10-02-005, in support of the requested increase for Ms. Goodson’s 2010 hourly rate. The Commission approved the requested increase in D.10-12-015 (p. 16).</p> <p>On April 26, 2012, TURN submitted a request for intervenor compensation in A.09-09-021 wherein TURN presented this same showing in support of an hourly rate of \$310 for Ms. Goodson’s work in 2011. That request is currently pending.</p>
Comment #2	<p>2011 Hourly Rate for TURN Attorney Nina Suetake:</p> <p>In Res. ALJ-267, the Commission did not adopt any COLA adjustment for 2011. However, it explicitly continued the previously adopted policy of “step increases” for 2008 and beyond. Res. ALJ-247, p. 6, Finding #2. In D.08-04-010, the Commission had provided for up to two annual 5% “step increases” in hourly rates within each experience level for all intervenor</p>

	<p>representatives, and specifically explained that an attorney would be eligible for additional step increases upon reaching the next higher experience level. D.08-04-010, pp. 2, 11-12.</p> <p>TURN seeks an hourly rate of \$295 for Ms. Suetake's work in 2011. This figure represents the hourly rate previously adopted for her work in 2009 and 2010 escalated by a 5% step increase (rounded to the nearest \$5 increment). Ms. Suetake is a 2004 law school graduate. In 2009, TURN sought and was awarded an hourly rate of \$280, the low end of the range set for attorneys with 5-7 years of experience. D.10-11-032 (adopting the requested rate), and D.08-04-010, p. 5 (setting the ranges for 2008). This is the first step increase TURN has sought for Ms. Suetake upon reaching this experience level.</p> <p>TURN's showing in support of this requested increase is based on and consistent with the showing UCAN made in C.08-08-026 in support of the requested increase for its attorney's hourly rate. The Commission approved the requested increase in D.10-08-018 (p. 8). It is also nearly identical to the showing TURN made when seeking a step increase for Hayley Goodson's 2010 work in R.10-02 005 (granted in D.10-12-015).</p> <p>On September 15, 2011, TURN submitted a request for intervenor compensation in R.09-08-009 wherein TURN presented this same showing in support of an hourly rate of \$295 for Ms. Suetake's work in 2011. That request is currently pending.</p>
Comment #3	<p>2012 Hourly Rate for TURN Attorney Hayley Goodson:</p> <p>TURN asks the Commission to apply to Hayley Goodson's time in 2012 the same hourly rate approved for her 2011 time. TURN reserves the right to seek a different rate for Ms. Goodson's work in 2012 in the future.</p>

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)

A. Opposition: Did any party oppose the Claim?	
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If so:

Party	Reason for Opposition	CPUC Disposition

B. Comment Period: Was the 30-day comment period waived (see Rule 14.6(2)(6))?	
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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 75th 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 2

Time sheets for TURN's attorneys and expert consultant showing coded time entries

R.10-02-005 TURN Hours Associated with D.10-12-051 and D.12-03-054

Proceeding	Date	Attorney	Code	Description	Time	Year
R10-02-005	3/4/2010	HG	Sett	discuss possible settlement discussions w/ PG&E, Sempra, DRA	0.50	2010
R10-02-005	4/6/2010	HG	Sett	meeting with DRA re upcoming settlement discussions	0.75	2010
R10-02-005	4/6/2010	HG	Sett	draft settlement strategy document to guide TURN negotiations	1.25	2010
R10-02-005	4/19/2010	HG	Sett	prep for, attend pre-sett conf call w/ consumer groups	1.50	2010
R10-02-005	4/21/2010	HG	Sett	prep for, attend sett conf at CPUC	3.00	2010
R10-02-005	4/28/2010	HG	Sett	review issue matrix; discuss sett strategy with DRA	2.50	2010
R10-02-005	4/29/2010	HG	Sett	prep for, attend conf call w/intervenors about sett strategy	2.00	2010
R10-02-005	5/13/2010	HG	Sett	attend sett conference	4.00	2010
R10-02-005	5/14/2010	HG	Sett	review NCLC's proposed pay plan settlement language; rsch, edits to proposed language and questions for group	1.00	2010
R10-02-005	5/17/2010	HG	Sett	discuss payment plan sett offer with other consumer groups	0.50	2010
R10-02-005	5/18/2010	HG	Sett	review benchmarking data from DRA	0.25	2010
R10-02-005	5/18/2010	HG	Sett	consumer conf call re benckmarking, pay plans, other issues for settlement	1.00	2010
R10-02-005	5/18/2010	HG	Sett	draft sett offer language	0.75	2010
R10-02-005	5/20/2010	HG	Sett	review latest Sempra sett offer with edits from consumer gps	0.50	2010
R10-02-005	5/20/2010	HG	Sett	draft revised language re deposits	0.50	2010

R10-02-005	5/20/2010	HG	Sett	conf call w/ consumer groups on sett language, strategy	1.00	2010
R10-02-005	6/1/2010	HG	Sett	call into to intervenor conf call; review Sempra sett document; discuss w/ DRA	0.50	2010
R10-02-005	6/2/2010	HG	Sett	attend sett conference	4.00	2010
R10-02-005	6/3/2010	HG	Sett	discuss sett prospects with DRA; discuss Sempra offer internally	1.75	2010
R10-02-005	6/4/2010	HG	Sett	outline counter offer to Sempra and discuss with consumer groups	3.00	2010
R10-02-005	6/7/2010	HG	Sett	draft counter offer for Sempra; discuss w/ other consumer groups	2.75	2010
R10-02-005	6/9/2010	HG	Sett	rsch for sett negotiations; call UCAN re SDG&E complaints re pay plans, deposits, shutoffs; pre and post OIR	0.50	2010
R10-02-005	6/9/2010	HG	Sett	review DRA's proposed sett language re benchmarks, cost recovery	0.25	2010
R10-02-005	6/9/2010	HG	Sett	review Sempra discovery re payment plans; discuss w/ DisabRA	1.00	2010
R10-02-005	6/14/2010	HG	Sett	review DRA's revisions to sett offer	0.25	2010
R10-02-005	6/15/2010	HG	Sett	consumer gps conf call re edits to sett counter to Sempra	1.75	2010
R10-02-005	6/18/2010	HG	Sett	prep for, conf call w/consumer gps and Sempra re consumer gp counter	2.00	2010
R10-02-005	6/24/2010	HG	Sett	sett conf w/ consumer gps, Sempra; digesting Sempra's latest counter	1.00	2010
R10-02-005	6/29/2010	HG	Sett	discuss cost recovery in sett w/ DRA	0.25	2010
R10-02-005	7/1/2010	HG	Sett	review next draft of Sempra offer and consumer gps' counter	0.50	2010
R10-02-005	7/13/2010	HG	Sett	review latest Sempra counter; conf call w/ consumer gps re response	1.25	2010
R10-02-005	7/20/2010	HG	Sett	prep for, attend consumer gps conf call re latest version of offer to Sempra	1.00	2010

R10-02-005	7/22/2010	HG	Sett	talk with DRA re Sempra sett	0.50	2010
R10-02-005	7/28/2010	HG	Sett	review Sempra draft of hear final sett agreement, discuss w/ consumer groups	0.75	2010
R10-02-005	8/4/2010	HG	Sett	discuss refinements to Sempra sett term sheet for tomorrow's sett conf	1.00	2010
R10-02-005	8/5/2010	HG	Sett	attend sett conf w/ all parties	2.25	2010
R10-02-005	8/13/2010	HG	Sett	review, edit next version of sett agreement; discuss w/ consumer gps	1.00	2010
R10-02-005	8/18/2010	HG	Sett	review new edits to settlement document; discuss next steps with consumer gps	0.25	2010
R10-02-005	9/2/2010	HG	Sett	review next round of sett docs, provide cmts to consumer gps	1.00	2010
R10-02-005	9/7/2010	HG	Sett	coorespondence with settling parties re finalizing sett docs	0.50	2010
R10-02-005	9/8/2010	HG	Ph2-GP	review GL letter re scope and suggest edits	0.25	2010
R10-02-005	9/8/2010	HG	Sett	review final sett docs and execute	0.50	2010
R10-02-005	9/13/2010	HG	Ph2-CPO	begin rsch, writing comments per 8/26/10 ALJ ruling	2.50	2010
R10-02-005	9/14/2010	HG	Ph2-Coord	memo re coordination of op cmts to DRA, DisabRA & discuss	0.25	2010
R10-02-005	9/14/2010	HG	Ph2-CPO	continue rsch, writing commetns per 8/26/10 ALJ ruling	2.25	2010
R10-02-005	9/14/2010	HG	Ph2-DP	continue rsch, writing commetns per 8/26/10 ALJ ruling	4.00	2010
R10-02-005	9/15/2010	HG	Ph2-Coord	talk coordination with DisabRA and DRA re op cmts per 8/26/10 ALJ Ruling	0.25	2010
R10-02-005	9/15/2010	HG	Ph2-DP	continue drafting cmts and finalize	4.50	2010
R10-02-005	9/15/2010	HG	Ph2-GP	begin reading other parties' cmts, notes for reply cmts	0.75	2010

R107027005	9/16/2010	HG	Ph27GP	cont reading other parties' cmts, notes for reply cmts	0.50	2010
R107027005	9/21/2010	HG	Ph27GP	read ALJ ruling re scope of Phase 2 and response time for Sett / ^L Pet Mod D.107077048 and confer with Sett parties	0.25	2010
R107027005	9/22/2010	HG	Ph27Coord	discuss w/ DisabRA bp cmts & coordinating replies	0.25	2010
R107027005	9/22/2010	HG	Ph27GP	continue reading bp cmts, notes for reply	2.75	2010
R107027005	9/23/2010	HG	Ph27Coord	discuss reply cmts w/ DRA, DisabRA	0.25	2010
R107027005	9/23/2010	HG	Ph27Cost	draft reply cmts (cost recovery)	1.25	2010
R107027005	9/23/2010	HG	Ph27Dep	begin drafting reply cmts (deposits)	1.25	2010
R107027005	9/24/2010	HG	Ph27DP	work on rsch, drafting reply cmts (vulnerable customer definition)	2.00	2010
R107027005	9/24/2010	HG	Ph27GP	draft reply cmts (scope of Ph 2)	2.00	2010
R107027005	9/24/2010	HG	Ph27GP	read reply cmts on other parties ^L	0.50	2010
R107027005	9/29/2010	HG	Sett	read PG&E, SCE responses to sett-related filings; rsch rules and ^L memo to settling parties	0.75	2010
R107027005	9/30/2010	HG	Sett	talk to sett parties re: coordinating reply to PG&E response to ^L petMod	0.75	2010
R107027005	10/1/2010	HG	CHANGES	read CPSD draft resolution re TEAM pilot; email to Ana ^L Montes/TURN for input	0.50	2010
R107027005	10/1/2010	HG	Sett	prep for, attend consumer gps conf call about responding to ^L PG&E, SCE response to PetMod re sett	1.25	2010
R107027005	10/1/2010	HG	Sett	conf call with Sempra and consumer gps re same (responding to ^L PG&E, SCE response to PetMod re sett)	0.75	2010
R107027005	10/1/2010	HG	Sett	consumer call re diving up pleading & follow-up call to DisabRA ^L (responding to PG&E, SCE response to PetMod re sett)	0.75	2010
R107027005	10/4/2010	HG	Sett	draft my sections of reply to PG&E response to PFM	2.25	2010

R10-02-005	10/5/2010	HG	Sett	edit consolidated draft of reply to responses to PFM (with all consumer group input), discuss with other consumer groups;	2.00	2010
R10-02-005	10/6/2010	HG	Sett	prep for, attend 3 ex parte meetings on settlement	2.50	2010
R10-02-005	10/14/2010	HG	Ph2-GP	review Sempra draft Advice Letter re revised Gas Assistance Fund funding source; discuss w/ DRA	0.50	2010
R10-02-005	10/18/2010	HG	CHANGES	review Ana's memo, TEAM materials; draft memo to Ana about tomorrow's APM; discussion w/ consumer gps	1.75	2010
R10-02-005	10/20/2010	HG	CHANGES	review Ana's report from All Party, coordination with GL	1.25	2010
R10-02-005	10/21/2010	HG	CHANGES	draft comments on Res. CSID-004	4.75	2010
R10-02-005	10/25/2010	HG	CHANGES	read other parties bp cmts, notes for reply cmts	2.75	2010
R10-02-005	10/26/2010	HG	CHANGES	talk to DRA re reply cmts	0.25	2010
R10-02-005	10/26/2010	HG	CHANGES	draft reply cmts	2.00	2010
R10-02-005	10/26/2010	HG	CHANGES	read other parties rep cmts	0.50	2010
R10-02-005	11/5/2010	HG	Ph2-GP	review next draft of SoCalGas Gas Assistance Fund advice letter; contact SoCalGas	0.25	2010
R10-02-005	11/15/2010	HG	Sett	read PD on sett	0.25	2010
R10-02-005	11/16/2010	HG	CHANGES	read modified draft Res. CSID-004 & discuss w/ consumer gps	0.25	2010
R10-02-005	12/1/2010	HG	Ph2-GP	meeting w/ consumer gps re what to do with CARE \$ authorized for CARE-TANF program but not spent	1.00	2010
R10-02-005	12/13/2010	HG	Ph2-DP	read responses to DRA DR to PG&E re disconnections (weather policies, remote/manual, etc)	0.50	2010
R10-02-005	2/3/2011	HG	Ph2-GP	discuss status of disconnections with DRA, possible policy responses	0.50	2011
R10-02-005	2/8/2011	HG	Sett-Impl	discussion with settling parties re 1st quarterly meeting per settlement	0.25	2011

R10-02-005	6/14/2011	HG	Ph2-GP	review final resolution authorizing PG&E to use leftover CARE-TANF funds for REACH	0.25	2011
R10-02-005	6/16/2011	HG	Ph2-GP	meeting with Nina for update on what happened during my leave in prep for resuming casework	0.25	2011
R10-02-005	6/22/2011	HG	Sett-Impl	attend by phone quarterly meeting per Sempra sett	1.50	2011
R10-02-005	8/24/2011	HG	Ph2-DP	remote disconnections T rsch, draft DR for SCE, after discussion w/ consumer gps	1.00	2011
R10-02-005	8/25/2011	HG	Ph2-DP	remote disconnections T look at disconnection reports; finalize DR to SCE	0.50	2011
R10-02-005	9/9/2011	HG	Ph2-DP	read data responses from SCE re remote shutoff	0.25	2011
R10-02-005	9/15/2011	HG	Ph2-DP	remote disconnections T discuss discuss motion to suspend SCE remote disconnections internally	0.25	2011
R10-02-005	9/26/2011	HG	Sett-Impl	quarterly sett meeting w/ Sempra	1.00	2011
R10-02-005	9/27/2011	HG	Ph2-DP	rsch, draft motion re SCE remote dxn	1.75	2011
R10-02-005	9/28/2011	HG	Ph2-DP	cont drafting motion, finalize	3.50	2011
R10-02-005	10/12/2011	HG	Ph2-DP	read SCE response to TURN motion; rsch for reply	0.50	2011
R10-02-005	10/13/2011	HG	Ph2-DP	cont rsch for motion reply; contact ALJ for permission to reply	0.50	2011
R10-02-005	10/19/2011	HG	Ph2-GP	review Ph tl filings during my parental leave	2.00	2011
R10-02-005	10/20/2011	HG	CHANGES	read draft res CSID-005 re CHANGES; discuss w/ Ana to evaluate need for comments	0.50	2011
R10-02-005	10/20/2011	HG	Ph2-GP	cont reviewing Ph tl filings during my parental leave	1.00	2011
R10-02-005	10/24/2011	HG	CHANGES	cont. discussing draft res CSID-005 (CHANGES) w/ Ana; determine no comments necessary	0.25	2011
R10-02-005	10/25/2011	HG	CHANGES	read comments filed by other parties on draft res CSID-005 (CHANGES)	0.75	2011

R10-02-005	11/8/2011	HG	Ph2-PD	begin reading PD	0.25	2011
R10-02-005	11/23/2011	HG	Ph2-DP	read SCE shutoffs report; memo to consumer gps re SCE's remote disconnections; notes for followup DR	0.25	2011
R10-02-005	11/28/2011	HG	Ph2-DP	read responses fm consumer gps re my memo on SCE remote dxn of medbl customers	0.25	2011
R10-02-005	1/9/2012	HG	Ph2-PD	read Phase II PD	1.00	2012
R10-02-005	1/16/2012	HG	Ph2-PD	notes on PD in prep for cmts	0.25	2012
R10-02-005	1/17/2012	HG	Ph2-Coord	conf call w/ consumer gps on joint cmts on PD	1.50	2012
R10-02-005	1/25/2012	HG	Ph2-Com	draft cmts on PD (reporting study of language options)	0.50	2012
R10-02-005	1/25/2012	HG	Ph2-Coord	review NCLC, GL draft sections of cmts on PD and discussion	1.00	2012
R10-02-005	1/25/2012	HG	Ph2-CPO	draft cmts on PD (billing date flex, no prejudice re arrearage mgmt plans)	1.00	2012
R10-02-005	1/25/2012	HG	Ph2-DP	draft cmts on PD (implementation of expanded def of "vulnerable" customers entitled to enhanced protection fm disconnection)	1.00	2012
R10-02-005	1/25/2012	HG	Ph2-RR	draft cmts on PD (reporting reqs)	1.50	2012
R10-02-005	1/25/2012	HG	Ph2-Time	draft cmts on PD (future of docket)	0.75	2012
R10-02-005	1/26/2012	HG	Ph2-DP	rsch re cmts on PD (remote dxn); discuss w/ M. Kasnitz, D. Wong	2.00	2012
R10-02-005	1/27/2012	HG	Ph2-DP	draft argument re remote dxn	2.50	2012
R10-02-005	1/27/2012	HG	Ph2-PD	work on editing consolidated draft begun by CforAT; circulate for review	1.50	2012
R10-02-005	1/28/2012	HG	Ph2-DP	review NCLC proposed changes to remote dxn section and discuss w/ NCLC, CforAT, GL	0.50	2012
R10-02-005	1/29/2012	HG	Ph2-DP	more edits to remote dxn section; communicate with NCLC	1.00	2012

R10-02-005	1/30/2012	HG	Ph2-DP	read op cmts on PD, notes & rsch for reply	2.00	2012
R10-02-005	1/30/2012	HG	Ph2-PD	final edits to cmts, including addition of proposed FOF, COL, TOA, summary of recs	2.00	2012
R10-02-005	1/31/2012	HG	Ph2-Coord	conf call w/ consumer gps to coordinate reply cmts on PD	1.00	2012
R10-02-005	2/3/2012	HG	Ph2-Coord	review CforAT, Greenlining draft reply cmts on PD & suggest edits	0.75	2012
R10-02-005	2/3/2012	HG	Ph2-Cost	draft reply cmts on PD (costs)	0.50	2012
R10-02-005	2/3/2012	HG	Ph2-Time	draft reply cmts on PD (timing)	1.50	2012
R10-02-005	2/4/2012	HG	Ph2-Cost	cont. drafting reply cmts (costs)	0.50	2012
R10-02-005	2/5/2012	HG	Ph2-Com	work on reply cmts (uniform disconnection notice reqs)	0.25	2012
R10-02-005	2/5/2012	HG	Ph2-Time	cont. drafting reply cmts (timing)	1.25	2012
R10-02-005	2/6/2012	HG	Ph2-Cost	add one more argument (costs), then finalize	0.50	2012
R10-02-005	2/8/2012	HG	Ph2-PD	read filed reply cmts on PD	0.50	2012
R10-02-005	2/13/2012	HG	Ph2-PD	read PD rev. 1	0.25	2012
R10-02-005	2/23/2012	HG	Ph2-PD	talk to DRA about strategy for ex parte mtgs; confer with Mark Toney	0.75	2012
R10-02-005	2/27/2012	HG	Ph2-Coord	conf call w/ consumer gps in prep for ex parte mtg	0.75	2012
R10-02-005	2/28/2012	HG	Ph2-PD	rsch, prep for ex parte mtgs tomorrow	1.75	2012
R10-02-005	2/29/2012	HG	Ph2-Coord	strategy mtg w/ consumer gps before today's ex parte mtg	0.50	2012
R10-02-005	2/29/2012	HG	Ph2-PD	ex parte mtg w/ Peevey's office; follow up mtg w/ consumer gps	1.25	2012

R107027005	2/29/2012	HG	Ph27PD	cont prep for ex parte mtg	1.00	2012
R107027005	3/1/2012	HG	Ph27PD	attend ex parte mtg w/ Ferron's office re PD	0.75	2012
R107027005	3/15/2012	HG	Ph27PD	ex parte S. St. Marie, Sandoval's office	0.50	2012
R107027005	3/21/2012	HG	Ph27PD	read new revisions to Ph2 PD	0.25	2012
R107027005	4/23/2012	HG	Settl7Impl	review materials for and participate in quarterly Sempra Settlement meeting	1.00	2012
R107027005	5/25/2012	HG	Ph27Comp	start reviewing hours, working on comp request	2.00	2012
R107027005	5/27/2012	HG	Ph27Comp	cont. work on comp request	1.50	2012
R107027005	5/28/2012	HG	Ph27Comp	cont. work on comp request	5.00	2012
R107027005	5/29/2012	HG	Ph27Comp	work on comp request and finalize	2.50	2012
		HG Total			167.50	
R107027005	9/22/2010	BS77J Nahi	Ph27DP	memo to TURN on SCE disconnect policies	0.75	2010
		JBS77J Nahigian Total			0.75	
R107027005	2/10/2011	NS	Ph27GP	Review DIR and background material	1.00	2011
R107027005	3/17/2011	NS	Ph27Coord	Call w/ DRA and interested parties re: DRA second disconnection report	0.50	2011
R107027005	3/17/2011	NS	Ph27GP	Read/Review DRA second disconnection report	0.50	2011
R107027005	5/19/2011	NS	Ph27Coord	Read DRA draft comments on Phase II issues	0.25	2011
R107027005	5/19/2011	NS	Ph27CPO	Draft opening comments on Phase II issues in response to ALJ's April 19 Ruling	2.50	2011

R10-02-005	5/19/2011	NS	Ph2-DP	Draft opening comments on Phase II issues in response to ALJ's April 19 Ruling	1.00	2011
R10-02-005	5/19/2011	NS	Ph2-GP	Read TURN and other party filings in this docket re: remote disconnection, arrearage management programs, billing date	1.00	2011
R10-02-005	5/20/2011	NS	Ph2-Coord	Review drafts of other parties for collaborative purposes, draft emails re: remote disconnections	0.25	2011
R10-02-005	5/20/2011	NS	Ph2-DP	Draft opening comments on Phase II issues in response to ALJ's April 19 Ruling	2.50	2011
R10-02-005	5/27/2011	NS	Ph2-Coord	Call Disability Rights Advocates re: position on remote disconnection	0.25	2011
R10-02-005	5/27/2011	NS	Ph2-GP	Read opening comments of other parties	2.50	2011
R10-02-005	5/30/2011	NS	Ph2-CPO	begin drafting reply comments on Phase II issues	2.25	2011
R10-02-005	5/30/2011	NS	Ph2-GP	Review notes on comments of all parties in prep for reply cmts	0.25	2011
R10-02-005	5/31/2011	NS	Ph2-CPO	Draft reply comments on Phase II issues	0.25	2011
R10-02-005	5/31/2011	NS	Ph2-Time	Draft reply comments on Phase II issues	0.75	2011
R10-02-005	6/16/2011	NS	Ph2-GP	Discuss status of Shutoff OIR with Hayley who is taking the proceeding back	0.25	2011
		NS Total			16.00	
		Grand Total			184.25	

ATTACHMENT 3

TURN direct expenses associated with Phase 2 of R.10-02-005

R.10-02-005 TURN Expenses Associated with D.10-12-051 and D.12-03-054

Date	Activity	Description	Billed
	Activity: \$Copies		
9/15/2010	Photocopies	Comments on Certain Phase II Identified in the 8/26/10 Administrative Law Judge's Ruling. 23pp x 2cc	\$9.20
9/24/2010	Photocopies	Reply Comments on Certain Phase II Issues Identified in the 8/26/2010 Administrative Law Judge's Ruling. 13pp x 2cc	\$5.20
1/30/2012	Photocopies	Copies of Comments of The Utility Reform Network, the Center for Accessible Technology, The Greenlining Institute, and The National Consumer Law Center on the Proposed Decision on Phase II Issues for the Commissioner and ALJ	\$9.20
2/6/2012	Photocopies	Copies of Reply Comments of The Utility Reform Network on the Proposed Decision on Phase II Issues for the Commissioner and ALJ	\$2.40
	Total: \$Copies		\$26.00
	Activity: \$Postage		
9/15/2010	Postage	Comments on Certain Phase II Identified in the 8/26/10 Administrative Law Judge's Ruling. 23pp x 2cc	\$2.44
9/24/2010	Postage	Reply Comments on Certain Phase II Issues Identified in the 8/26/2010 Administrative Law Judge's Ruling.	\$2.10
1/30/2012	Postage	Postage to mail copies of Comments of The Utility Reform Network, The Center for Accessible Technology, The Greenlining Institute, and The National Consumer Law Center on the Proposed Decision on Phase II Issues to the Commissioner and ALJ	\$2.60
2/6/2012	Postage	Postage to mail copies of Reply Comments of The Utility Reform Network on the Proposed Decision on Phase II Issues to the Commissioner and ALJ	\$2.20
	Total: \$Postage		\$9.34
	Grand Total		\$35.34

ATTACHMENT 4

TURN's Opening and Reply Comments on Draft Resolution CSID-004



Lower bills. Livable planet.

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Hayley Goodson, Staff Attorney

October 21, 2010

Karen Miller, Public Advisor
Kyle DeVine, Assistant Public Advisor
505 Van Ness Avenue
San Francisco, CA 94102

Re: Draft Resolution CSID-004 (CHANGES Pilot Program)

Dear Ms. Miller and Ms. DeVine:

On October 1, 2010, the California Public Utilities Commission (CPUC) distributed Draft Resolution (Res.) CSID-004, which would implement a pilot program to provide limited English proficient (LEP) consumers an in-language education, complaint resolution and outreach program for energy matters. This pilot program, to be called Community Help and Assistance with Natural Gas and Electricity Services (CHANGES), would be provided by the same contractor and community based organizations currently involved in the CPUC's Telecommunications Education and Assistance in Multiple-Languages (TEAM) program.¹ The program would be paid for by the ratepayers of Pacific Gas & Electric Company (PG&E), San Diego Gas & Electric Company (SDG&E), Southern California Edison Company (SCE), and Southern California Gas Company (SoCalGas).² On October 19, 2010, the Office of Commissioner Grueneich held an All Party Meeting for the parties to R.10-02-005, for the purpose of educating parties about the CHANGES pilot program being proposed in Draft Res. CSID-004.

The CPUC solicited comments on Draft Res. CSID-004 by October 21, 2010, and reply comments by October 26, 2010.³ The Utility Reform Network (TURN) accordingly submits these comments on the CHANGES pilot program, as proposed in Draft Res. CSID-004 and explained further at the All Party Meeting.

As a general matter, TURN is highly supportive of expanding the TEAM program model to encompass energy issues, as proposed by the CPUC. TURN has worked for many years with energy consumers, providing education and individual complaint resolution. Based on our direct

¹ Draft Res. CSID-004, p. 2.

² Ibid.

³ Id., p. 6.

work with consumers, we cannot emphasize enough the need for CBO involvement in assisting energy consumers with understanding and lowering their bills, avoiding service disconnection, and resolving complaints with energy utilities. However, we caution that such work can be quite complex and time-consuming. As a result, the benefits of CHANGES to consumers will depend upon the quality of training received by the CBOs, their outreach strategies, and the usefulness of the education materials provided to consumers. In the sections below, TURN presents several recommendations to ensure that the CHANGES pilot program delivers its intended results.

1. The CHANGES pilot program should include CBOs which represent the geographic and cultural diversity of LEP consumers in California.

The proposed CHANGES pilot will be implemented by a subset of the same CBOs already working with the TEAM program.⁴ According to Draft Res. CSID-004, “Representatives at the CBOs are from the same cultures they serve, enabling them to possess the insights necessary for such a program and also to provide in-language assistance which is culturally sensitive.”⁵

TURN agrees that it is very important to include culturally competent CBOs located within the communities they serve. For this reason, TURN recommends that CHANGES reach beyond the TEAM list where necessary to reflect the cultural and geographic diversity of California’s LEP consumers. While TURN understands that a pilot need not necessarily be comprehensive, we note that the TEAM list includes no CBOs north of Sacramento, leaving a large part of PG&E’s service territory un-served. Likewise, the TEAM list includes no CBOs providing services in Spanish in San Jose or Bakersfield, areas with large Latino populations and Spanish-speaking, LEP consumers (among others absent from the CBO list). TURN would be happy to work with the CPUC to bridge such cultural and geographic gaps by identifying additional CBOs for inclusion in the CHANGES pilot program.

In addition to the cultural and geographic representation of participating CBOs, other factors that may impact outreach include required travel and the extent to which targeted communities are unable to access services during “traditional” work hours/days. For instance, communities located in the Central Valley, central coast and rural communities require different approaches to outreach. Working in rural communities requires traveling to different locations and events and working outside of the nine-to-five hour workday. In addition, working with the ethnic media is required in order to reach low-income, LEP members of rural communities, as targeted communities tend to rely on ethnic media rather than mainstream media, where available. Effective outreach to such communities includes bilingual materials, integrates media along with other outreach strategies, and is tailored to the particular media outlet/mode of each community.

⁴ Id., p. 2, as further clarified at the All Party Meeting on Oct. 19, 2010.

⁵ Id., p. 4.

2. Consumer Groups should be consulted during the preparation of education and outreach materials for the CHANGES pilot program.

The CHANGES pilot program, as proposed, will include the following three components: Education, Outreach, and Complaint Resolution. Draft Res. CSID-004 explains, “[T]he CBOs may be using materials provided by the IOU(s), and approved by the CPUC for their education or outreach components of the program.”⁶ TURN recommends that consumer groups be invited to review such materials and provide input on their design and content.

Based on our experiences in working directly with consumers on utility energy issues, consumer groups can assist the CPUC in developing a successful outreach and education program, one that meets the following objectives:

- ffi To provide culturally appropriate, accurate, reliable and objective consumer information to limited-English energy consumers.
- ffi To provide information, assistance and referral to individual consumers regarding grievances or complaints.
- ffi To teach or empower individual consumers to access consumer information on their own and advocate on their own behalf.
- ffi To utilize the local ethnic and community media to educate consumers about the availability of CBOs to assist consumers in lowering their energy usage and bills, avoiding disconnection, and resolving disputes with the utility company.

The CHANGES pilot program can and should be designed to deliver these results. The quality and content of outreach and education materials is a critical to this end.

Consumer groups provide a unique perspective on effective communications with targeted communities. For instance, while utility materials and CPUC materials tend to present information from the “program perspective”, consumer groups have learned from working with consumers that other approaches are also necessary. TURN hears from many consumers on fixed incomes, just above the LIEE-eligibility cutoff, who want to lower their bills through conservation and efficiency. These consumers would not qualify for LIEE and could not afford to replace appliances through the utility EE rebate programs. However, these consumers should be provided with in-language information about low- and no-cost conservation and efficiency options. Conservation and efficiency education for all consumers is essential to helping consumers lower their usage, manage their bills, and avoid service termination (while also delivering environmental benefits to everyone).

⁶ Id., p. 5.

3. A robust complaint resolution program component requires good training for CBOs and coordination with the CPUC's Consumer Affairs Branch.

Draft Res. CSID-004 explains that “the CBOs will work directly with the consumers and the IOUs to assist customers with issues such as, bill inquiries, avoidance of service disconnections, or restoration of service.”⁷ Providing complaint resolution services can be complicated and time-consuming. Complaint resolution requires knowing what to ask consumers to understand the nature of the problem; identifying whether the issue presented should be treated as a complaint; educating consumers about their rights and potential remedies; utilizing various options for complaint resolution; and teaching consumers about avenues for additional redress, including the CPUC's informal and formal complaint processes. Good training for service providers is thus an integral part of program success.

Training for CBOs providing complaint resolution as part of the CHANGES pilot program should include the presentation of objective materials and reflect an appreciation for the value of consumer advocacy and consumer empowerment. It would be wholly inappropriate for the utility companies to provide this training or prepare training materials – no matter how well-intentioned they are. Utilities are simply not in the best position to train the advocates who will be working on behalf of consumers in dispute with the utility. Accordingly, TURN strongly recommends that consumer groups be invited to participate in the preparation of training materials and/or the training of CBOs who will provide complaint resolution as part of the CHANGES pilot program.

Related, the participating CBOs should be trained to work directly with the CPUC's Consumer Affairs Branch (CAB) on complaint resolution, not just with the utilities. CBOs should be instructed on how to file complaints with the CPUC and track CAB results, as necessary. They should also be trained to teach consumers how to file CAB complaints on their own, should that be necessary in the future.

CAB already has a well-defined process for tracking and addressing consumer complaints. The CPUC relies on CAB's database of consumer complaints to understand trends in consumer problems across utilities. TURN understands from the All Party Meeting that the CPUC intends to have a separate CHANGES complaint database. While we can appreciate that this database could facilitate program evaluation, there is no reason to completely segregate the complaints arising from LEP consumers served by the CHANGES pilot program from CAB's central database. Moreover, it would be counterproductive to *de facto* deprive these consumers of CAB's services, simply because they rely on CBOs participating in the CHANGES pilot program for complaint resolution, which might not be trained to use CAB's services. For these reasons, TURN advocates training CBOs to work directly with CAB, as needed.

⁷ Id., p. 5.

4. Conclusion

TURN applauds the CPUC's proposed expansion of the TEAM model to include energy issues in the CHANGES pilot program. To maximize the benefits delivered to limited English proficient energy consumers through CHANGES, TURN encourages the CPUC to include additional CBOs which represent the geographic and cultural diversity of targeted consumers in California. TURN also urges the CPUC to consult with consumer groups during the preparation of program education and outreach materials, as well as the training of CBOs to provide complaint resolution. TURN would welcome the opportunity to assist you in further developing the CHANGES pilot program, along the lines discussed above.

Sincerely,

Hayley Goodson
Staff Attorney
The Utility Reform Network
115 Sansome Street, Suite 900
San Francisco, CA 94104

Cc: Parties to R.10-02-005



Lower bills. Livable planet.

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Hayley Goodson, Staff Attorney

October 26, 2010

Karen Miller, Public Advisor
Kyle DeVine, Assistant Public Advisor
505 Van Ness Avenue
San Francisco, CA 94102

Re: Draft Resolution CSID-004 (CHANGES Pilot Program)

Dear Ms. Miller and Ms. DeVine:

Pursuant to California Public Utilities Commission (CPUC) Draft Resolution (Res.) CSID-004, The Utility Reform Network (TURN) submits these reply comments on the Community Help and Assistance with Natural Gas and Electricity Services (CHANGES) pilot program. TURN addresses the following two issues raised by other parties in opening comments submitted on October 21, 2010: (1) the role of community based organizations (CBOs) in “dispute resolution” or “complaint resolution”; and (2) data collection and reporting requirements to assist in program evaluation.

- 1. The CBOs participating in CHANGES should be trained to provide “dispute resolution” and assist consumers with “complaint resolution” at the Commission, as necessary.**

In their opening comments, both San Diego Gas & Electric Company (SDG&E) / Southern California Gas Company (SoCalGas) and Southern California Edison Company (SCE) recommend that Draft Res. CSID-004 be modified to change the description of the CHANGES pilot program so that it refers to “dispute resolution” rather than “complaint resolution.” SDG&E/SoCalGas explain,

The Draft Resolution at a number of points refers to the fact that the CHANGES pilot program will augment the IOUs’ education, complaint resolution, and outreach programs. SoCalGas and SDG&E propose to change the term “complaint resolution” to “dispute resolution” to differentiate from the Commission’s formal and informal complaint process.¹

¹ SDG&E/SoCalGas Opening Comments, p. 2 (footnote omitted).

SCE likewise recommends a change in terminology from “complaint resolution” to “dispute resolution” to “provide clarity to the IOUs and other stakeholders” about the activities to be carried out through the CHANGES pilot program.² According to SCE, the term “dispute resolution” is more appropriate because the “CHANGES program will address customer education related to potential disputes, rather than formal complaints by customers to the Commission.”³

In contrast, the Greenlining Institute (Greenlining) advocates a broader role for CBOs, one which includes participating in the Commission’s complaint process. TURN advocated a similar scope of services provided by CBOs in our opening comments.⁴ Greenlining explains,

CBOs should also be able to utilize the Commission’s complaint process. If negotiations with the IOUs are unsuccessful, the CBO must be able to refer to complaint to the Commission’s Consumer Affairs Bureau (“CAB”) directly. The Commission must ensure there are no impediments or perverse incentives which would prevent this, such as a requirement to first direct the customer to the Public Advisor’s Office or CBO contractor, or a stipulation the CBO would only receive a per-capita fee if the complaint is resolved rather than referred. In addition, a referral to CAB should not just be a hand-off from CBO to the Commission. Rather the CBO should remain involved to help shepherd the customer through the process if and as needed. This could be coupled with education for the customer so they would know how to access the CAB complaint resolution process in the future. Empowering the CBOs to directly refer complaints to the CAB not only would provide an alternative resolution mechanism when needed, but provide powerful leverage in negotiations with the IOUs.⁵

The divergent comments of these parties highlight the need for further clarification of the activities the CBOs will undertake through the CHANGES pilot program. The Commission should reject SCE’s proposal that CBOs be limited to providing consumer education related to “potential disputes.” Instead, for the reasons explained by TURN in our opening comments, as well as by Greenlining, TURN urges the Commission to modify Draft Res. CSID-004 to clarify that the CHANGES pilot program will encompass both actual “dispute resolution” with the utilities and participation in the Commission’s “complaint resolution” process, where necessary.

2. The Commission should invite interested parties to help identify data needs for pilot program evaluation.

Several parties comment on the importance of identifying additional data points necessary to evaluate the CHANGES pilot program (according to yet-to-be established evaluation metrics), as well as associated reporting requirements. For example, DRA recommends that Draft Res.

² SCE Opening Comments, pp. 1-2.

³ Id., p. 2.

⁴ TURN Opening Comments, p. 4.

⁵ Greenlining Institute Opening Comments, p. 9.

CSID-004 be modified to incorporate new evaluative metrics for CHANGES beyond those used to evaluate the Telecommunications Education and Assistance in Multiple-Languages (TEAM) program, including data needed to assess the pilot program's impact on consumer bill management and disconnection prevention.⁶ SDG&E/SoCalGas propose to provide a "separate report to detail the progress of the CHANGES program during the term of the pilot program."⁷ They offer to work with the Commission's Consumer Service and Information Division (CSID) staff to determine the appropriate reporting requirements, "(including specific information the utilities should track and report) and determine how often this information should be submitted."⁸

TURN supports the comments of all of these parties, with one caveat. We recommend that all interested parties be invited to help identify data needs for program evaluation, rather than limit this determination to the utilities and CSID staff. A workshop format would be suitable for this discussion.

Thank you for your attention to this matter. TURN looks forward to working with CSID to further refine the CHANGES pilot program to strengthen the services provided to limited English proficient electricity and gas consumers.

Sincerely,

Hayley Goodson
Staff Attorney
The Utility Reform Network
115 Sansome Street, Suite 900
San Francisco, CA 94104

Cc: Parties to R.10-02-005

⁶ DRA Opening Comments, p. 3. *See also* SCE Opening Comments, pp. 1-2; Greenlining Opening Comments, p. 6.

⁷ SDG&E/SoCalGas Opening Comments, p. 2.

⁸ *Id.*