Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

1

Order Instituting Rulemaking to Oversee the Resource Adequacy Program, Consider Program Refinements, and Establish Annual Local Procurement Obligations.	Rulemaking 11-10-023 (Filed October 20, 2011)

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.12-06-025**
Claimed ($): $35,495.65			**Awarded ($):**
Assigned Commissioner: Mark J. Ferron			**Assigned ALJ: David M. Gamson**
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:	**8-27-12**	**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.12-06-025, *Decision Adopting Local Procurement Obligations for 2013 and Further Refining the Resource Adequacy Program*, the Commission established local capacity obligations for 2013 applicable to Commission-jurisdictional electric load-serving entities, based on the California Independent System Operator's (CAISO's) annual study of local capacity requirements. The Commission also addressed various programmatic aspects of the Resource Adequacy Program, including determining that the issue of "flexible" capacity with regard to local capacity requirements was not ripe for resolution but should be further developed and resolved in this proceeding by or near the end of 2012.

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)):		
1. Date of Prehearing Conference:	N/A	
2. Other Specified Date for NOI:	Nov. 28, 2011	
3. Date NOI Filed:	May 11, 2012	
4. Was the NOI timely filed?		
Showing of customer or customer-related status (§ 1802(b)):		
5. Based on ALJ ruling issued in proceeding number:	P.10-08-016	
6. Date of ALJ ruling:	Nov. 22, 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)):		
9. Based on ALJ ruling issued in proceeding number:	P.10-08-016	
10. Date of ALJ ruling:	Nov. 22, 2010	
11. Based on another CPUC determination (specify):		
12. Has the Claimant demonstrated significant financial hardship?		
Timely request for compensation (§ 1804(c)):		
13. Identify Final Decision:	D.12-06-025	
14. Date of Issuance of Final Order or Decision:	June 27, 2012	
15. File date of compensation request:	August 27, 2012	
16. Was the request for compensation timely?		

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

#	Claimant	CPUC	Comment
2	X		The Commission directed in Order Instituting Rulemaking (O.I.R.) 11-10-023 that parties should file NOIs not later than 30 days after the date of issuance of that order. (O.I.R. 11-10-023, p. 11). The Commission issued O.I.R. 11-10-023 on October 27, 2011. The thirtieth day thereafter fell on a Saturday, making the deadline for filing an NOI November 28, 2011.
3	X		On May 11, 2012, TURN filed its NOI, as well as a motion for permission to late-file the NOI. As TURN explained in that motion, TURN inadvertently failed to timely file its NOI and sought leave to late-file an NOI, after the due

			date. ALJ Gamson had yet to issue a ruling on TURN's motion as of the due date for this request for compensation. For the reasons provided in that motion, TURN respectfully requests that the Commission accept its late-filed NOI and accordingly entertain this request for compensation.
15	X		The 60th day after the issuance of D.12-06-025 fell on Sunday, August 26, 2012. 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. TURN contributed to the Commission's determination that CAISO's recommended Local Capacity Requirements (LCR) for the San Diego sub-area should be rejected.	ϕϕι TURN Cmts on CAISO LCR Study, 5/7/12, pp. 1-3. ϕϕι TURN Reply Cmts on CAISO LCR Study, 5/14/12, pp. 1-2. ϕϕι TURN Reply Cmts on PD, 6/18/12, p. 2 (opposing NRG's recommended change to the PD to adopt a San Diego-sub area LCR). ϕϕι D.12-06-025, p. 9.	
2. TURN contributed to the Commission's determination that the Commission should adopt the CAISO-computed local capacity requirements (LCR) for a new, larger Greater Imperial Valley – San Diego Area to be created when Sunrise Powerlink is completed.	ϕϕι TURN Reply Cmts on CAISO LCR Study, 5/14/12, pp. 1-2. ϕϕι D.12-06-025, p. 9.	
3. TURN contributed to the Commission's determination that Energy Division's proposal to revise current "capacity buckets" to limit procurement of inflexible resources should be rejected because no immediate need for flexibility requirements in 2013 has been demonstrated.	ϕϕι TURN Cmts Addressing ALJ Ruling Seeking Comment, 4/11/12, pp. 1-5. ϕϕι D.12-06-025, p. 19.	

4. TURN contributed to the Commission's determination that the CAISO's proposal to define flexible attributes this year should be rejected because no immediate need for flexibility requirements in 2013 has been demonstrated.	ϕϕι TURN Cmts Addressing ALJ Ruling Seeking Comment, 4/11/12, pp. 1-5. ϕϕι D.12-06-025, p. 19.	
5. TURN demonstrated that it would be premature for the Commission to provide a roadmap for adopting a multi-year forward procurement requirement, as evidence of the need for multi-year forward procurement was not developed in the record of this phase of this proceeding.	ϕϕι TURN Reply Cmts Addressing ALJ Ruling Seeking Comment, 4/20/12, pp. 1-3. ϕϕι TURN Reply Cmts on PD, 6/18/12, p. 1 (arguing that the Commission should reject Capline's request for changes to the PD to adopt such a roadmap). ϕϕι D.12-06-025, pp. 19-21 (instead adopting a cautions, systematic approach to defining flexible capacity needs and developing a flexible capacity framework for possible application in setting 2014 RA compliance requirements).	
6. TURN contributed to the Commission's determination that, while flexible capacity needs should not be determined for application in 2013, the Commission should immediately begin work on a framework for filling flexible capacity needs in the future, and should undertake that work with close coordination between this docket and R.12-03-014 (Long-Term Procurement Plans).	ϕϕι TURN Cmts Addressing ALJ Ruling Seeking Comment, 4/11/12, p. 3. ϕϕι TURN Cmts on PD, 6/11/12, p. 2. ϕϕι TURN Reply Cmts on PD, 6/18/12, p. 3. ϕϕι D.12-06-025, pp. 19-20 (quoting TURN).	

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 yours?**	**Yes**	
c. **If so, provide name of other parties:** TURN and San Diego Gas & Electric Company took similar positions on LCR issues specific to the San Diego area. TURN's general position that the Commission should not yet act on the flexible capacity procurement		

proposals was likewise shared by many other parties. (*See* D.12-06-025, pp. 19-20).	
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:** TURN and DRA represented similar interests in this proceeding. (While both represented ratepayer interests, TURN alone only represented the interests of residential and small commercial customers.) TURN accordingly took steps to coordinate with DRA, as appropriate. TURN also addressed different issues and took different positions than DRA. DRA addressed a broad range of issues covered by D.12-06-025, whereas TURN focused primarily on two issues: San Diego area LCR and flexible capacity procurement. DRA did not address the CAISO's 2013 LCR study results at all. As for flexible capacity procurement, TURN and DRA took different positions on how the Commission should respond to Energy Division's Revised Maximum Cumulative Capacity Bucket proposal. DRA recommended that Energy Division's proposal be adopted on a "trial run" basis in 2013, whereas TURN recommended that the Commission not act on this proposal at all at this time. (*Compare* DRA Reply Cmts, 4/20/12, p. 2; TURN Cmts, 4/11/12, p. 3). While TURN and SDG&E both opposed the recommendations of CAISO for the San Diego sub-area, each party provided a unique analysis. Moreover, TURN and SDG&E did not represent similar interests. TURN represents SDG&E's ratepayers, whereas the utility represents its shareholders first and foremost, and only when not in conflict, its ratepayers. The fact that both parties arrived at similar conclusions, despite their different interests, served to enhance the record. Similarly, the fact that numerous parties shared TURN's perspective that the flexible capacity procurement proposals were not ripe for adoption did not result in TURN's undue duplication with those parties. A rulemaking proceeding of this nature attracts a range of parties, and some degree of overlap in positions is inevitable. In the specific case of the flexible procurement issue here, the range of interests represented by parties with positions overlapping with TURN's varied widely, from generators to marketers to utilities to consumer representatives. TURN's analysis was complementary to the offerings of others, yielding a full record upon which the Commission could base its determination that action was premature. For all of these reasons, TURN submits that the Commission should find no undue duplication between TURN's participation and that of DRA or other parties.	

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):

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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)**	CPUC Verified
TURN's advocacy reflected in D.12-06-025 addressed policy matters rather than specific rates or disputes over particular dollar amounts. As a result, TURN cannot easily identify precise monetary benefits to ratepayers from our work related to D.12-06-025, given the nature of the issues presented. While it is difficult to place a dollar value on Resource Adequacy (RA) issues, TURN submits that our participation resulted in RA program policies that should result in reduced customer costs by protecting ratepayers from assuming the costs of over-procurement and/or market power challenges that can drive up costs, and from costs associated with inadequate resource supply. In this case as in prior RA proceedings, these benefits far exceed the modest cost of TURN's participation. (*See, i.e.* D.12-06-014, issued in the last RA proceeding, R.09-1-032, as well as D.09-11-029, issued in R.08-01-025, and D.07-03-011, issued in R.05-12-013 (two earlier RA proceedings), which found that the benefits from TURN's participation on RA policy issues outweighed the costs of TURN's participation.) For all of these reasons, the Commission should find that TURN's efforts here have been productive.	
b. Reasonableness of Hours Claimed This Request for Compensation includes approximately 145 total hours for TURN's attorneys and consultant time, or the equivalent of less than 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 that Phase 1, resulting in D.12-06-025, spanned 9 months and involved several days of workshops and seven pleadings filed by TURN (excluding compensation-related pleadings). TURN's request is also reasonable because we were efficient in staffing this proceeding and pursuing our results. Marybelle Ang was TURN's attorney in this proceeding from its inception, as reflected in the attached timesheets. In May 2012, TURN assigned Hayley Goodson as Ms. Ang's replacement while Ms. Ang is on parental leave from TURN. At no time did Ms. Ang and Ms. Goodson overlap in their work on this proceeding.	

Ms. Ang and later Ms. Goodson were assisted by outside consultant Kevin Woodruff, of Woodruff Expert Services, the same expert TURN has extensively relied on in previous Resource Adequacy rulemaking proceedings. Mr. Woodruff assisted TURN with all Phase 1 issues addressed in D.12-06-025. Ms. Ang and Ms. Goodson relied heavily on Mr. Woodruff, resulting in Mr. Woodruff's incurring nearly three times as many hours as Ms. Ang and Ms. Goodson combined (excluding intervenor compensation-related time). This reliance on Mr. Woodruff's extensive expertise resulted in efficiencies in TURN's participation in this proceeding. TURN submits that all of the hours claimed in this request were reasonably necessary to the achievement of TURN's substantial contributions, and no unnecessary duplication of effort is reflected in the attached timesheets.

TURN's request also includes 9.25 hours devoted to the preparation of this request for compensation by Ms. Goodson. (Ms. Ang is still on parental leave.) This is a reasonable figure consistent with the scale of the proceeding and TURN's level of involvement therein.

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
LCR	Work specifically related to Local Capacity Requirements for 2013 (*Phase I Scoping Memo* Issue 1)	19%
Flex Cap	Work specifically related to Flexible Capacity Procurement (*Phase I Scoping Memo* Issue 2(f))	38%
Ph1	Work related to drafting comments on the proposed scope of Phase 1 of this proceeding, reviewing such comments from other parties, review of Energy Division's and parties' Phase 1 proposals (responsive to the *Phase 1 Scoping Memo*), and participating in the January 2012 workshops covering the full range of Phase 1issues	29%
PD	Work related to reviewing and preparing comments on the Proposed Decision, aside from work that could easily be allocated to the LCR and Flex Cap issues areas	4%
GP	Work related to general participation in this proceeding, such as reviewing the OIR and scoping memo, an initial review of the proceeding to determine issues that TURN would focus on, and other procedural matters	3%

Comp	Work related to intervenor compensation. TURN has excluded all time related to the preparation of our motion for leave to late-file an NOI (*see* Section I.C, Comment Line 3 above)	7%	

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						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	**Year**	**Hours**	**Rate**	**Basis for Rate***	**Total $**	**Hours**	**Rate**	**Total $**
14 Marybelle Ang, TURN Attorney	2011	10.75	$280	D.10-12-015, p. 16	$3,010.00			
Marybelle Ang, TURN Attorney	2012	13.75	$295	D.08-04-010, 5% Step Increase	$4,056.25			
Hayley Goodson, TURN Attorney	2012	10.75	$325	D.08-04-010, Change in Experience Level	$3,493.75			
Kevin Woodruff, Woodruff Expert Services	2011	12.00	$235	D.12-06-014	$2,820.00			
Kevin Woodruff, Woodruff Expert Services	2012	86.50	$235	Same rate adopted for 2011 work	$20,327.50			
				Subtotal:	**$33,707.50**		***Subtotal:***	
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 $**
15 [Person 1]			$					
[Person 2]								
				Subtotal:	**$0**		***Subtotal:***	

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INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate	Basis for Rate*	Total $	Hours	Rate	Total $
Hayley Goodson, TURN Attorney	2012	10.75	$163	1/2 of requested hourly rate for 2012	$1,746.88			
				Subtotal:	**$1,746.88**		*Subtotal:*	

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COSTS					
#	Item	Detail	Amount	Amount	
	Phone/Fax	telephone expense related to R.11-10-023, Phase 1	$1.31		
	Photocopying	expense associated with copying pleadings related to R.11-10-023, Phase 1	$23.20		
	Postage	expense associated with mailing pleadings related to R.11-10-023, Phase 1	$16.76		
			Subtotal:	**$41.27**	*Subtotal:*
			TOTAL REQUEST $:	**$35,495.65**	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 -** Filed electronically as a separate document pursuant to Rule 1.13(b)(iii); Served electronically as a separate document pursuant to Rule 1.10(c))
Attachment #2	**Time sheets for TURN's attorneys and expert consultant showing coded time entries**
Attachment #3	**TURN direct expenses associated with Phase 1 of R.11-10-023 (including expense receipts)**
Comment #1	**2012 Hourly Rate for TURN Attorney Marybelle Ang:** In D.08-04-010, the Commission 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). The Commission also clarified that "step increases" are in addition to any COLAs. (D.08-04-010, p. 12). The Commission has since then continued this policy of "step increases" for 2008 and beyond. (Res. ALJ-247, p. 6, Finding #2 (addressing 2010 rates); Res. ALJ-267, p. 6, Finding #2 (addressing 2011 rates)). Draft Res. ALJ-281, which would address adjustments for 2012, would again continue this policy of "step increases."

	TURN seeks an hourly rate of $295 for Ms. Ang's work in 2012, plus the COLA, if any, ultimately adopted by the Commission in Res. ALJ-281 for 2012 rates. (See Item #5 on the Commission's 8/23/12 Business Meeting Agenda, Held until the 9/13/12 Meeting by Staff). This base figure of $295 represents the hourly rate previously adopted for her work in 2010 and 2011 escalated by a 5% step increase (rounded to the nearest $5 increment). Ms. Ang is a 2001 graduate of Northwestern University School of Law. Prior to joining TURN as a staff attorney in April 2010, Ms. Ang practiced energy law from late 2001 through 2005 and then spent 4 years with SCE in a project manager position focused on wholesale energy transactions and related procurement issues. In 2010, TURN sought and was awarded an hourly rate of $280 for Ms. Ang, the low end of the range set for attorneys with 5-7 years of experience. (D.11-06-012, p. 22 (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. Ang upon reaching this experience level. TURN's calculations in this request utilize a 2012 rate of $295 for Ms. Ang. However, this rate is intended to be a placeholder pending the Commission's forthcoming determination as to whether a COLA should apply to 2012 rates. If the Commission adopts a COLA for application to 2012 rates, TURN requests that the Commission apply that COLA, as well as the 5% step increase, to Ms. Ang's 2011 rate of $280 for purposes of calculating TURN's award of intervenor compensation resulting from this request.
Comment #2	**2012 Hourly Rate for TURN Attorney Hayley Goodson:** TURN currently has pending several requests for compensation that seek an hourly rate of $310 for Ms. Goodson's work in 2011. This figure represents the hourly rate of $295 previously adopted for her work in 2010 (in D.10-12-015), escalated by a 5% step increase and rounded to the nearest $5 increment, which yields $310. TURN has recently realized that the pending requests use a rate that exceeds the maximum hourly rate for an attorney with 5-7 years of experience, $300. (*See* D.08-04-010, pp. 5, 11). TURN intends to bring this matter to the Commission's attention in each of those other proceedings, and anticipates that the awarded rate for 2011 will likely be reduced to $300. For Ms. Goodson's 2012 rate, TURN asks the Commission to recognize that she is now in the 8-12 year experience band adopted in D.08-04-010, and that a $325 hourly rate is appropriate given the move into this band. As the Commission recognized in D.08-04-010 (p. 8), moving to a higher experience level is one of the circumstances that qualifies an intervenor representative with an existing rate for a rate increase. Ms. Goodson is a 2003 law school graduate. She became a TURN staff attorney that same year and has worked on regulatory matters before the CPUC since that time. The requested rate of $325 is the same that the Commission awarded for the work of Itzel Berrio of the Greenlining Institute in 2005 in D.06-09-011, during her eighth year of experience as a lawyer.[1] It is also the same as the rate awarded to California Asian Pacific Chamber of Commerce (CAPCC) for the work of David Temblador in 2010, his tenth year after obtaining his law degree but his first time appearing in CPUC proceedings or apparently working on

[1] Ms. Berrio's rate was obtained from the Commission's web site's list of intervenor hourly rates, and her 2005 experience was obtained from the California State Bar's web site.

	regulatory matters related to the energy industry in California. While Ms. Goodson has slightly less post-law school experience in 2012 than Mr. Temblador had in 2010, her exclusive focus on such regulatory matters warrants valuing her experience such that a $325 rate is appropriate. TURN's showing here is similar in nature and quality to the showing made in support of a requested increase of $25 to reflect the movement of Marcel Hawiger, another TURN staff attorney, from one experience tier to the next. (See D.11-09-037 in A.09-09-013). Should the Commission believe more or different information is warranted to provide further support for this request here, TURN requests that it be so notified and given the opportunity to supplement its showing.
Comment #3	**2012 Hourly Rate for TURN Expert Consultant Kevin Woodruff:** TURN asks the Commission to apply to Kevin Woodruff's time in 2012 the same hourly rate previously approved for his 2011 time, plus the COLA, if any, ultimately adopted by the Commission in Res. ALJ-281 for 2012 rates. (See Item #5 on the Commission's 8/23/12 Business Meeting Agenda, Held until the 9/13/12 Meeting by Staff). The Commission adopted an hourly rate of $235 in D.12-06-014. In that decision, the Commission rejected TURN's request for an hourly rate in 2011 for Mr. Woodruff of $240, which is the billing rate Mr. Woodruff has charged TURN since January 1, 2011. As TURN explained in the request for compensation addressed in that decision, Mr. Woodruff did not increase his previous rate of $225 from 2006-2010, thus foregoing the COLAs and step increases he might have taken advantage of during that time. (*See* D.12-06-012, pp. 11-12). Nonetheless, the Commission determined that Mr. Woodruff was entitled to no more than a 5% step increase from his 2006 rate, resulting in a 2011 rate of $235. (D.12-06-012, p. 12). TURN's calculations in this request utilize a 2012 rate of $235 for Mr. Woodruff. However, this rate is intended to be a placeholder pending the Commission's forthcoming determination as to whether a COLA should apply to 2012 rates. If the Commission adopts a COLA for application to 2012 rates, TURN requests that the Commission apply that COLA to Mr. Woodruff's 2011 rate of $235 for purposes of calculating TURN's award of intervenor compensation resulting from this request. TURN reserves the right to seek a different rate for Mr. Woodruff's work in 2012 in the future.

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?	

If so:

Party	Reason for Opposition	CPUC Disposition

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

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 1

Certificate of Service

(Filed electronically as a separate document pursuant to Rule 1.13(b)(iii))
(Served electronically as a separate document pursuant to Rule 1.10(c))

ATTACHMENT 2

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

Date	Attorney / Expert	Activity Code	Description	Time Spent	Year
5/6/2012	HG	LCR	begin review K. Woodruff draft cmts on CAISO and document prep (CAISO 2013 Study)	0.50	2012
5/7/2012	HG	LCR	discuss cmts w/ K. Woodruff (CAISO 2013 Study)	0.50	2012
5/7/2012	HG	LCR	background rsch & cont review, edits to K. Woodruff draft, and finalize (CAISO 2013 Study)	2.00	2012
5/8/2012	HG	Comp	get input fm K. Woodruff re TURN's past and future work by issue/allocation for preparing NOI	0.25	2012
5/8/2012	HG	LCR	discuss CAISO 2013 Study reply cmts w/ K. Woodruff	0.25	2012
5/9/2012	HG	Comp	work on NOI	0.75	2012
5/9/2012	HG	Comp	continue getting input fm K. Woodruff for preparing NOI	0.50	2012
5/11/2012	HG	LCR	read SDG&E's op cmts on CAISO 2013 Study and review, edit K. Woodruff's draft reply to SDG&E	2.25	2012
5/15/2012	HG	LCR	read CAISO, NRG reply cmts on CAISO 2013 study and discuss same w/ K. Woodruff	0.50	2012
5/22/2012	HG	PD	discuss review of PD, preparation of cmts w/ K. Woodruff	0.50	2012
5/31/2012	HG	PD	review K. Woodruff's memo about PD	0.25	2012
6/7/2012	HG	Flex Cap	draft cmts on PD with input from K. Woodruff (flexible capacity)	1.00	2012
6/7/2012	HG	LCR	draft cmts on PD with input from K. Woodruff (SD LCR)	1.00	2012
6/8/2012	HG	PD	finalize cmts on PD with input from K. Woodruff	0.50	2012
6/18/2012	HG	Flex Cap	review K. Woodruff draft rep cmts on PD, related op cmts, and edit, discuss w/ Kevin and finalize (Flex Cap)	0.50	2012
6/18/2012	HG	LCR	review K. Woodruff draft rep cmts on PD, related op cmts, and edit, discuss w/ Kevin and finalize (SD LCR)	1.00	2012
8/21/2012	HG	Comp	begin work on comp request	3.00	2012
8/22/2012	HG	Comp	continue work on comp request	4.75	2012
8/23/2012	HG	Comp	finalize comp request	1.50	2012
	HG Total			**21.50**	
10/26/2011	K Woodruff	GP	Discussed RA issues with client.	0.75	2011
10/27/2011	K Woodruff	GP	Began reviewing OIR.	0.25	2011
10/28/2011	K Woodruff	GP	Provided analysis of OIR RA issues to client; discussed with client.	0.75	2011

Date	Attorney / Expert	Activity Code	Description	Time Spent	Year
11/1/2011	K Woodruff	Ph1	Began preparing draft comments.	1.50	2011
11/2/2011	K Woodruff	Ph1	Continued preparing draft comments.	1.75	2011
11/3/2011	K Woodruff	Ph1	Completed draft comments and sent to client.	1.25	2011
11/6/2011	K Woodruff	Ph1	Edited draft comments; began reviewing other parties' comments.	1.00	2011
11/8/2011	K Woodruff	Ph1	Continued reviewing other parties' comments; reported to client.	1.00	2011
11/10/2011	K Woodruff	LCR	Participated in CAISO call on LCR study; communicated with client.	3.25	2011
11/14/2011	K Woodruff	Ph1	Communicated with client regarding distributed generation RA issues.	0.25	2011
11/21/2011	K Woodruff	Ph1	Reviewed parties' reply comments; commented to client.	0.25	2011
1/3/2012	K Woodruff	GP	Reviewed Scoping Ruling; made recommendations to client.	0.50	2012
1/12/2012	K Woodruff	LCR	Discussed Resource Adequacy issues with DRA; researched SDG&E Local Capacity Requirements issue.	1.00	2012
1/13/2012	K Woodruff	Ph1	Began reviewing parties' Phase 1 proposals.	0.50	2012
1/17/2012	K Woodruff	Ph1	Reviewed parties' Phase 1 proposals; discussed with other parties; reported to client.	4.00	2012
1/25/2012	K Woodruff	Ph1	Prepared for RA workshops; discussed with other parties.	1.50	2012
1/26/2012	K Woodruff	Ph1	Prepared for and attended RA workshop; reported to client.	8.25	2012
1/27/2012	K Woodruff	Ph1	Prepared for and attended RA workshop; reviewed CAISO paper on forward procurement.	7.50	2012
1/30/2012	K Woodruff	Ph1	Reported to client on RA workshops.	0.75	2012
2/3/2012	K Woodruff	Flex Cap	Prepared for CAISO stakeholder meeting on Flexible Capacity Procurement, which would be backstop to a new CAISO-proposed Resource Adequacy requirement	0.25	2012
2/6/2012	K Woodruff	Flex Cap	Participated by phone in CAISO Flex Capacity stakeholder meeting	5.50	2012
2/24/2012	K Woodruff	Ph1	Discussed delayed workshop report with other parties	0.25	2012
2/28/2012	K Woodruff	Flex Cap	Reviewed parties' comments on CAISO flexible procurement proposal; communicated with client and DRA	0.50	2012
3/4/2012	K Woodruff	Flex Cap	Reviewed CAISO revised proposal for flexible capacity procurement for 2013.	1.75	2012
3/5/2012	K Woodruff	LCR	Reviewed CAISO slides regarding 2013 Local Capacity Requirements.	0.50	2012

Date	Attorney / Expert	Activity Code	Description	Time Spent	Year
3/8/2012	K Woodruff	LCR	Prepared for CAISO 2013 LCR meeting (1.0); participated in CAISO 2013 LCR meeting (3.0); reported to client (0.5).	4.25	2012
3/12/2012	K Woodruff	Flex Cap	Prepared for CAISO stakeholder meeting on flexible capacity procurement (0.5); participated in CAISO stakeholder meeting on flexible capacity procurement (5.5).	6.00	2012
3/13/2012	K Woodruff	Flex Cap	Communicated with client regarding CAISO flexible capacity procurement proposal.	0.50	2012
3/22/2012	K Woodruff	Flex Cap	Prepared draft comments for CAISO on flexible capacity procurement proposal.	1.50	2012
3/23/2012	K Woodruff	Flex Cap	Completed comments for CAISO on flexible capacity procurement; sent to CAISO.	0.50	2012
3/26/2012	K Woodruff	Flex Cap	Reviewed Energy Division proposal on Maximum Capacity buckets.	0.50	2012
3/27/2012	K Woodruff	Flex Cap	Discussed ED and CAISO proposals with other parties (DRA, P.Spencer).	1.50	2012
3/28/2012	K Woodruff	GP	Began preparing memo for clients regarding issues in case.	0.25	2012
3/29/2012	K Woodruff	Flex Cap	Prepared for 3/30 workshop.	0.25	2012
3/30/2012	K Woodruff	Flex Cap	Prepared for March 30 workshop focused on flexible capacity procurement (0.5); attended March 30 workshop (6.5).	7.00	2012
3/31/2012	K Woodruff	Flex Cap	Prepared summary of 3/30 workshop for client (0.25); communicated with other parties about potential comments (0.25).	0.50	2012
4/9/2012	K Woodruff	Flex Cap	Discussed potential comments with CLECA (B.Barkovich) and DRA (P.Spencer) and client.	2.00	2012
4/10/2012	K Woodruff	Flex Cap	Prepared draft comments on workshop issues; sent to client.	2.75	2012
4/11/2012	K Woodruff	Flex Cap	Completed draft comments and sent to client for review (0.5); began reviewing other parties' comments (2.5).	3.00	2012
4/12/2012	K Woodruff	Flex Cap	Continued reviewing other parties' comments on workshop issues.	1.00	2012
4/12/2012	K Woodruff	LCR	Participated in CAISO call on latest LCR results (2.0); reported to client (0.25).	2.25	2012
4/13/2012	K Woodruff	Flex Cap	Reviewed other parties' comments on workshop issues (0.25); provided outline of recommended comments to client (0.5).	0.75	2012
4/18/2012	K Woodruff	Flex Cap	Began preparing reply comments.	1.25	2012
4/19/2012	K Woodruff	Flex Cap	Completed draft reply comments and sent to client.	0.75	2012

Date	Attorney / Expert	Activity Code	Description	Time Spent	Year
4/20/2012	K Woodruff	Flex Cap	Reviewed client's final version of reply comments.	0.25	2012
4/23/2012	K Woodruff	LCR	Reviewed impact of SONGS outage on LA and San Diego LCRs.	1.25	2012
5/3/2012	K Woodruff	LCR	Reviewed CAISO final LCR report and SDG&E comments on LCR in other forums.	0.50	2012
5/4/2012	K Woodruff	LCR	Prepared draft comments for client on SDG&E LCR.	2.25	2012
5/7/2012	K Woodruff	LCR	Discussed draft comments with client; completed draft comments.	0.75	2012
5/8/2012	K Woodruff	LCR	Reviewed SDG&E comments; suggested possible reply comments to client.	0.50	2012
5/10/2012	K Woodruff	LCR	Prepared reply comments and sent to client.	0.50	2012
5/11/2012	K Woodruff	LCR	Reviewed client edits of reply comments; prepared additional edits.	0.75	2012
5/14/2012	K Woodruff	LCR	Reviewed other parties' reply comments.	0.25	2012
5/22/2012	K Woodruff	Flex Cap	Reviewed and commented on Proposed Decision on RA issues (Flex Cap issues).	0.25	2012
5/22/2012	K Woodruff	LCR	Reviewed and commented on Proposed Decision on RA issues (LCR issues).	0.25	2012
5/26/2012	K Woodruff	Flex Cap	Reviewed Proposed Decision and began preparing summary of issues for client (Flex Cap issues).	0.50	2012
5/26/2012	K Woodruff	LCR	Reviewed Proposed Decision and began preparing summary of issues for client (LCR issues).	0.50	2012
5/30/2012	K Woodruff	PD	Continued preparing summary of PD and issues for client.	0.25	2012
5/31/2012	K Woodruff	Flex Cap	Prepared outline of PD and TURN's prior comments for client (Flex Cap issues).	0.50	2012
5/31/2012	K Woodruff	LCR	Prepared outline of PD and TURN's prior comments for client (LCR issues).	0.50	2012
6/2/2012	K Woodruff	PD	Began preparing comments on Proposed Decision.	0.25	2012
6/6/2012	K Woodruff	PD	Completed draft comments on PD; sent to client.	0.50	2012
6/7/2012	K Woodruff	Flex Cap	Reviewed CAISO revised proposal regarding forward procurement of flexible capacity and local capacity.	0.75	2012
6/8/2012	K Woodruff	PD	Reviewed client edits to comments on PD; prepared final version.	0.50	2012
6/11/2012	K Woodruff	PD	Began reviewing other parties' comments on PD.	0.50	2012

Date	Attorney / Expert	Activity Code	Description	Time Spent	Year
6/12/2012	K Woodruff	PD	Continued reviewing other parties' comments on PD.	0.75	2012
6/14/2012	K Woodruff	Flex Cap	Listened to CAISO call on Risk of Retirement procurement initiative (2.75); reported to client on call (0.25).	3.00	2012
6/14/2012	K Woodruff	PD	Prepared reply comments on PD.	0.50	2012
6/18/2012	K Woodruff	PD	Discussed draft reply comments with client; prepared final reply comments.	0.75	2012
	K Woodruff Total			**98.50**	
11/3/2011	MA	Ph1	Review and discuss K. Woodruff draft comments; research TURN position on other issues.	1.25	2011
11/4/2011	MA	Ph1	Revise draft comments on scope. Confer w/ K. Woodruff.	2.00	2011
11/7/2011	MA	Ph1	Revise and proofread OIR Opening Comments.	3.00	2011
11/9/2011	MA	Ph1	Review parties comments on OIR RA.	2.00	2011
11/17/2011	MA	Ph1	Review other parties' opening comments. Correspond briefly with K. Woodruff on particular issue.	2.50	2011
3/1/2012	MA	GP	Discuss future schedule/proceeding matters w/ K. Woodruff.	0.25	2012
3/1/2012	MA	GP	Review and annotate OIR and Phase I Scoping Memo for background on proceeding.	2.00	2012
3/1/2012	MA	Ph1	Skim through parties' Phase 1 proposals comments.	0.75	2012
3/18/2012	MA	Flex Cap	Review CAISO Flexible Capacity Proposal.	2.00	2012
3/26/2012	MA	Flex Cap	Review and annotate ED workshop report on capacity buckets, rules and requirements.	2.25	2012
4/9/2012	MA	Flex Cap	Attend via conference call to DRA-TURN meeting re flexible capacity proposal and upcoming comments.	1.00	2012
4/10/2012	MA	Flex Cap	Discuss comments re flex capacity proposal w/ consultant K. Woodruff.	1.00	2012
4/11/2012	MA	Flex Cap	Review, revise K. Woodruff comments on flex cap proposal.	2.00	2012
4/16/2012	MA	Flex Cap	Review opening comments re flexible capacity proposal.	1.00	2012
4/18/2012	MA	Flex Cap	Review K. Woodruff draft reply comments re flexible capacity proposal ruling seeking comment.	0.75	2012
4/19/2012	MA	Flex Cap	Revise/edit reply comments draft.	0.75	2012
	MA Total			**24.50**	
	Grand Total			**144.50**	

ATTACHMENT 3

TURN direct expenses associated with Phase 1 of R.11-10-023

(including expense receipts)

Date	Activity	Description	Billed
5/15/2012	Phone/Fax	Sprint Invoice 05/15/12	$1.31
	Phone/Fax Total		**$1.31**
11/7/2011	Photocopies	Copies of Comments of The Utility Reform Network on the Order Instituting Rulemaking for the Commissioner and ALJ	$5.20
4/11/2012	Photocopies	Copies of Comments of The Utility Reform Network on Administrative Law Judge's Ruling Seeking Comment for the Commissioner and ALJ	$2.80
4/20/2012	Photocopies	Copies of Reply Comments of The Utility Reform Network on Administrative Law Judge's Ruling Seeking Comment for the Commissioner and ALJ	$1.60
5/7/2012	Photocopies	Copies of Comments of The Utility Reform Network on the CAISO's 2013 Local Capacity Technical Analysis, Final Report and Study Results for the Commissioner and ALJ	$4.80
5/11/2012	Photocopies	Copies of Notice of Intent to Claim Intervenor Compensation for the Commissioner and ALJ	$3.60
5/14/2012	Photocopies	Copies of Reply Comments of The Utility Reform Network on the CAISO's 2013 Local Capacity Technical Analysis, Final Report and Study Results for the Commissioner and ALJ	$1.60
6/11/2012	Photocopies	Copies of Comments of The Utility Reform Network on the Proposed Decision of ALJ Gamson for the Commissioner and ALJ	$2.00
6/18/2012	Photocopies	Copies of Reply Comments of The Utility Reform Network on the Proposed Decision of ALJ Gamson for the Commissioner and ALJ	$1.60
	Photocopies Total		**$23.20**
11/7/2011	Postage	Postage to mail copies of Comments of The Utility Reform Network on the Order Instituting Rulemaking to the Commissioner and ALJ	$2.16
4/11/2012	Postage	Postage to mail copies of Comments of The Utility Reform Network on Administrative Law Judge's Ruling Seeking Comment to the Commissioner and ALJ	$2.20
4/20/2012	Postage	Postage to mail copies of Reply Comments of The Utility Reform Network on Administrative Law Judge's Ruling Seeking Comment to the Commissioner and ALJ	$1.80
5/7/2012	Postage	Postage to mail copies of Comments of The Utility Reform Network on the CAISO's 2013 Local Capacity Technical Analysis, Final Report and Study Results to the Commissioner and ALJ	$2.20
5/11/2012	Postage	Postage to mail copies of Notice of Intent to Claim Intervenor Compensation to the Commissioner and ALJ	$2.20
5/14/2012	Postage	Postage to mail copies of Reply Comments of The Utility Reform Network on the CAISO's 2013 Local Capacity Technical Analysis, Final Report and Study Results to the Commissioner and ALJ	$1.80

Date	Activity	Description	Billed
6/11/2012	Postage	Postage to mail copies of Comments of The Utility Reform Network on the Proposed Decision of ALJ Gamson to the Commissioner and ALJ	$2.20
6/18/2012	Postage	Postage to mail copies of Reply Comments of The Utility Reform Network on the Proposed Decision of ALJ Gamson to the Commissioner and ALJ	$2.20
	Postage Total		**$16.76**
	Grand Total		**$41.27**

Sprint

TURN
SPRINT BUSINESS FLEX (SM) DIAL-1
Account #: 441234274

Billing Period Ending: 5/15/12
Customer Number: 921291689

Itemization of Calls

ACCOUNTING CODE: 38
ORIGINATING NUMBER: 415 953-5037

Nbr	Date	Time	*	Called Location		Called Nbr	Minutes	Charges
1	4/23/12	11:59 AM	D	LSAN DA 01	CA	213 416-6650	24.9	$1.05
TOTAL FOR 415 953-5037							**24.9**	**$1.05**
TOTAL FOR 38							**24.9**	**$1.05**

ACCOUNTING CODE: 41
ORIGINATING NUMBER: 415 953-5037

2	4/19/12	12:42 PM	D	NOVATO	CA	415 895-5296	5.7	$.24
3	4/19/12	2:01 PM	D	RSVL MAIN	CA	916 757-6338	53.7	2.26
4	4/19/12	2:55 PM	D	NOVATO	CA	415 895-5296	9.3	.40
TOTAL FOR 415 953-5037							**68.7**	**$2.90**
TOTAL FOR 41							**68.7**	**$2.90**

ACCOUNTING CODE: 46
ORIGINATING NUMBER: 415 953-5037

5	4/17/12	11:58 AM	D	SCRM MAIN	CA	916 372-0534	2.5	$.11
6	4/17/12	2:19 PM	D	SCRM MAIN	CA	916 372-0534	6.4	.27
7	4/30/12	3:28 PM	D	SCRM MAIN	CA	916 372-0534	2.8	.12
8	4/30/12	3:49 PM	D	SCRM MAIN	CA	916 372-0534	1.6	.07
9	5/07/12	2:25 PM	D	SCRM MAIN	CA	916 372-0534	6.5	.28
TOTAL FOR 415 953-5037							**19.8**	**$.85**
TOTAL FOR 46							**19.8**	**$.85**

ACCOUNTING CODE: 48
ORIGINATING NUMBER: 415 953-5037

10	5/07/12	11:35 AM	D	SCRM MAIN	CA	916 442-4877	31.0	$1.31
TOTAL FOR 415 953-5037							**31.0**	**$1.31**
TOTAL FOR 48							**31.0**	**$1.31**

ACCOUNTING CODE: 51
ORIGINATING NUMBER: 415 953-5037

11	4/16/12	11:17 AM	D	SCRM MAIN	CA	916 651-4170	1.2	$.06
12	4/16/12	12:02 PM	D	MAHNOMEN	MN	218 936-4700	93.0	6.24
13	4/16/12	2:43 PM	D	SCRM MAIN	CA	916 651-4170	1.0	.05
14	4/18/12	3:55 PM	D	LSAN DA 14	CA	323 573-5310	.9	.04
15	4/26/12	1:36 PM	D	SCRM MAIN	CA	916 709-4300	15.2	.64
16	4/26/12	2:01 PM	D	CORONA	CA	951 314-0331	29.1	1.23
17	4/27/12	12:37 PM	D	SCRM MAIN	CA	916 498-9608	10.9	.46
18	4/27/12	12:50 PM	D	WSHNGTNZN1	DC	202 469-7989	1.5	.11
19	5/04/12	9:29 AM	D	MAHNOMEN	MN	218 936-4700	58.1	3.90
20	5/04/12	11:03 AM	D	SCRM MAIN	CA	916 651-4006	1.2	.06
21	5/07/12	11:57 AM	D	MAHNOMEN	MN	218 936-4700	107.0	7.17
22	5/08/12	9:30 AM	D	BOSTON	MA	617 542-8010	1.3	.09
23	5/08/12	2:09 PM	D	BOSTON	MA	617 542-8010	1.0	.07
24	5/08/12	3:48 PM	D	MORENO	CA	951 924-9964	8.5	.36
25	5/15/12	11:57 AM	D	MAHNOMEN	MN	218 936-4700	56.4	3.78
TOTAL FOR 415 953-5037							**386.3**	**$24.26**
TOTAL FOR 51							**386.3**	**$24.26**

If you have any questions, please call Customer Service at 1-800-877-4020, or visit us at www.sprintblz.com/myaccount