

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

1	Order Instituting Rulemaking Pursuant to Assembly Bill 2514 to Consider the Adoption of Procurement Targets for Viable and Cost-Effective Energy Storage Systems.	Rulemaking 10-12-007 (Filed December 16, 2010)
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INTERVENOR COMPENSATION CLAIM OF CONSUMER FEDERATION OF CALIFORNIA AND DECISION ON INTERVENOR COMPENSATION CLAIM OF CONSUMER FEDERATION OF CALIFORNIA

2	Claimant: Consumer Federation of California	For contribution to D. 12-08-016
	Claimed (\$): \$28,227.50	Awarded (\$):
	Assigned Commissioner: Michael R. Peevey	Assigned ALJ: Amy C. Yip-Kikugawa
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: 10/01/2012	Printed Name:	Nicole A. Blake

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

3	A. Brief Description of Decision:	The decision adopts the Final Energy Storage Framework Staff Proposal submitted by the Commission staff on March 31, 2012.
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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:	April 21, 2011	
	2. Other Specified Date for NOI:	N/A	
	3. Date NOI Filed:	May 19, 2011	
	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.09-08-009	
	6. Date of ALJ ruling:	October 27, 2010	
	7. Based on another CPUC determination (specify):	N/A	
	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:		
	10. Date of ALJ ruling:		
	11. Based on another CPUC determination (specify):		
12.	12. Has the Claimant demonstrated significant financial hardship?		
Timely request for compensation (§ 1804(c)):			
7	13. Identify Final Decision:	D.12-08-016	
	14. Date of Issuance of Final Order or Decision:	08/06/2012	
	15. File date of compensation request:	10/01/2012	
	16. Was the request for compensation timely?		

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

#	Claimant	CPUC	Comment
8	N/A		

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.)

9	Contribution	Specific References to Claimant's Presentations and to Decision	Showing Accepted by CPUC
	1. <u>Application-Based Approach</u>	1. CFC Opening Comments to the	

<p>From the beginning of this proceeding, CFC advocated (along with SCE and other parties) for an application-specific approach. CFC argued early on that there was not a “one-size-fits” all approach to energy storage and that an application specific approach may be the best option to minimize wasteful spending.</p>	<p>OIR ((CFC Jan. 21 Comments), filed January 21, 2011, at 2 and 3.</p> <p>2. CFC Opening Comments to the ALJ’s Ruling Entering Document into Record and Seeking Comments (CFC Aug. 29 Comments), filed August 29, 2011, at 5.</p> <p>3. “Parties’ comments suggest that there is general agreement with SCE’s application-based approach. DRA agrees with SCE that “opportunities and barriers to energy storage should be evaluated using an application-specific approach, and that this methodology should be central and common first step for addressing storage related issues. CFC notes “an application specific approach can be an important step to avoid unnecessary spending” D. 12-08-016.</p>	
<p>2. <u>Uniform Definition for Energy Storage</u></p> <p>CFC argued from the beginning that one of the primary issues relating to energy storage is the lack of a uniform definition. CFC argued that a clear definition for energy storage is the first step to developing cost-effective energy storage systems as a clear, standard definition will minimize confusion.</p>	<p>1. CFC Opening Comments to the OIR ((CFC Jan. 21 Comments), filed January 21, 2011, at 3.</p> <p>2. CFC Opening Comments to the ALJ’s Ruling Entering Document into Record and Seeking Comments (CFC Aug. 29 Comments), filed August 29, 2011, at 8.</p> <p>3. “ While parties had been critical of various aspects of staff’s initial proposal, the Final Proposal now address their main concerns. One of these is including a definition of “energy storage” which will be used as a common starting point for all parties. This definition is the language contained in Pub. Util. Code §2835 (a) which states We agree with Staff that this is the appropriate definition to be used. As with the objective in the proceeding,</p>	

	<p>this definition is technology-neutral and focuses on the attributes of energy storage and potential applications through out the electric systems. D. 12-08-016 at 27 and 28.</p>	
<p>4. <u>Cost-Effectiveness Evaluation Method</u></p> <p>CFC identified the lack of a cost-effectiveness evaluation method as a barrier to energy storage. CFC argued that the high cost of energy storage and uncertain value is one of the greatest impediments to widespread adoption of energy storage and that a valuation method is crucial before integration into the market.</p>	<ol style="list-style-type: none"> 1. CFC Opening Comments to the ALJ's Ruling Entering Document into Record and Seeking Comments (CFC Aug. 29 Comments), filed August 29, 2011, at 7-10. 2. CFC Reply Comments to the ALJ's Ruling Entering Documents into Record and Seeking Comments (CFC Sept. 16 Comments), filed September 16, 2011 at 1 and 2. 3. Opening Comments of the Consumer Federation of California on the ALJ's Ruling Entering Initial Staff Proposal Into Record And Seeking Comments (CFC Jan. 31, 2011), filed January 31, 2011 at 3. 4. Reply Comments of the Consumer Federation of California on the ALJ's Ruling Entering Initial Staff Proposal Into Record And Seeking Comments (CFC Feb. 21, 2011), filed February 21, 2011 at 3. 5. Staff Proposal at 8, footnote #9 6. "Many Parties believe that the unique operational aspects of energy storage pose a challenge in recognizing all relevant benefits, as many of these benefits are not part of current calculation. Parties argue that as a result, the total benefit of energy storage is underestimated." D. 12-08-016 at 14. 	

<p>5. <u>Cost Recovery Policy</u></p> <p>CFC argued that a lack of cost recovery model is a barrier to energy storage adoption. Particularly, CFC argued that Energy storage technologies have multi-functional characteristics that, though may prove to be beneficial, could complicate issues such as ownership and cost allocation. The Commission should aim for clearly defined ownership structures which could then, in turn, make it easier to allocate costs. CFC also identified the importance of cost responsibility for purposes of accurate accounting and how a cost recovery model should minimize multiple counting of energy storage projects.</p>	<ol style="list-style-type: none"> 1. 1. CFC Opening Comments to the ALJ's Ruling Entering Document into Record and Seeking Comments (CFC Aug. 29 Comments), filed August 29, 2011, at 9 and 10. . 2. Opening Comments of the Consumer Federation of California on the ALJ's Ruling Entering Initial Staff Proposal Into Record And Seeking Comments (CFC Jan. 31, 2011), filed January 31, 2011 at 4 and 5. 3. D. 12-08-016 at 16. 4. Staff Proposal at 9, footnote # 16 	
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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 yours?	Yes	
c. If so, provide name of other parties: SCE and DRA		

SCE	
<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>CFC shared similar views with DRA and SCE regarding an application based approach to energy storage, although each party had a particular take on the argument making it an original contribution. CFC offered consumer-based argument that application specific approach might be the most efficient approach and an important step to avoid unnecessary spending, especially since utility customers may be the ones ultimately bearing the cost of energy storage adoption.</p>	

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

11	#	Claimant	CPUC	Comment
				N/A

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

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

12	<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>There will be monetary benefits for ratepayers based on CFC's participation, although it is difficult to estimate a specific amount of monetary benefits. Some of the CFC's contributions adopted by the final decision will result in a clearer identification of barriers to energy storage adoption as well as a framework that will, in part, focus on addressing valuation methodologies as well as a cost recovery model. Though currently abstract, these issues will be necessary in developing policy that will save utility customers money in the long term.</p> <p>Because of CFC's contribution, the Commission adopted an official definition of energy storage which will minimize confusion in the future and make it easier to develop uniform standards and policies. CFC also supported an application based approach, a valuation framework and a clear cost recovery model for energy storage which, CFC believes, will help avoid unnecessary spending .</p>	CPUC Verified
	<p>b. Reasonableness of Hours Claimed.</p> <p>CFC worked efficiently and recorded hours rounding down to the nearest</p>	

decimal.	
c. Allocation of Hours by Issue See Attachment	

B. Specific Claim:

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CLAIMED						CPUC AWARD		
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ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate	Basis for Rate*	Total \$	Hours	Rate	Total \$
Nicole A. Blake	2011	81.1	\$ 175	D. 12-02-013	\$14,192.50			
Nicole A. Blake	2012	67.3	\$200	D. 12-09-017	\$13,460.00			
Subtotal:					\$27,652.50	Subtotal:		

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OTHER FEES								
Describe here what OTHER HOURLY FEES you are Claiming (paralegal, travel **, etc.):								
Item	Year	Hours	Rate	Basis for Rate*	Total \$	Hours	Rate	Total \$
[Person 1]	N/A		\$					
[Person 2]	N/A							
Subtotal:						Subtotal:		

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INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate	Basis for Rate*	Total \$	Hours	Rate	Total \$
Nicole A. Blake	2011	1.5	\$87.5	½ D. 12-02-013	\$175.00			
Nicole A. Blake	2012	8	\$100	½ D. 12-09-017	\$400.00			
Subtotal:					\$575.00	Subtotal:		

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COSTS								
#	Item	Detail			Amount	Amount		
Subtotal:						Subtotal:		
TOTAL REQUEST \$:					\$28,227.50	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):

18	Attachment or Comment #	Description/Comment
	1	Certificate of Service
	2	Hours Allocated by Issue

D. CPUC Disallowances, Adjustments, and Comments (CPUC completes):

19	#	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.