

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

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| Order Instituting Rulemaking on the Commission’s Own Motion to Conduct a Comprehensive Examination of Investor Owned Electric Utilities’ Residential Rate Structures, the Transition to Time Varying and Dynamic Rates, and Other Statutory Obligations. | Rulemaking 12-06-013 Filed June 21, 2012 |
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**NOTICE OF INTENT TO CLAIM INTERVENOR COMPENSATION
AND, IF REQUESTED (and []¹ checked), ADMINISTRATIVE LAW JUDGE’S
RULING ON Center for Accessible Technology’S SHOWING OF
SIGNIFICANT FINANCIAL HARDSHIP**

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| Customer (party intending to claim intervenor compensation): | | | |
| Center for Accessible Technology (CforAT) | | | |
| Assigned Commissioner: Michael R. Peevey | | Assigned ALJs: Jeanne McKinney and Timothy Sullivan | |
| I hereby certify that the information I have set forth in Parts I, II, III and IV of this Notice of Intent (NOI) is true to my best knowledge, information and belief. I further certify that, in conformance with the Rules of Practice and Procedure, this NOI and has been served this day upon all required persons (as set forth in the Certificate of Service attached as Attachment 1). | | | |
| | | Signature: | /s/ |
| Date: | Nov. 26, 2012 | Printed Name: | Melissa W. Kasnitz |

PART I: PROCEDURAL ISSUES

(To be completed by the party (“customer”) intending to claim intervenor compensation)

| A. Status as “customer” (see Pub. Util. Code § 1802(b)): The party claims “customer” status because the party (check one): | Applies (check) |
|---|------------------------|
| 1. Category 1: Represents consumers, customers, or subscribers of any electrical, gas, telephone, telegraph, or water corporation that is subject to the jurisdiction of the Commission (§ 1802(b)(1)(A)). | |
| 2. Category 2: Is a representative who has been authorized by a “customer” (§ 1802(b)(1)(B)). | |
| 3. Category 3: Represents a group or organization authorized pursuant to its articles of incorporation or bylaws to represent the interests of residential customers, to represent “small commercial customers” (§ 1802(h)) who receive bundled electric service from an electrical corporation | X |

¹ DO NOT CHECK THIS BOX if no finding of significant financial hardship is needed (in cases where there is a valid rebuttable presumption of eligibility (Part III(A)(3)) or significant financial hardship showing has been deferred to the intervenor compensation claim).

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| (§ 1802(b)(1)(C)), or to represent another eligible group. |
| <p>4. The party's explanation of its customer status, with any documentation (such as articles of incorporation or bylaws) that supports the party's "customer" status. Any attached documents should be identified in Part IV.</p> <p>The Center for Accessible Technology (CforAT) is an organization that is authorized by its bylaws to represent the interests of residential customers with disabilities before the Commission; specifically, its bylaws state at Article 2.1(d) that CforAT is "involved in advocacy initiatives to enhance the lives of the disability community, including ways to improve access to technology and increase the ability of people with disabilities to live independently. In particular, CforAT is authorized and urged to actively participate and intervene before government entities, including but not limited to the California Public Utilities Commission, on all matters that it deems appropriate that will affect directly or indirectly the interests of residential customers with disabilities, ratepayers with disabilities, small businesses owned by people with disabilities, including customers who receive bundled electric service from an electrical corporation." CforAT is not a membership organization.</p> <p>A copy of CforAT's bylaws were submitted with its NOI in A.10-03-014, which was filed on August 29, 2011. An additional copy can be provided upon request.</p> <ul style="list-style-type: none"> Describe if you have any direct economic interest in outcomes of the proceeding. <p>CforAT has no direct economic interest in the outcome of this proceeding.</p> |

| B. Timely Filing of Notice of Intent (NOI) (§ 1804(a)(1)): | Check |
|---|--|
| 1. Is the party's NOI filed within 30 days after a Prehearing Conference? Date of Prehearing Conference: <u>October 24, 2012</u> | Yes No <input checked="" type="checkbox"/> |
| 2. Is the party's NOI filed at another time (for example, because no Prehearing Conference was held, the proceeding will take less than 30 days, the schedule did not reasonably allow parties to identify issues within the timeframe normally permitted, or new issues have emerged)? | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |
| 2a. The party's description of the reasons for filing its NOI at this other time: | |
| The date thirty days after the PHC fell on Friday, November 23, which was the Friday of Thanksgiving. CforAT's NOI is filed on the first business day following the Thanksgiving holiday. | |
| 2b. The party's information on the proceeding number, date, and decision number for any Commission decision, Commissioner ruling, ALJ ruling, or other document authorizing the filing of NOI at that other time: | |
| Per Rule 1.15 of the Commission's Rules of Practice and Procedure, when a deadline | |

falls on a holiday, the time limit is extended to include the first day thereafter.

PART II: SCOPE OF ANTICIPATED PARTICIPATION

(To be completed by the party ("customer") intending to claim intervenor compensation)

A. Planned Participation (§ 1804(a)(2)(A)(i)):

- The party's statement of the issues on which it plans to participate.

CforAT intends to participate in all aspects of the proposed review of residential rate design efforts, including submitting its own rate design proposals (in conjunction with the Greenlining Institute, as discussed below), critiquing other parties' rate design proposals, advocating for vulnerable consumers by addressing the importance of affordability as a rate design goal, and addressing other rate design goals as part of an overall review of rate design policy. CforAT will also participate on all foundational issues, such as coordination efforts and early workshops on issues such as definitions of terms.

- The party's explanation as to how it plans to avoid duplication of effort with other parties and intervenors.

CforAT is participating jointly in this proceeding with the Greenlining Institute, since both organizations represent vulnerable consumers (many of whom are low-income) and the organizations' interests overlap substantially. In addition to this joint participation, CforAT has already worked to coordinate with other consumer advocates such as DRA, TURN, and other active parties, and will continue to do so. CforAT has also taken early steps to coordinate with environmental advocates to avoid duplication of effort and coordinate where possible.

- The party's description of the nature and extent of the party's planned participation in this proceeding (as far as it is possible to describe on the date this NOI is filed).

Because no Scoping Memo or schedule has yet been provided, CforAT cannot clearly anticipate the likely activities in which it will participate. To date, CforAT has been an active participant in all matters taking place in this proceeding, including preliminary comments, a preliminary workshop, and the Prehearing Conference, and CforAT intends to continue active participation in all upcoming events. CforAT will attend all relevant workshops, conduct discovery, review data and models to be developed by the parties, consult with experts, develop written proposals, review material prepared by other parties and/or the Commission, provide expert testimony and participate in evidentiary hearings (if appropriate); submit written briefs or other written material as appropriate; comment on any proposed decision(s) and alternate proposed decisions, and address any other relevant matter that may arise during the course of the proceeding.

| B. The party's itemized estimate of the compensation that the party expects to request, based on the anticipated duration of the proceeding (§ 1804(a)(2)(A)(ii)): | | | | |
|--|--------------|------------------|------------------|----------|
| Item | Hours | Rate \$ | Total \$ | # |
| ATTORNEY, EXPERT, AND ADVOCATE FEES | | | | |
| Melissa W. Kasnitz | 225 | \$440 | \$99,000 | |
| Nancy Brockway | 50 | \$150 | \$7,500 | |
| | | Subtotal: | \$106,500 | |
| OTHER FEES | | | | |
| [Person 1] | | | | |
| [Person 2] | | | | |
| | | Subtotal: | | |
| COSTS | | | | |
| General expenses (copying/printing; local travel; conference calls, etc.) | | | \$500 | |
| | | Subtotal: | \$500 | |
| TOTAL ESTIMATE \$: | | | \$107,000 | |
| <p>Estimated Budget by Issues:</p> <p>General Participation – 10%</p> <p>Foundational Activity – 10%</p> <p>Goals/Affordability – 30%</p> <p>Rate Design – 50%</p> <p>Comments/Elaboration (use reference # from above):</p> <p>CforAT and the Greenlining Institute have jointly retained the expert services of Nancy Brockway, who is advising both groups and who will be providing testimony and other expert input as appropriate. CforAT and Greenlining have agreed to split the expert costs for Ms. Brockway's time. Thus, CforAT's estimate here reflects half of Ms. Brockway's anticipated time, and the remainder is reflected in the NOI of Greenlining, which has already been filed.</p> <p>When entering items, type over bracketed text; add additional rows to table as necessary. Estimate may (but does not need to) include estimated Claim preparation time. Claim preparation (as well as travel time) is typically compensated at ½ of preparer's normal hourly rate.</p> | | | | |

PART III: SHOWING OF SIGNIFICANT FINANCIAL HARDSHIP

(To be completed by party ("customer") intending to claim intervenor compensation; see Instructions for options for providing this information)

| A. The party claims "significant financial hardship" for its Intervenor Compensation Claim in this proceeding on the following basis: | Applies (check) |
|---|------------------------|
| 1. "[T]he customer cannot afford, without undue hardship, to pay the costs of effective participation, including advocate's fees, expert witness fees, and other reasonable costs of participation" (§ 1802(g)); or | |

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| 2. “[I]n the case of a group or organization, the economic interest of the individual members of the group or organization is small in comparison to the costs of effective participation in the proceeding” (§ 1802(g)). | |
| 3. A § 1802(g) finding of significant financial hardship in another proceeding, made within one year prior to the commencement of this proceeding, created a rebuttable presumption of eligibility for compensation in this proceeding (§ 1804(b)(1)). | X |
| ALJ ruling (or CPUC decision) issued in proceeding number: A.10-03-014 Date of ALJ ruling (or CPUC decision): October 31, 2011 | |

B. The party’s explanation of the factual basis for its claim of “significant financial hardship” (§ 1802(g)) (necessary documentation, if warranted, is attached to the NOI):

PART IV: ATTACHMENTS DOCUMENTING SPECIFIC ASSERTIONS MADE IN THIS NOTICE
(The party (“customer”) intending to claim intervenor compensation identifies and attaches documents; add rows as necessary)

| Attachment No. | Description |
|----------------|------------------------|
| 1 | Certificate of Service |

ADMINISTRATIVE LAW JUDGE RULING²
(ALJ completes)

| | Check all that apply |
|---|----------------------|
| 1. The Notice of Intent (NOI) is rejected for the following reasons: | |
| a. The NOI has not demonstrated the party’s status as a “customer” for the following reason(s): | |
| b. The NOI has not demonstrated that the NOI was timely filed (Part I(B)) | |

² An ALJ Ruling needs not be issued unless: (a) the NOI is deficient; (b) the ALJ desires to address specific issues raised by the NOI (to point out similar positions, areas of potential duplication in showings, unrealistic expectations for compensation, or other matters that may affect the customer’s Intervenor Compensation Claim); or (c) the NOI has included a claim of “significant financial hardship” that requires a finding under § 1802(g).

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| for the following reason(s): | |
| c. The NOI has not adequately described the scope of anticipated participation (Part II, above) for the following reason(s): | |
| 2. The NOI has demonstrated significant financial hardship for the reasons set forth in Part III of the NOI (above). | |
| 3. The NOI has not demonstrated significant financial hardship for the following reason(s): | |
| 4. The ALJ provides the following additional guidance (see § 1804(b)(2)): | |

IT IS RULED that:

| | Check all that apply |
|---|----------------------|
| 1. The Notice of Intent is rejected. | |
| 2. Additional guidance is provided to the customer as set forth above. | |
| 3. The customer has satisfied the eligibility requirements of Pub. Util. Code § 1804(a). | |
| 4. The customer has shown significant financial hardship. | |
| 5. The customer is preliminarily determined to be eligible for intervenor compensation in this proceeding. However, a finding of significant financial hardship in no way ensures compensation. | |

Dated _____, at San Francisco, California.

ADMINISTRATIVE LAW JUDGE