

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

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 checked), ALJ RULING
ON SHOWING OF SIGNIFICANT FINANCIAL HARDSHIP**

Customer (party intending to claim intervenor compensation): National Asian American Coalition, Black Economic Council, Latino Business Chamber of Greater Los Angeles ("Joint Parties")			
Assigned Commissioner: Michael R. Peevey		Assigned ALJ: Jeanne McKinney Timothy J. 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/ Shalini Swaroop			
Date:	November 13, 2012	Printed Name:	Shalini Swaroop

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 it (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 (§ 1802(b)(1)(C)), or to represent another eligible group.	X

4. The party's explanation of its customer status, economic interest (if any), 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.

The Joint Parties are non-profit, grassroots organizations who have been granted intervenor status in numerous cases before the California Public Utilities Commission, including A.10-12-005, A.10-12-006, A.10-11-015, A. 11-05-017 et al., I.11-06-009 and A.11-06-006 et al. Each organization's bylaws reflect support the Minority Joint Parties' "customer" status, as found by Administrative Law Judge Darling in A.10-11-015 in a Ruling dated July 8, 2011.

Bylaws of the Black Economic Council

The BEC is authorized and urged to actively participate and intervene before the CPUC on all matters that it deems appropriate that will affect directly or indirectly Black consumer interests, Black rate payer interests and Black small business interests. This authorization is intended to be broad enough to include, for example, environment or smart grid or any new technology issues as well as issues affecting wireless customers, small businesses, technical assistance and general ratepayers. This is consistent with the BEC's authorizations, presently in the bylaws, to advocate for the Black community before any government agency, including the FCC, FTC, Department of Justice, the California Attorney General and the State Department of Insurance.

Bylaws of the National Asian American Coalition

The NAAC is authorized and urged to actively participate and intervene before the CPUC on all matters that it deems appropriate that will affect directly or indirectly Asian American consumer interests, Asian American rate payer interests and Asian American small business interests. This authorization is intended to be broad enough to include, for example, environment or smart grid or any new technology issues as well as issues affecting wireless customers, small businesses, technical assistance and general ratepayers. This is consistent with the NAAC's authorizations, presently in the bylaws, to advocate for the Asian American community before any government agency, including the FCC, FTC, Department of Justice, the California Attorney General and the State Department of Insurance.

Bylaws of the Latino Business Chamber of Greater Los Angeles

The corporation is authorized and urged to actively participate and intervene before the California Public Utilities Commission on all matters that it deems appropriate that will affect directly or indirectly Latino consumer interests, Latino rate payer interests and Latino small business interests. This authorization is intended to be broad enough to include, for example, environmental or smart grid or any new technology issues as well as issues affecting wireless customers, small businesses, technical assistance and general ratepayers.

B. Timely Filing of 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 <input checked="" type="checkbox"/> No <input 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 type="checkbox"/> No <input checked="" type="checkbox"/>
2a. The party's description of the reasons for filing its NOI at this other time:	
2b. The party's information on the proceeding number, date, and decision number for any Commission decision, Commissioner ruling, or ALJ ruling, or other document authorizing the filing of its NOI at that other time:	

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)):
<ul style="list-style-type: none"> • 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). <p>As advocacy and minority grassroots organizations who are particularly interested in issues facing low-income and minority consumers, the Joint Parties intend to offer examine multiple issues in the application as they relate to minority communities. We plan to conduct discovery, prepare testimony, participate in evidentiary hearings, file briefs, and prepare comments on the proposed and any alternate decisions ultimately issued by the Commission.</p> <ul style="list-style-type: none"> • The party's statement of the issues on which it plans to participate. <p>The Minority Joint Parties expect to address numerous issues in these cases. Particularly, the Joint Parties seek to ensure: (1) that any rate implemented has sufficient protections for individuals in the Commission's low-income programs; (2) the Commission's awareness of the crucial need for linguistically and culturally appropriate education to accompany the transition to dynamic pricing; (3) the limited ability of moderate and low income ratepayers to participate in pricing structures that rely upon the use of energy efficient technologies; (4) the integration of the Commission's low-income programs, CARE, ESAP, and FERA, into possible new pricing structures; (5) the importance of customer education and outreach, particularly to hard to reach communities; and (6) promoting energy efficiency in a sustainable manner for all classes of ratepayers.</p>

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 FEES				
Robert Gnaizda, Esq.	75	\$535	\$40,125	1
Shalini Swaroop, Esq.	200	\$215	\$43,000	2
		Subtotal:	\$83,125	3
EXPERT FEES				
Faith Bautista	40	\$350	\$14,000	4
Jorge Corralejo	10	\$350	\$3,500	5
		Subtotal:	\$17,500	6
OTHER FEES				
Senior Policy Analyst	40	\$145	\$5,800	7
Paralegal	20	\$110	\$2,200	8
		Subtotal:	\$8,000	9
COSTS				
Miscellaneous Costs		\$1,000	\$1,000	10
		Subtotal:	\$1,000	
TOTAL ESTIMATE \$:			\$109,625	11

Comments/Elaboration (use reference # from above):

These estimates are based upon a six month schedule that is currently under discussion by the parties to the consolidated cases. Estimates may change depending upon the consensus reached on the anticipated timeline.

#10: Miscellaneous costs include travel for experts and office costs such as printing, postage, and copying.

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 is typically compensated at ½ of preparer's normal hourly rate.

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 claim for intervenor compensation 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	
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.11-11-017 Date of ALJ ruling (or CPUC decision): March 9, 2012	

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: THE PARTY'S ATTACHMENTS DOCUMENTING SPECIFIC
ASSERTIONS MADE IN THIS NOTICE**

(The party ("customer") intending to claim intervenor compensation identifies and attaches documents (add rows as necessary.) Documents are not attached to final ALJ ruling.)

Attachment No.	Description
1	Certificate of Service

ADMINISTRATIVE LAW JUDGE RULING¹
(ALJ completes)

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

¹ An ALJ Ruling will 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 claim for compensation); or (c) the NOI has included a claim of "significant financial hardship" that requires a finding under § 1802(g).

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