

**BEFORE THE PUBLIC UTILITIES COMMISSION OF  
THE STATE OF CALIFORNIA**

Order Instituting Rulemaking to Integrate and  
Refine Procurement Policies and  
Consider Long-Term Procurement Plans.

Rulemaking 12-03-014  
(Filed March 22, 2012)

**REPLY OF FRIENDS OF THE EARTH TO  
SOUTHERN CALIFORNIA EDISON COMPANY'S OPPOSITION TO  
INTERVENOR COMPENSATION CLAIM OF FRIENDS OF THE EARTH  
AND DECLARATION OF LAURENCE G. CHASET**

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April 2, 2013

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Pursuant to Rule 17.4 of the California Public Utilities Commission's ("Commission") Rules of Practice and Procedure, Friends of the Earth's ("FOE") hereby submits its Reply to the March 25, 2013 Opposition of Southern California Edison Company ("SCE") to FOE's Intervenor Compensation Claim, which was filed in this proceeding on February 22, 2013.

SCE's Opposition raises one specific objection to FOE's Intervenor Compensation Claim, namely, to FOE's request for recovery of airfare of \$639.60 from Providence, Rhode Island to Washington, D.C. for Larry Chaset "for an in-person meeting with client to discuss LTPP proceeding."<sup>1</sup> SCE's objection to this claim is based on the assertion that "[I]t is certainly not obvious why California ratepayers should bear the costs of travel that neither originates nor ends in California. At minimum, FOE should explain the logic behind its claim that the "client" is located in Washington, D.C., rather than in California."<sup>2</sup>

The justification for FOE's claim for this travel expense is simple and straightforward:

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<sup>1</sup> Intervenor Compensation Claim, pp.8-9.

<sup>2</sup> SCE Objection to Intervenor Compensation Claim, pp. 1-2.

the undersigned and his firm had only just been retained by FOE to represent them in this proceeding. At that time, in late August 2012, the undersigned was visiting his mother in Rhode Island for her birthday. Given the status of this proceeding, it was essential for the undersigned to participate as soon as possible in an extended face-to-face meeting with the client's primary staff (Damon Moglen) and consultant (S. David Freeman) that would be working with him on this matter in order to identify and develop the optimal strategies for the client's participation in this matter. It would have been neither efficient nor effective to conduct this initial lawyer-client meeting on the telephone.

FOE is a national organization with an office in California, but Messrs. Moglen and Freeman work out of the organization's Washington, D.C. headquarters office. Since the undersigned was already on the East Coast during the relevant time period, it was far more efficient and inexpensive for the undersigned to fly down to Washington from Rhode Island for the day to meet with Messrs. Moglen and Freeman than it would have been for the undersigned to wait until he had returned to California to schedule that meeting. Had that been the arrangement, the undersigned would have been obligated to buy a much more expensive coast-to-coast plane ticket, and given the time differences, it would have necessarily entailed an overnight hotel stay. All in all, it was substantially less costly and less time-consuming for the undersigned to schedule the needed initial meeting with FOE when the undersigned was already on the East Coast, only an hour away from Washington, D.C. by air.

The foregoing facts are restated in the attached Declaration of Laurence G. Chaset. For the reasons stated above, supported by the attached Declaration, FOE's claim for the airfare in question should be eligible to receive compensation.

Dated: April 2, 2013

Respectfully submitted,

A handwritten signature in black ink, reading "Laurence G. Chaset". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Laurence G. Chaset

Counsel to Friends of the Earth

## **DECLARATION OF LAURENCE G. CHASET**

I, Laurence G. Chaset, declare as follows:

1. On August 29, 2012, I flew from Providence, Rhode Island to Washington Reagan Airport and back again for an extended meeting with my then-new client, Friends of the Earth.

2. On that date, my firm, Keyes, Fox & Wiedman, LLP and I had only just been retained by FOE to represent them in the California Public Utilities Commission's Long-Term Procurement Planning proceeding ("LTPP") (Docket R.12-03-014).

3. At that time, in late August of 2012, I was visiting my mother in Rhode Island for her 87<sup>th</sup> birthday (which fell on August 28). Given the status of the LTPP proceeding at the time, it was essential for me to participate as soon as possible in an extended face-to-face meeting with FOE's primary staff (Damon Moglen) and consultant (S. David Freeman) that would be working with me on this matter in order to identify and develop the optimal strategies for FOE's participation in that proceeding. It would have been neither efficient nor effective to conduct this initial lawyer-client meeting on the telephone.

4. FOE is a national organization with an office in California, but Messrs. Moglen and Freeman work out of the organization's Washington, D.C. headquarters office. Since I was already on the East Coast during the relevant time period, it was far more efficient and inexpensive for me to fly down to Washington from Rhode Island for the day to meet with Messrs. Moglen and Freeman than it would have been for me to wait until I had returned to California to schedule that meeting. Had that been the arrangement, I would have been obligated to buy a much more expensive coast-to-coast plane ticket, and given the time differences, it would have necessarily entailed an overnight hotel stay. All in all, it was substantially less costly

and less time-consuming for me to schedule the needed initial meeting with FOE when I was already on the East Coast, only an hour away from Washington, D.C. by air.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Dated: April 2, 2013

A handwritten signature in cursive script that reads "Laurence G. Chaset".

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