

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking To Enhance the Role of Demand Response in Meeting the State's Resource Planning Needs and Operational Requirements.	Rulemaking 13-09-011 (Filed September 19, 2013)
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**NOTICE OF INTENT TO CLAIM INTERVENOR COMPENSATION
AND, IF REQUESTED (and ¹ checked), ADMINISTRATIVE LAW JUDGE'S
RULING ON [CONSUMER FEDERATION OF CALIFORNIA]'S SHOWING OF
SIGNIFICANT FINANCIAL HARDSHIP**

Customer (party intending to claim intervenor compensation): Consumer Federation of California		
Assigned Commissioner: Michael R. Peevey	Assigned ALJ: Kelly A. Hymes	
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/ Donald P. Hilla
Date: 11.15.2013	Printed Name:	/s/ Donald P. Hilla

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)).	X
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, with any documentation (such as articles of incorporation or bylaws) that supports the party's "customer" status.	

¹ DO NOT CHECK THIS BOX if a finding of significant financial hardship is not 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).

Since 1960, The CFC has been a powerful voice for consumer rights. We campaign for state and federal laws focused on consumer protection. Each year, we testify before the California legislature on dozens of bills that affect millions of our state's consumers. We also appear before state agencies, like the California Public Utilities Commission, in support of consumer regulations and in pursuing consumer protection goals. Our central purpose is to represent consumers and their interests, educate on consumer issues and advocate for laws and regulations that protect California consumers.

The CFC is a non-for-profit 501(c) (4) federation of individual consumer members and organizations that are comprised of California consumers, including consumer groups, senior citizen groups, faith-based groups, community organizations, labor groups and other organizations, all of whom are residential customers of California public utilities.

CFC is a "group or organization authorized pursuant to its articles of incorporation or bylaws to represent the interests of residential ratepayers."

CFC has been present at the CPUC, and a participant in numerous matters, since 2006.

CFC does not have any direct economic interest in the outcomes the Commission may adopt in this proceeding.

On October 25, 2013, in the matter R.13.02.008, *Order Instituting Rulemaking to Adopt Biomethane Standards and Requirements, Pipeline Open Access Rules, and Related Enforcement Provisions*, the CFC was found to have satisfied the eligibility requirements under Public Utilities Code section 1804(a), to qualify as a "customer." to have shown significant financial hardship, and to be eligible for intervenor compensation.

• Do you have a direct economic interest in outcomes of the proceeding? **NO**
 If yes, explain:

B. Conflict of Interest (§ 1802.3)	Check
1. Is the customer a representative of a group representing the interests of small commercial customers who receive bundled electric service from an electrical corporation?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2. If the answer to the above question is "Yes", does the customer have a conflict arising from prior representation before the commission?	<input type="checkbox"/> Yes <input type="checkbox"/> No

C. 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: Date of Prehearing Conference: October 24, 2013	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2a. The party's description of the reasons for filing its NOI at this other time: N/A	
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: N/A	

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"> <li data-bbox="245 983 1146 1015">• The party's statement of the issues on which it plans to participate. <p data-bbox="293 1058 1463 1237">CFC plans to address issues such as bridge funding, future demand response programs designed to improve consumer participation in demand response programs, capacity issues, the development of a competitive procurement mechanisms, new technologies, and the bifurcation of the current, utility-administered, utility-centric, ratepayer-funded demand response programs, into demand-side and supply side.</p> <p data-bbox="293 1269 1463 1597">The CFC will address those issues that have a direct impact on residential ratepayers. The CFC also plans to address the commoditization of demand response resources, "demand response resources" as the conceptual equal to utility-procured or actually generated resources, competitive procurement mechanisms, demand response resources models already in use in other states, development and adoption of a roadmap for collaboration and coordination with other Commission proceedings and state activities related to demand response programs. Also of interest to CFC is the valuation methodology that will be used in the bidding / procurement process, and whether, and how, the savings realized by load shifting is passed on to the end-user electricity consumer.</p> <p data-bbox="293 1625 1479 1759">The CFC plans to fully participate in this Rulemaking. CFC has already filed a written response to questions presented in the Order Instituting Rulemaking, and is currently conducting research and drafting a response to questions presented in the recent Scoping Memo. CFC plans to file an opening prehearing statement, and comments and responses to prehearing statements, as part of our</p>

participation in the Prehearing Conference. CFC plans to participate in future workshops, should there be workshops, and CFC will file comments, prepared testimony and written briefs, if deemed necessary. CFC intends to take part in any and all activities that may arise and would be required in order for CFC to have meaningful impact and make a substantial contribution in this rulemaking.

At this preliminary stage of the proceeding, it is difficult to predict what additional issues, if any, CFC may address. CFC therefore reserves the right to adjust its participation in response to future, as yet unforeseen, events.

- The party's explanation of how it plans to avoid duplication of efforts

The CFC will communicate with other intervenors and parties in an effort to avoid a duplication of efforts. The CFC notes that there are few parties to this proceeding that specifically focus on the interests of the residential ratepayers. CFC will focus on residential consumers. CFC will also seek out subsets of the issues; but, as in past proceedings addressing similar utility proposals, CFC expects to coordinate closely with other parties taking similar or consistent positions in order to minimize potential overlap on issues and to ensure that where such overlap occurs each party is presenting a unique analysis.

- The party's description of the nature and extent of the party's planned participation in this proceeding

CFC will address those issues that have a direct impact on residential ratepayers and plans to fully participate in this Rulemaking. CFC has already written an opening prehearing statement and a response to prehearing statements. CFC participated in a Prehearing Conference, and participated in a workshop. CFC plans to participate in future workshops, to file comments, and submit prepared testimony and written briefs, if deemed necessary. The CFC will engage in any and all activities that may be required.

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				
Donald Hilla	250	\$555	\$138,750.00	1
Nicole Johnson	100	\$305	\$30,500.00	2
[Expert 1]				
[Expert 2]				
[Advocate 1]				
[Advocate 2]				
			Subtotal: \$169,250.00	
OTHER FEES				
Richard Holober, CFC Director	10	\$305	\$3050.00	3
[Person 2]				
			Subtotal: \$172,300.00	
COSTS				
[Item 1]				
[Item 2]				
			Subtotal: \$172,300.00	
			TOTAL ESTIMATE: \$	172,300.00
<p>Estimated Budget by Issues:: (1) review and analyze current demand response programs to determine whether and how we should bifurcate them into demand-side (customer-focused programs and rates) and supply-side resources (reliable and flexible demand response that meets system resource planning and operational requirements); 40% (2) create (or identify) an appropriate competitive procurement mechanism for supply-side demand response resources; 30% (3) determine the program approval and funding cycle; 10% (4) provide guidance for transition years; and 10% (5) develop and adopt a roadmap with the intent to collaborate and coordinate with other Commission proceedings and state agencies in order to strategize the future of demand response in California 10% Please be advised that these are "ballpark" estimates will, in all likelihood, be subject to amendment.</p> <p>Comments/Elaboration (use reference # from above): CFC has not included in this estimate claim preparation time (#1). The amount of any future request for compensation will depend upon the Commission's ultimate decision in this case, as well as the resources CFC has to devote to the case going forward (numbers 1, 2 and 3.). The reasonableness of the hourly rates requested will be addressed in our Request for Compensation (numbers 1, 2 and 3.)</p> <p>Donald P. Hilla has over 20 years experience in administrative hearing practice, specifically in ratemaking and rulemaking at the California Department of Insurance. Mr. Hilla is a past Member of the SFPUC Rate Fairness Board.</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 and travel time 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 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	X
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 in this proceeding (§ 1804(b)(1)).	X
ALJ ruling (or CPUC decision) issued in proceeding number: R.13.02.008 On October 25, 2013, in the matter R.13.02.008, Order Instituting Rulemaking to Adopt Biomethane Standards and Requirements, Pipeline Open Access Rules, and Related Enforcement Provisions, the CFC was found to have satisfied the eligibility requirement under Public Utilities Code section 1804(a), to have shown significant financial hardship, and was ruled to be eligible for intervenor compensation. All necessary documentation was submitted at that time.	X

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):
N/A

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 RULING
(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)) 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

**Attachment 1:
Certificate of Service by Customer**

I hereby certify that I have this day served a copy of the foregoing **NOTICE OF INTENT TO CLAIM INTERVENOR COMPENSATION** Rulemaking 13-09-011 by (check as appropriate):

- hand delivery;
- first-class mail; and/or
- electronic mail

to the following persons appearing on the official Service List:

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Executed this 22nd day of November, 2013 at San Francisco, CA.

//s// Donald P Hilla

[Signature]

Donald P. Hilla

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