

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to
Continue Implementation and
Administration of California
Renewables Portfolio Standard
Program.

Rulemaking 11-05-005

CLEAN COALITION PETITION FOR MODIFICATION OF D.13-12-023

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January 9, 2014

CLEAN COALITION PETITION FOR MODIFICATION OF D.13-12-023

The Clean Coalition respectfully submits this Petition for Modification (PFM) of D.13-12-023, pursuant to Rule 16.4. This PFM demonstrates that the Decision includes a number of errors regarding hourly rates for Clean Coalition staff.

The Clean Coalition is a California-based nonprofit organization whose mission is to accelerate the transition to local energy systems through innovative policies and programs that deliver cost-effective renewable energy, strengthen local economies, foster environmental sustainability, and enhance energy security. To achieve this mission, the Clean Coalition promotes proven best practices, including the vigorous expansion of Wholesale Distributed Generation (WDG) connected to the distribution grid and serving local load. The Clean Coalition drives policy innovation to remove major barriers to the procurement, interconnection, and financing of WDG projects and supports complementary Intelligent Grid (IG) market solutions such as demand response, energy storage, forecasting, and communications. The Clean Coalition is active in numerous proceedings before the California Public Utilities Commission and other state and federal agencies throughout the United States in addition to work in the design and implementation of WDG and IG programs for local utilities and governments.

I. Corrections to hourly rates

D.13-12-023 (“the Decision”) contains an error regarding attorney Tam Hunt’s hourly rate for both 2011 and 2012 and for attorney Becky Davis. The Commission also issued an order from the Executive Director on Dec. 27, 2013, making the \$150/hour rate for Davis consistent throughout the Decision. We urge the Commission to correct the Decision and assign the correct hourly rates as described below. We include a summary table in Figure 1 showing the changes requested.

Figure 1. Corrections requested for hourly rates.

Staff member	2011 rate	2011 hours	2011 total request	2012 rate	2012 hours	2012 total request	Total requested	Discrepancy from award
Hunt	\$300.00	105.75	\$31,897.50	\$340.00	51.75	\$17,595.00	\$52,492.50	\$84,725.00
Davis	210	35.5	\$7,455.00	NA	NA	0	\$7,455.00	\$7,130.00
Total discrepancy							\$ 6,855.00	

A. Hunt

Hunt is an attorney with 10 and 11 years of experience in 2011 and 2012, respectively, making the upper range of the 8-12 year attorney experience bracket the appropriate compensation level. Moreover, D.12-09-014, which was issued subsequent to the filing date of the Clean Coalition’s compensation claim in this proceeding, approved an hourly rate of \$330 for 2011 for Hunt. In addition, D.13-12-021 approved a rate of \$340/hour for Hunt for 2012. Accordingly, Hunt’s rate should be \$330/hour for 2011 and \$340 for 2012. The Decision mistakenly used \$300 and \$310 for 2011 and 2012, respectively. We request that the Commission amend the Decision by using the correct hourly rates for Hunt.

B. Davis

Attorney Becky Davis’s rate was reduced in the Order from \$205 to \$150 for 2011. However, Davis was a 2nd year attorney in 2011, having graduated from law school in 2010, so \$205 is an appropriate rate for Davis. Moreover, D.13-12-021 approved a rate of \$205 for Davis for 2011 and \$210 for 2012. We request that the Commission change Davis’ rate to \$205 for 2011.

II. Conclusion

For the reasons stated above, we urge the Commission to adopt our recommendations herein.

Respectfully submitted,

TAM HUNT

A handwritten signature in black ink, appearing to read 'TH', with a long horizontal flourish extending to the right.

January 9, 2014

VERIFICATION

I am an attorney for the Clean Coalition and am authorized to make this verification on its behalf. I am informed and believe that the matters stated in the foregoing pleading are true.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 9th day of January, 2014, at Santa Barbara, California.

Tam Hunt

A handwritten signature in black ink, appearing to be 'TH' followed by a long horizontal stroke.

Clean Coalition