

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Consider Alternative-Fueled Vehicle Programs, Tariffs, and Policies.	<p align="center">R.13-11-007 (Filed November 14, 2013)</p>
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**NOTICE OF INTENT TO CLAIM INTERVENOR COMPENSATION
AND, IF REQUESTED (and ¹ checked), ADMINISTRATIVE LAW JUDGE'S
RULING ON CFC'S SHOWING OF SIGNIFICANT FINANCIAL HARDSHIP**

Customer (party intending to claim intervenor compensation): Consumer Federation of California (CFC)			
Assigned Commissioner: Carla Peterman		Assigned ALJ: Irene K. Moosen	
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 and filed separately).			
Signature:		/s/	
Date:	3/26/14	Printed Name:	Nicole Johnson

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 (§ 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	

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).

of incorporation or bylaws) that supports the party's "customer" status. Any attached documents should be identified in Part IV.

In D.98-04-059, the Commission directed intervenors to state in their NOIs which of three customer "categories" they fall within. CFC is a "group or organization authorized pursuant to its articles of incorporation or bylaws to represent the interests of residential ratepayers." Groups such as CFC are also required to include in their NOIs a copy of the authorization in their articles of incorporation to represent residential customers, or to provide a reference to a previous filing. (D.98-04-059, p. 30)

CFC provided the relevant portion of its articles of incorporation in its filings resulting in Ruling R.13-02-008. The articles of incorporation have not changed since the time of these earlier submissions.

Finally, intervenors must indicate the percentage of their members that are residential ratepayers. CFC has approximately 20,000 dues paying members, of whom we believe the vast majority are residential ratepayers. CFC does not poll our members in a manner that would allow a precise breakdown between residential and small business members, so a precise percentage is not available.

Founded in 1960 as the Association of California Consumers, this organization has been advocating for consumers for over 50 years. The central purpose of this organization has been, and continues to be, defending and advocating for the interests of consumers, on educating the public regarding consumer issues, advocating for laws and regulations that protect consumers, and for representing consumer interests in various governmental agencies, in administrative tribunals and in courts of law.

The CFC is a non-profit 501(c)(4) federation of organizations and individual consumer members. The several organizational members are comprised of California consumer groups, senior citizen groups, labor organizations, and community groups. It is the CFC's mission to protect the interests of the many individual members of these affiliated groups.

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

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>February 26, 2014</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 ___ No ___
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, ALJ ruling, or other document authorizing the filing of 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 statement of the issues on which it plans to participate. At this time, CFC intends to participate actively on the full range of issues in this proceeding, including: • 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). CFC intends to participate actively in this proceeding by participating in evidentiary hearings, filing any required briefs and legal pleadings, and conducting other activities as necessary for litigating and advocating on behalf of residential and small commercial ratepayers. • The party's explanation as to how it plans to avoid duplication of effort with other parties and intervenors. CFC will coordinate with the DRA and with other intervenors to minimize duplication of overlapping positions, and to ensure that our showing covers different issues, or adds to the analyses and showings provided by the other parties.

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				
Nicole Johnson	600	305	183,000	
[Attorney 2]				
[Expert 1]				
[Expert 2]				
[Advocate 1]				
[Advocate 2]				
	Subtotal:		183,000	
OTHER FEES				
[Person 1]				
[Person 2]				
	Subtotal:			
COSTS				
Postage, photocopies, deliveries, and supplies...		100	100	
[Item 2]				
	Subtotal:		100	
TOTAL ESTIMATE \$:			183,100	
<p>Estimated Budget by Issues:</p> <p>The estimated budget by issue is extremely rough, consistent with the proceeding and CFC's participation therein, both being at very early stages. CFC's estimate is based on its experience in similar proceedings in the past and its understanding of the likely scope of the proceeding as discussed at the recent prehearing conference. CFC's estimate assumes that 35% of the work will be on VGI use cases and rates policy for transit and commercial issues; 35% will be on VGI use cases and proposals to address EVSE infrastructure issues; and 30% will be on Tariffs/Pilots and financing issues.</p> <p>Comments/Elaboration (use reference # from above):</p> <p>The reasonableness of the hourly rates requested for CFC's representatives will be addressed in our Request for Compensation. The amount of any future request for compensation will depend upon the Commission's ultimate decision in this case, the number of phases in the proceeding, as well as the resources CFC has to devote to the case going forward.</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)
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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)).	X
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: ADMINISTRATIVE LAW JUDGE’S RULING ON CONSUMER FEDERATION OF CALIFORNIA’S SHOWING OF SIGNIFICANT FINANCIAL HARDSHIP (R.13-02-008) Date of ALJ ruling (or CPUC decision): 10/25/13	

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	
2	
3	

ADMINISTRATIVE LAW JUDGE RULING²
(ALJ completes)

	Check all that apply
1. The Notice of Intent (NOI) is rejected for the following reasons:	

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).

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