

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Develop a Risk-Based Decision-Making Framework to Evaluate Safety and Reliability Improvements and Revise the General Rate Case Plan for Energy Utilities.	Application 13-11-006 (Filed November 14, 2013)
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NOTICE OF INTENT TO CLAIM INTERVENOR COMPENSATION AND, IF REQUESTED (and ¹ checked), ADMINISTRATIVE LAW JUDGE'S RULING ON UTILITY CONSUMERS ACTION NETWORK'S SHOWING OF SIGNIFICANT FINANCIAL HARDSHIP

Customer (party intending to claim intervenor compensation): Utility Consumers' Action Network		
Assigned Commissioner: Michael Peevey	Assigned ALJ: John S. Wong	
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 Kelly		
Date: 2-28-14	Printed Name:	Donald Kelly

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 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).

All attached documents should be identified in Part IV.

UCAN is a charitable nonprofit 501(c)(3) corporation. UCAN is a consumer advocacy organization dedicated to protecting and representing the interests of residential and small business customers of regulated utility services such as electricity, gas, water and telecommunications. UCAN also helps educate the public regarding privacy issues and intervenes and tries to resolve consumer disputes individuals have with service providers.

In D.98-04-059, the Commission directed intervenors to state in their NOIs which of three customer “categories” they fall within. UCAN is a “group or organization authorized pursuant to its articles of incorporation or bylaws to represent the interests of residential ratepayers.” The decision also requires groups such as UCAN to include in their NOI’s a copy of the authorization in their articles of incorporation to represent residential customers, or to provide a reference to a previous filing, see D.98-04-059, p. 30. UCAN provided the relevant portion of our articles of incorporation in an ALJ’s Ruling in A.05-02-019 dated June 28, 2005. The articles of incorporation have not changed since the time of those earlier submissions. UCAN is a membership organization with the vast majority of members being SDG&E residential and small business ratepayers.

- Do you have a direct economic interest in outcomes of the proceeding?

If yes, explain: **NO**, UCAN does not have a direct economic interest in the outcome of the proceedings.

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: Prehearing conference scheduled for April 29, 2014	<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 type="checkbox"/> 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:

The OIR in R.13-11-006 noted that the NOI must be filed within 30 days of the filing of reply comments or within 30 days of a prehearing conference if one is scheduled – see page 19 of the OIR. Reply comments were filed on January 30, 2014 and therefore this NOI is timely.

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)):

The party's statement of the issues on which it plans to participate.

As the prehearing conference has been scheduled for April 29, 2014 there is presently no scoping memo. However, consistent with the issues identified in the OIR and UCAN's comments filed on the OIR, UCAN anticipates participation in the following issues:

1. Uniform application of Provisions of the RCP
2. Reducing GRC complexity
3. Timing of GRC applications
4. Rate Case Plan Schedule

The party's explanation of how it plans to avoid duplication of effort with other parties.

UCAN has already had conversations with other intervenors on the issues UCAN seeks to address. Based on the comments filed to date in this rulemaking, UCAN's position is either unique or adds to and compliments the positions of other parties. In an ongoing effort to avoid unnecessary duplication, UCAN will continue coordination efforts.

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

UCAN has already submitted comments and reply comments in this OIR. UCAN plans to participate in all aspects of this proceeding.

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 Kelly	175	\$390	\$68,250	
Martin Homec	150	\$190	\$28,500	
<i>Subtotal: \$</i>				
OTHER FEES				
Miscellaneous expenses			\$500.00	
<i>Subtotal: \$</i>				
COSTS				
Travel and Lodging			\$2000.00	
[Item 2]				
<i>Subtotal: \$</i>				
TOTAL ESTIMATE: \$				99,250
<p>Estimated Budget by Issues:</p> <p>In the absence of a scoping memo detailing the issues to be covered, UCAN would estimate the following amount of time to be devoted to these issues identified in the OIR:</p> <ol style="list-style-type: none"> 1. Uniform application of Provisions of the RCP – 40% 2. Reducing GRC complexity – 40% 3. Timing of GRC applications – 5% 4. Rate Case Plan Schedule – 5% <p>Should the scoping memo differ substantially from the issues identified in the OIR, then UCAN would seek to amend this NOI accordingly.</p> <p>Comments/Elaboration (use reference # from above):</p> <p>When entering items, type over bracketed text; add additional rows to table as necessary.</p> <p>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.</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)
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 in this proceeding (§ 1804(b)(1)).	X
ALJ ruling (or CPUC decision) issued in proceeding number:	
Date of ALJ ruling (or CPUC decision):	

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	Certificate of Service

ADMINISTRATIVE LAW JUDGE RULING²
 (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	

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).

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** by (check as appropriate):

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

to the following persons appearing on the official Service List:

[Insert names and addresses from official Service List]

Executed this [day] day of [month], [year], at [city], California.

[Signature]

[Typed name and address]