

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

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|---|---|
| Order Instituting Rulemaking to Integrate and Refine Procurement Policies and Consider Long-Term Procurement Plans. | Rulemaking 13-12-010<br>Filed December 19, 2013 |
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**NOTICE OF INTENT TO CLAIM INTERVENOR COMPENSATION  
AND, IF REQUESTED (and [X] checked), ADMINISTRATIVE LAW JUDGE'S  
RULING ON CALIFORNIA ENVIRONMENTAL JUSTICE ALLIANCE'S  
SHOWING OF SIGNIFICANT FINANCIAL HARDSHIP**

|  |                                 |
|--|---------------------------------|
| Customer: California Environmental Justice Alliance  |                                 |
| Assigned Commissioner: Michel Picker   | Assigned ALJ: David M. Gamson   |
| 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/ Deborah N. Behles           |
| Date: March 25, 2014   | Printed Name: Deborah N. Behles |

**PART I: PROCEDURAL ISSUES  
(To be completed by the party ("customer") intending to claim intervenor compensation)**

| <b>A. Status as "customer" (see Pub. Util. Code § 1802(b)):</b><br>The party claims "customer" status because the party is (check one):   | <b>Applies (check)</b> |
|---|------------------------|
| 1. A <b>Category 1</b> customer that is an actual customer whose self-interest in the proceeding arises primarily from his/her role as a customer of the utility and, at the same time, the customer must represent the broader interests of at least some other customers. In addition to describing your own interest in the proceeding you must show how your participation goes beyond just your own self-interest and will benefit other customers. See, for example, discussion in D.08-07-019 at 5-10. |                        |

|  |          |
|--|----------|
| <p>2. A <b>Category 2</b> customer that is a representative who has been authorized by actual customers to represent them. Category 2 involves a more formal arrangement where a customer or a group of customers selects a more skilled person to represent the customer's views in a proceeding. A customer or group of customers may also form or authorize a group to represent them, and the group, in turn, may authorize a representative such as an attorney to represent the group. A representative authorized by a customer must identify the residential customer(s) being represented and provide authorization from at least one customer (D.98-04-059 at 30).</p> |          |
| <p>3. A <b>Category 3</b> customer that is a formally organized group authorized, by its articles of incorporation or bylaws to represent the interests of residential customers or small commercial customers receiving bundled electric service from an electrical corporation. Certain environmental groups that represent residential customers with concerns for the environment may also qualify as Category 3 customers, even if the above requirement is not specifically met in the articles or bylaws.</p>   | <p>X</p> |

4. The party's explanation of its customer status must include the percentage of the intervenor's members who are residential ratepayers or the percentage of the intervenor's members who are customers receiving bundled electric service from an electrical corporation, and must include supporting documentation: (i.e., articles of incorporation or bylaws).

The California Environmental Justice Alliance (CEJA) is an alliance of six grassroots environmental justice organizations situated throughout California. The organizational members of CEJA are: Asian Pacific Environmental Network (APEN), the Center for Community Action and Environmental Justice (CCA EJ), Center on Race, Poverty & the Environment (CRPE), Communities for a Better Environment (CBE), Environmental Health Coalition (EHC), and People Organizing to Demand Environmental and Economic Justice (PODER). CEJA has brought together these organizations to impact and change policy decisions throughout the state. Together, the six member organizations of CEJA work to achieve environmental justice for low-income communities and communities of color throughout California. In particular, CEJA is "pushing for policies at the federal, state, regional and local levels that protect public health and the environment."<sup>1</sup> CEJA is also "working to ensure that California enacts statewide climate change policies that protect low-income communities and communities of color."<sup>2</sup>

One of CEJA's primary initiatives is its Climate Justice and Local Renewable Energy initiative, which aims to transform California's energy system into "one that is just, democratic, equitable, and composed of genuinely clean energy."<sup>3</sup> To accomplish this transformation, CEJA works to bring locally produced clean energy to environmental justice communities, thereby putting energy production in their own hands, providing green jobs, and reducing local health and environmental impacts by displacing older and dirtier pollution sources.<sup>4</sup> In 2012, CEJA ran a "Solar for All" campaign (AB 1990) that would have created small-scale clean energy projects in low-income communities and communities of color. Additionally, CEJA secured critical language in the Renewable Portfolio Standard of 2011 and at the California Energy Commission that ensures focus on environmental justice communities.

As part of its Climate Justice and Local Renewable Energy initiative, CEJA helped pass SB 43 in 2013, a bill that will help build more renewable energy in environmental justice communities,<sup>5</sup> and is a party to the Commission proceeding to implement SB 43 (consolidated applications A.12-01-008 and A.12-04-020). CEJA has also been an active participant in front of the Commission in the 2012 LTPP (R.12-03-014) proceeding; SDG&E's recent applications to enter into purchase power tolling agreements (A.12-05-023 & A.13-06-015); and the Energy Storage Proceeding (R.10-12-007). CEJA is participating in the 2014 Long Term Procurement Proceeding to urge the Commission to meet and exceed its renewable and environmental goals and to assure that its policies do not adversely impact environmental justice communities.

Most recently, CEJA was found to be eligible for intervenor compensation in proceeding A.13-06-015. In the assigned Administrative Law Judge's (ALJ's) ruling dated October 17, 2013, assigned

<sup>1</sup> California Environmental Justice Alliance, About Us, *available at* <http://caleja.org/about-us/>.

<sup>2</sup> California Environmental Justice Alliance, Climate Justice, *available at* <http://caleja.org/climate-justice/>.

<sup>3</sup> California Environmental Justice Alliance, Green Zones Initiative, <http://caleja.org/climatejustice/>.

<sup>4</sup> *Id.*

<sup>5</sup> Electricity: Green Tariff Shared Renewables Program (2013 California Senate Bill No. 43), ch. 413, Cal. 2013-14 Regular Session (adopted Sept. 28, 2013) (West); *also see* Cal. Pub. Util. Code § 2833(d)(1)(A).

ALJ Yacknin found that CEJA met the eligibility requirements of Public Utilities Code Section 1804 based on CEJA's status as a Category 3 customer.

In A.13-06-015, CEJA qualified as a Category 3 customer under Section 1802(b)(1)(C) of the Public Utilities Code because each of its member organizations qualify as a Category 3 customer. In D.98-04-059 (Intervenor Compensation Order), the Commission explained that:

[w]ith respect to environmental groups, we have concluded they were eligible in the past with the understanding that they represent customers whose environmental interests include the concern that, e.g., regulatory policies encourage the adoption of all cost-effective conservation measures and discourage unnecessary new generating resources that are expensive and environmentally damaging. (D.88-04-066, mimeo at 3.) They represent customers who have a concern for the environment which distinguishes their interests from the interests represented by Commission staff, for example.<sup>6</sup>

As described herein, CEJA represents organizations whose members live in environmental justice communities and are customers that share a concern for the environment. The concerns of these members distinguish their interests from Commission staff and other California ratepayers participating in this matter.

Together, the six member organizations of CEJA are working to achieve environmental justice for low-income communities and communities of color throughout the state of California. In particular, CEJA is "pushing for policies at the federal, state, regional and local levels that protect public health and the environment."<sup>7</sup> CEJA is also "working to ensure that California enacts statewide climate change policies that protect low-income communities and communities of color."<sup>8</sup>

CEJA's six organizations represent utility customers throughout California that are concerned about their health and the environment. The organizational members of CEJA are: Asian Pacific Environmental Network, The Center for Community Action and Environmental Justice, Center on Race, Poverty & the Environment, Communities for a Better Environment, Environmental Health Coalition, and People Organizing to Demand Environmental and Economic Justice. Each of these organizations qualifies as a Category 3 customer. Pursuant to Rule 17.1(d), a true and correct copy of each of these organizations' articles of incorporation and bylaws were attached to CEJA's Notice of Intent to Claim Intervenor Compensation in A.11-05-023 filed on February 29, 2012 and deemed eligible for intervenor compensation by the assigned ALJ on April 23, 2012.

***Asian Pacific Environmental Network (APEN)*** - APEN is a non-profit environmental justice organization that focuses on Asian and Pacific Islander environmental and social justice issues through community organizing, policy initiatives, and civic engagement.<sup>9</sup> APEN is based in California and seeks environmental justice for all people but focuses its work with Asian and Pacific Islander communities that are also located in California. The majority of APEN's approximately 800

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<sup>6</sup> D.98-04-059 at p. 29 n. 14.

<sup>7</sup> California Environmental Justice Alliance, <http://caleja.org/about-us/>

<sup>8</sup> California Environmental Justice Alliance, <http://caleja.org/climate-justice/>

<sup>9</sup> See Articles of Incorporation of Asian Pacific Environmental Network at p. 1, filed on Feb. 29, 2012 in A.11-05-023.

members live in California.

APEN is a category 3 customer due to its representation of ratepayers with environmental concerns in Asian and Pacific Islander communities in California. APEN's policy planks include equitable implementation of AB32, geographic targeting of EJ priority areas, increased penetration of Distributed Generation in EJ communities, promotion of Climate / Green Jobs and economic development, community choice energy, renewable energy and energy efficiency financing, and limiting dirty crude oil imports. For example, during the past several years, APEN has worked on the Oakland Energy and Climate Action Plan and the Richmond General Plan.<sup>10</sup>

***Communities for a Better Environment (CBE)*** - CBE's mission "is to achieve environmental health and justice by building grassroots power in and with communities of color and working-class communities."<sup>11</sup> CBE has participated independently from CEJA in proceedings before the Commission on previous occasions; including: A.09-04-001, A.09-09-021, R.10-05-006 and 13-11-006. CBE was determined eligible to receive, and did in fact receive, intervenor compensation in R.10-05-006.<sup>12</sup> CBE's bylaws provide that:

the mission of the organization is to conduct 'education, research, litigation, fundraising and advocacy . . . promoting the protection of the environment and public health . . . the organization and its members have engaged in research, advocacy and litigation specifically directed at securing "cost effective conservation measures and discourag[ing] unnecessary new generating resources that are expensive and environmentally damaging."<sup>13</sup>

CBE has thousands of members throughout the state of California. More than 2,700 of CBE's members live, work, or engage with environmental justice issues in urban communities in Northern and Southern California.

Additionally, CBE and the California Environmental Justice Alliance were central to the creation of the Solar For All (AB1990) that would have created a pilot project to create 375 megawatts of local renewable energy—enough to power about 70,000 homes. The legislation would have also included local hiring programs in environmental justice communities, creating clean energy AND good jobs—a model of climate justice.<sup>14</sup>

CBE is a category 3 customer due to its representation of ratepayers with environmental concerns in low-income communities of color in California.

***The Center for Community Action and Environmental Justice (CCA EJ)*** - CCA EJ is a non-profit organization that provides leadership training and skills development programs to educate and empower the community. CCA EJ's mission is to organize local leadership and to build a base of community power to improve the social and natural environment.<sup>15</sup> CCA EJ has worked on creating solutions for high pollution levels and land use problems in Latino communities in California.

<sup>10</sup> Asian Pacific Environmental Network, <http://apen4ej.org/whatwe-do/policy/>

<sup>11</sup> Communities for a Better Environment, Mission, <http://www.cbecal.org/about/mission.html>

<sup>12</sup> See D.13-10-014, issued October 3, 2013.

<sup>13</sup> A.09-04-001, CBE Notice of Intent to Claim Intervenor Compensation (Nov. 10, 2011).

<sup>14</sup> Communities for a Better Environment, <http://www.cbecal.org/issues/clean-energy/>

<sup>15</sup> The Center for Community for Action and Environmental Justice, About CCA EJ, <http://www.ccaej.org/#!aboutccaiej>

CCA EJ's bylaws provide that it will "work within communities to develop and sustain democratically based, participatory decision-making that promote involvement of a diverse segment of the community in ways that empower and create safe, healthy, toxic free places to live, work, learn and play."<sup>16</sup>

CCA EJ is a category 3 customer due to its representation of ratepayers with environmental concerns in communities in California. The majority of CCA EJ's approximately 5,400 members reside in California.

***Center on Race, Poverty & the Environment (CRPE)*** - CRPE is an environmental justice organization that provides organizing, technical and legal assistance to communities.<sup>17</sup> CRPE works with low-income communities and communities of color that are fighting environmental hazards.<sup>18</sup> CRPE's Articles of Incorporation provide that the purpose of the organization is: "to perform advocacy on behalf of low-income communities and communities of color to address environmental hazards faced by those communities and to build the capacity of those communities to protect themselves from environmental hazards."<sup>19</sup> CRPE is focused on five main campaigns: Civil Rights, Clean Air, Climate Justice, Green and Just Economic Development, and Waste.<sup>20</sup>

CRPE is based in California and has approximately 500 members, the majority of whom reside in California. CRPE is a category 3 customer due to its representation of ratepayers with environmental concerns in low-income communities of color in California. CRPE is based in California and has approximately 500 members, the majority of whom reside in California. CRPE is a category 3 customer due to its representation of ratepayers with environmental concerns in low-income communities of color in California.

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<sup>16</sup> Bylaws of The Center for Community Action and Environmental Justice at p. 1, attached to Feb. 29, 2012 CEJA NOI in A.11-05-023.

<sup>17</sup> Center on Race, Poverty and the Environment, About Us, <http://www.crpeej.org/crpe/index.php/aboutus>

<sup>18</sup> Center on Race, Poverty and the Environment, <http://www.crpe-ej.org/crpe/>

<sup>19</sup> Center on Race, Poverty and the Environment, Articles of Incorporation, attached to Feb. 29, 2012 CEJA NOI in A.11-05-023.

<sup>20</sup> Center on Race, Poverty and the Environment, <http://www.crpe-ej.org/crpe/index.php/aboutus>

***Environmental Health Coalition (EHC)*** - EHC is a non-profit organization that is a member and the fiscal sponsor of CEJA.<sup>21</sup> EHC operates in the San Diego area representing San Diego area ratepayers and environmental interests. EHC has approximately 3,950 members in its organization, most of whom reside in the San Diego area and are thus SDG&E customers. As a prior ruling already acknowledged, EHC brings a “wealth of experience” to a Commission proceeding.<sup>22</sup> EHC’s bylaws provide that its purpose is:

[t]o integrate the work of all groups that are concerned with environmental and occupational causes of disease in the health care system; [t]o generate public discussion on the environment and occupational causes of disease; [and] public discussion on the environment and occupational causes of disease;<sup>23</sup>

EHC’s Green Energy and Green Jobs Campaign aims to reduce energy use, maximize local, small scale clean energy generation and create high-quality, career-track jobs in the area’s disadvantaged and heavily impacted communities. EHC is also committed to creating a home retrofit industry to meet GHG reduction goals and create employment. EHC is committed to pursuing pilot programs that push the policy envelope and increase awareness of energy use in buildings. EHC has also done in home peer-to-peer education programs for HUD’s Healthy Homes Program, SDG&E’s Smart Meter Program, and the City of San Diego’s Home Energy Retrofit program.

EHC’s work related to communities and reduction of toxics is furthered by its fiscal sponsorship of CEJA. EHC is a category 3 customer due to its representation of ratepayers with environmental concerns in San Diego.

***People Organizing to Demand Environmental and Economic Justice (PODER)*** -

PODER is an organization that works to organize residents in San Francisco’s Mission neighborhood in order to find local solutions for low income communities and communities of color.<sup>24</sup> In particular, PODER has organized around reducing environmental hazards impacting immigrant communities.<sup>25</sup> PODER is funded by Tides Foundation, a non-profit organization that provides fiscal sponsorship to over 230 groups across the United States.<sup>26</sup> The Tides Foundation’s Articles of Incorporation provide that “[t]he specific purpose of this corporation includes, but is not limited to, the nurture and development of competently managed charitable and educational non-profit activities.”<sup>27</sup>

PODER, as a project of the Tides foundation, is a Category 3 customer due to its representation of ratepayers with environmental concerns in communities in California.

<sup>21</sup> Agreement between EHC and CEJA, attached to Feb. 29, 2012 CEJA NOI in A.11-05-023.

<sup>22</sup> R.09-11-014, Dec. 22, 2011 ALJ Ruling Granting Party Status to EHC.

<sup>23</sup> Bylaws of the Environmental Health Coalition at p. 1, attached to Feb. 29, 2012 CEJA NOI in A.11-05-023. *See also* Articles of Incorporation of the Environmental Health Coalition, attached to Feb. 29, 2012 CEJA NOI in A.11-05-023.

<sup>24</sup> 18 PODER, <http://www.podersf.org/node/5>.

<sup>25</sup> PODER, Immigrant Power for Environmental Health and Justice, <http://www.podersf.org/?q=node/42>

<sup>26</sup> The Tides Center, <http://www.tides.org/about>

<sup>27</sup> Tides Revised Articles of Incorporation 2006 at p.1, attached to Feb. 29, 2012 CEJA NOI in A.11-05-023.

2. CEJA has brought together these organizations to impact and change policy decisions throughout the state. These organizations have joined together as one alliance to advocate together for environmental justice throughout the state of California. CEJA is an alliance of organizations that all qualify as Category 3 customers and therefore, CEJA qualifies as a Category 3 customer.

Do you have any direct economic interest in outcomes of the proceeding? If so, explain:

All of CEJA's members are non-profit organizations and projects and as such have no economic interest in this proceeding. All the members of CEJA are focused and committed to representing communities of color and low-income communities that are traditionally exposed to pollution and environmental contamination in much higher capacity than their higher income neighbors.

| <b>B. Conflict of Interest (§ 1802.3)</b>  | <b>Check</b>   |
|--|--|
| 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<br><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<br><input checked="" type="checkbox"/> No |

| <b>C. Timely Filing of Notice of Intent (NOI) (§ 1804(a)(1)):</b>   | <b>Check</b>   |
|---|--|
| 1. Is the party's NOI filed within 30 days after a Prehearing Conference?<br>Date of Prehearing Conference: <u>February 25, 2014</u>  | <input checked="" type="checkbox"/> Yes<br><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<br><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)):**



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

CEJA will be a participant representing environmental and environmental justice concerns in this proceeding. CEJA will work to assure that decisions made in the proceeding do not adversely impact low income communities of color that are disproportionately impacted by pollution. CEJA will work to ensure that California meets and exceeds its environmental goals.

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

To the extent possible, CEJA will coordinate its responses and participation with other parties to avoid duplication. CEJA through its legal representation, the Environmental Law and Justice Clinic at the Golden Gate University School of Law (ELJC) and Communities for a Better Environment, has previously worked with other parties including the Office of Ratepayer Advocates (ORA) to coordinate efforts. CEJA has also worked closely with other environmental groups including Sierra Club to avoid duplication. CEJA expects to be in regular contact with these two parties and other parties that are covering similar issues and interests.

The party's description of the nature and extent of the party's planned participation in this proceeding (to the extent that it is possible to describe on the date this NOI is filed).

CEJA will be an active participant in all issues relating to need determination, renewable integration, and the development and review of procurement plans and procurement policy. CEJA will have legal representation from staff attorneys and student clinicians from ELJC and attorneys from the alliance's members. CEJA also plans to obtain experts, and plans to participate in all hearings and potential workshops related to the proceeding, offer testimony, and brief legal issues.

| <b>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)):</b> |              |                |                                  |          |
|---|--------------|----------------|----------------------------------|----------|
| <b>Item</b>   | <b>Hours</b> | <b>Rate \$</b> | <b>Total \$</b>                  | <b>#</b> |
| <b>ATTORNEY, EXPERT, AND ADVOCATE FEES</b>  |              |                |                                  |          |
| Attorney - Deborah N. Behles  | 200          | \$330          | \$66,000                         |          |
| Attorney - Shana Lazerow  | 153          | \$342.7        | \$52,435                         |          |
| Attorney - James Corbelli   | 75           | \$315          | \$23,625                         |          |
| Attorney - David Zizmor   | 100          | \$210          | \$21,000                         |          |
| Energy Expert   | 275          | \$165          | \$45,375                         |          |
|   |              |                | <b>Subtotal: \$ 208,435</b>      |          |
| <b>OTHER FEES</b>   |              |                |                                  |          |
| Law Student Clinicians  | 300          | \$100          | \$30,000                         |          |
|   |              |                | <b>Subtotal: \$ 30,000</b>       |          |
| <b>COSTS</b>  |              |                |                                  |          |
| Copying / Mailing Expenses  |              |                | \$1,000                          |          |
| Travel  |              |                | \$2,000                          |          |
|   |              |                | <b>Subtotal: \$3,000</b>         |          |
|   |              |                | <b>TOTAL ESTIMATE: \$241,435</b> |          |

Estimated Budget by Issues:

Since CEJA does not have a description of all the issues that will be presented in the proceeding, it cannot break down its estimated budget. These estimates are based on the experience of the attorneys in the 2010 and 2012 LTPPs, the Order Instituting Rulemaking, and the discussion in the February 25, 2014 prehearing conference.

Comments/Elaboration:

CEJA, pursuant to its environmental justice goals has retained outside council, the Environmental Law and Justice Clinic (ELJC) and Communities for a Better Environment (CBE). ELJC has been found to bring environmental justice expertise to past Commission proceedings: D.13-12-022; D.04-04-012; D.99-09-023; D.99-01-020. ELJC has most recently been awarded intervenor compensation for substantial contribution in D.11-03-025, representing Pacific Environment.<sup>28</sup> CEJA was found eligible for intervenor compensation in A.11-05-023, where it is also being represented by the ELJC.2 CEJA was also found eligible for intervenor compensation A.13-06-015, where it was represented by attorneys at CBE. CBE was awarded intervenor compensation in the 2010 LTPP, D.13-10-014.

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 is compensated at ½ professional 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)**

| <b>A. The party claims “significant financial hardship” for its Intervenor Compensation Claim in this proceeding on the following basis:</b>  | <b>Applies (check)</b> |
|---|------------------------|
| 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                      |

<sup>28</sup> CEJA’s legal representation, ELJC, has represented interests before the Commission in past proceedings, most recently in the previous LTPP. ELJC provides free legal services and education on environmental justice issues to San Francisco Bay Area residents, community groups, and public interest organizations. The Clinic assists communities bearing disproportionate environmental burdens, particularly communities of color and low-income neighborhoods. CEJA and the ELJC are involved in this proceeding to represent environmental interests in regard to the procurement of energy for the state of California and to ensure that new, unnecessary power plants are not built.

|   |  |
|---|--|
| <p>ALJ ruling (or CPUC decision) issued in proceeding number: A.13-06-015</p> <p>Date of ALJ ruling (or CPUC decision): October 17, 2013</p> <p>CEJA is making its showing of significant financial hardship at this time pursuant to Section 1804(b)(1). CEJA received a finding of significant financial hardship in an ALJ’s Ruling issued on October 17, 2013 in A.13-06-015. This proceeding commenced within one year of the date of that finding, so the rebuttable presumption applies in this case. CEJA does not anticipate any challenge to its eligibility for compensation in this proceeding. If any party does attempt to rebut the presumption of eligibility, however, CEJA requests that it be granted the opportunity to reply to such party’s allegations within 10 days after the service of such filing</p> |  |
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| <p><b>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):</b></p>   |
| <p>The assigned ALJ in A.13-06-015 made a finding of CEJA’s significant financial hardship, and therefore, as discussed above, the rebuttable presumption should apply to this case. This finding was based on CEJA meeting the standard listed in Public Utilities Code Section 1802(g): “in 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.”</p> <p>All of CEJA’s members are non-profit organizations and projects and as such have no economic interest in this proceeding. All the members of CEJA are focused and committed to representing communities of color and low-income communities that are traditionally exposed to pollution and environmental contamination in much higher capacity than their higher income neighbors.</p> <p>In addition, the average utility bill of the individual California members and supporters of the six organizations of CEJA are small compared to the costs of effective participation in this proceeding. Due to these factors, CEJA, representing each of the six member organizations, is entitled to a finding of significant financial hardship pursuant to Public Utilities Code Section 1802(g) (“in 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.”).</p> |

**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<sup>29</sup>**  
**(ALJ completes)**

|   |  |
|---|--|
| <b>1. The Notice of Intent (NOI) is rejected for the following reasons:</b>   |  |
| a. The NOI has not demonstrated the party's status as a "customer" for the following reason(s):                                 |  |
| 4. b. The NOI has not demonstrated that the NOI was timely filed (Part I(B)) for the following reason(s):                       |  |
| 5. c. The NOI has not adequately described the scope of anticipated participation (Part II, above) for the following reason(s): |  |
| <b>6. 2. The NOI has demonstrated significant financial hardship for the reasons set forth in Part III of the NOI (above).</b>  |  |
| <b>3. The NOI has not demonstrated significant financial hardship for the following reasons.</b>                                |  |
| <b>4. The ALJ provides the following additional guidance (see § 1804(b)(2)):</b>  |  |

**IT IS RULED that:**

|   |  |
|---|--|
| 1. The Notice of Intent is rejected.  |  |
| 2. Additional guidance is provided to the customer as set forth above.  |  |
| 9. 3. The customer has satisfied the eligibility requirements of Pub. Util. Code § 1804(a).   |  |
| 4. The customer has shown significant financial hardship.   |  |
| 11. 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

<sup>29</sup> 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).

Revised December 2013