

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Integrate and Refine Procurement Policies and Consider Long-Term Procurement Plans.	Rulemaking 13-12-010 (Filed December 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 L. JAN REID'S SHOWING OF SIGNIFICANT FINANCIAL
HARDSHIP**

Customer (party intending to claim intervenor compensation): L. Jan Reid	
Assigned Commissioner: Michael 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/ L. Jan Reid
Date: March 27, 2014	Printed Name: L. Jan Reid

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 is (check one):	Applies (check)
1. A Category 1 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.	X
2. A Category 2 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).	

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).

<p>3. A Category 3 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.² 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>4. The party's explanation of its customer status must include the percentage of the intervenors members who are residential ratepayers or the percentage of the intervenors members who are customers receiving bundled electric service from an electrical corporation, and must include supporting documentation: (i.e., articles of incorporation or bylaws).</p>	
<p>Identify all attached documents in Part IV.</p>	
<p>• Do you have any direct economic interest in outcomes of the proceeding?³ If so, explain: Yes. I am a residential customer of Pacific Gas and Electric Company (PG&E). I note that this proceeding is a ratesetting proceeding. Therefore, I will be personally affected by any changes to PG&E residential electric rates.</p>	

B. Conflict of Interest (§ 1802.3)	Check
<p>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?</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>2. If the answer to the above question is "Yes", does the customer have a conflict arising from prior representation before the commission?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>

² Intervenors representing either a group of residential customers or small commercial customers who receive bundled electric service from an electrical corporation, must indicate in Part I, Section A, Item #4 of this form, the percentage of their members who are residential customers or the percentage of their members who receive bundled electric service from an electrical corporation. The NOI may be rejected if this information is omitted.

³ See Rule 17.1(e).

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: February 25, 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 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.

Nature and Extent of Planned Participation

PUC § 1804(a)(2)(A)(i) requires that an NOI include a statement of the nature and extent of the customer's planned participation. I have attended an energy storage workshop; and filed and served comments on planning assumptions and on the preliminary Scoping Memo. I intend to participate further by conducting discovery; participating in workshops; serving testimony; and filing other necessary pleadings.

I expect to focus my work on the following issues: local and system resource adequacy; operating flexibility; risk management; PG&E's bundled procurement plan; procurement rules; planning scenarios; PG&E's capacity need; renewable integration; and PG&E's bundled procurement plan. I may address other issues as the proceeding unfolds.

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

I recognize the Legislative intent expressed in PU Code §1801.3(f) that the Commission should administer its intervenor compensation program in a manner that avoids unproductive, unnecessary, or duplicative participation. I have conferred with ORA and TURN regarding the issues identified in this proceeding. I intend to continue that cooperation, in order to minimize duplication of effort regarding issues of concern to residential customers.

I am qualified to participate in this matter. I left the Commission in 2005 after almost seven years of experience in risk management and in analysis of energy supply and other utility issues on behalf of the Commission's Office of Ratepayer Advocates. Since 2005, I have represented Aglet Consumer Alliance (Aglet) in Commission proceedings involving gas hedging plans, electric and natural gas procurement, renewables procurement, general rate cases, cost-of-capital, resource adequacy, and demand response. I have served on PG&E's core hedging advisory group and on the procurement review groups (PRGs) of PG&E, Southern California Edison Company, and San Diego Gas & Electric Company. My knowledge and experience should support and complement, but not duplicate, the work of DRA and TURN.

- 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).

Nature and Extent of Planned Participation

PUC § 1804(a)(2)(A)(i) requires that an NOI include a statement of the nature and extent of the customer's planned participation. I have attended an energy storage workshop; and filed and served comments on planning assumptions and on the preliminary Scoping Memo. I intend to participate further by conducting discovery, participating in workshops, serving testimony, and filing other necessary pleadings.

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				
[Attorney 1]				
[Attorney 2]				
L. Jan Reid, Expert and Advocate	684	215	147,060	1
[Expert 2]				
[Advocate 1]				
[Advocate 2]				
Subtotal: \$147,060				
OTHER FEES				
Claim Preparation Time	28	107.50	3,010	
[Person 2]				
Subtotal: \$3,010				
COSTS				
Copies	1,980	.08	158.40	
Postage			46.50	
Subtotal: \$204.90				
TOTAL ESTIMATE: \$150,274.90				
<p>Estimated Budget by Issues:</p> <p>Pub. Util. Code §1804(a)(2)(A)(ii) requires that the NOI shall include an itemized estimate of the compensation that I expect to request, given the likely duration of the proceeding. I expect to request compensation in the amount of \$150,274.90, as shown in the table above.</p> <p>Pursuant to Rule 17.11, my expected budget for participating on each issue is: general costs (9% of the total); Operating Flexibility (7%); PG&E's bundled procurement plan (13%); PG&E's capacity need (7%); PG&E's system procurement plan (7%); PRG work (25%); Procurement Rules (7%); Renewable Integration (10%); Resource Adequacy (5%); Risk Management (3%); and Standardized Planning scenarios (7%). I will provide time records, expense records, and justification for hourly rates in a request for an award of compensation, if I eventually file one.</p> <p>Comments/Elaboration (use reference # from above): #1 includes time spent working on PG&E's PRG. It has been my practice to file compensation requests for time spent on PG&E's PRG in the LTPP rulemaking. (See PRG Compensation Request of L. Jan Reid, October 31, 2013.</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 is compensated at ½ professional 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)).	
ALJ ruling (or CPUC decision) issued in proceeding number: R.12-03-014 Date of ALJ ruling (or CPUC decision): March 25, 2014.	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):
On March 25, 2014, ALJ Gamson ruled that “The customer [Reid] 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))

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 RULING⁴

(ALJ completes)

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 reasons.	
4. The ALJ provides the following additional guidance (see § 1804(b)(2)):	

IT IS RULED that:

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

⁴ 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).

**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:

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Revised December 2013

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