


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

Order Instituting Rulemaking to Consider Electric Procurement Policy Refinements Pursuant to the Joint Reliability Plan.	Rulemaking 14-02-001 (Filed February 5, 2014)
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**NOTICE OF INTENT TO CLAIM INTERVENOR COMPENSATION  
AND, IF REQUESTED (and [X] checked), ADMINISTRATIVE LAW JUDGE'S  
RULING ON GREEN POWER INSTITUTE'S SHOWING OF SIGNIFICANT  
FINANCIAL HARDSHIP**

Customer (party intending to claim intervenor compensation): The Green Power Institute	
Assigned Commissioner: Carla Peterman	Assigned ALJs: Colette Kersten, David 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:	
Date: May 16, 2014	Printed Name: Gregg Morris

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**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> 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.	

<sup>1</sup> 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>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.<sup>2</sup> 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>	X
<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>The GPI has been participating actively on behalf of the interests of renewable energy development in the original Procurement Proceeding, R.01-10-024, the successor Long Term Procurement Proceedings, R.04-04-003 R.06-02-013, R.08-02-007, R.10-05-006, R.12-03-014, and R.13-12-010, the RPS Proceedings, R.04-04-026, R.06-02-012, R.06-05-027, R.08-08-009, and R.11-05-005, and a number of related proceedings. As specified in § 1802 (b) of the Public Utility Code, the GPI plans to participate in the new Long Term Procurement Proceeding as a "representative of an organization pursuant to its articles of incorporation or bylaws to represent the interests of residential customers" of Pacific Gas and Electric Company, Southern California Edison Company, Southern California Gas Company, and San Diego Gas and Electric Company. The GPI has previously been found to be an eligible category-three customer in Proceedings R.01-10-024, R.04-04-003, R.04-04-025, R.04-04-026, R.05-06-040, I.05-09-005, R.06-02-012, R.06-03-004, R.06-04-009, R.06-05-027, R.08-08-009, R.08-12-009, R.09-08-009, R.10-05-006, R.10-12-007, R.11-03-012, R.11-05-005, and R.13-02-008.</p> <p>The GPI is a program of the Pacific Institute for Studies in Development, Environment, and Security. The Pacific Institute is a non-profit, public-purpose environmental research organization (IRS Code § 501(c)(3)) founded in 1987, and located in Oakland and Berkeley, California. Its Bylaws describe its Purposes and Objectives as follows:</p>	

<sup>2</sup> 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.

## ARTICLE 2. PURPOSES AND OBJECTIVES

### SECTION 1. PURPOSES

Pursuant to the Articles of Incorporation, the specific purposes for which this corporation is organized are to engage in scientific research and provide public education about complex problems threatening the well-being of human society. The corporation activities include but are not limited to the objectives described in Section 2.

### SECTION 2. OBJECTIVES

Consistent with the purposes of the corporation set forth in the Articles of Incorporation and as stated in the Section 1 of this Article, the primary objectives of this corporation shall be the following:

- (a) to engage in scientific research about complex problems threatening the well-being of human society;
- (b) to foster integrative research methodology and policy analysis in addressing problems related to political and economic development, to global security and to the world environment;
- (c) to provide public education by way of community forums, regular newsletters, and classroom presentations and curricula;
- (d) to participate in regulatory and public proceedings by providing information about scientific, technical, and economic implications of public-policy options;
- (e) to conduct seminars for faculty and students, aiding both the educational and research missions of the university;
- (f) to publish research findings of interest to policymakers, academic scholars and the general public.

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*From: Bylaws of Pacific Institute for Studies in Development, Environment, and Security, a California Nonprofit Public Benefit Corporation, as revised May 2005.*

The Pacific Institute has more than 100 members who are California residential customers of the regulated gas and electric utility companies. The Pacific Institute represents the interests of its members by conducting research into complex issues with important environmental implications, and applying that research in the public-policy arena. The GPI is the Pacific Institute's program on renewable energy, and represents an important focus of the Institute. The GPI, on behalf of and in the interests of the Pacific Institute and its officers and members, has been conducting research on renewable energy development and the environmental impacts of energy production in California for over two decades. The GPI represents customers who have a concern for environmental quality in California, and supports efforts to implement renewable energy policy in California in a way that is sufficiently cost effective to allow the renewable energy industries to grow and flourish in the state. The GPI represents customers with a concern for the environment that distinguishes their interests from the interests represented by other consumer advocates who are intervening actively in this proceeding. As an environmental-research organization, neither the GPI, nor the Pacific Institute, have any direct economic interest in the outcome of this proceeding.

<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 <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

<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? Date of Prehearing Conference: <u>April 17, 2014</u>	<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:	

**PART II: SCOPE OF ANTICIPATED PARTICIPATION**  
 (To be completed by the party (“customer”) intending to claim intervenor compensation)

<b>A. Planned Participation (§ 1804(a)(2)(A)(i)):</b>
<p>The GPI expects to be an active participant in the joint reliability plan proceeding, concentrating in the areas of analysis of multi-year RA requirements, long-term reliability planning, and coordination with CAISO RA policy. The ultimate extent of the GPI’s involvement in these proceedings will depend in part on the work done by other parties representing similar interests. We expect to consult regularly with other participating environmental and consumer organizations and renewable energy associations, as we have done in previous PUC proceedings.</p> <p>The GPI has been actively participating in the Commission’s general procurement and RPS procurement proceedings, as well as related proceedings such as resource adequacy, energy storage, electric vehicles, and greenhouse gas issues. We will participate actively in hearings and workshops, prepare comments and testimony, and submit motions and briefs as appropriate, as the Proceeding advances.</p>

<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>				
Gregg Morris	240	250	\$ 60,000	
GPI Associates	80	75	\$ 6,000	
			<i>Subtotal: \$ 66,000</i>	
<b>OTHER FEES</b>				
			<i>Subtotal: \$</i>	
<b>COSTS</b>				
Filing and Service Expenses			\$ 50	
Misc.			\$ 150	
			<i>Subtotal: \$ 200</i>	
<b>TOTAL ESTIMATE: \$ 66,200</b>				
Estimated Budget by Issues:				
Analysis of Multi-Year Resource Adequacy Requirements		35%		
Long-Term Reliability Planning Assessment		40%		
Issues and Rules Regarding CAISO RA Program		25%		
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.				

and travel time is typically compensated at ½ of prepare normal 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)).	X

<p>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)).</p>	
<p>ALJ ruling (or CPUC decision) issued in proceeding number:</p> <p>CPUC decision D.13-10-012, issued in proceeding number R.11-05-005, on October 3, 2013, was the most recent decision awarding intervenor compensation to the GPI. D.13-10-012 confirmed the finding of significant financial hardship for the GPI.</p>	

<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 GPI is part of the Pacific Institute for Studies in Development, Environment, and Security, a non-profit (501(c)(3)), policy-oriented environmental research institution that brings an interdisciplinary perspective to the understanding and analysis of complex public policy problems. As a public-purpose research institution, the GPI is dependent on outside funding sources to perform its work. This proceeding is a very intense and complex process, and the GPI has identified a strong need for the analytical input that we are planning to provide. The GPI cannot afford, without undue hardship, to pay for the costs of the effective participation of our staff and professionals in this proceeding without the assistance of the intervenor compensation program. Because the nature of our participation focuses on the technical and environmental impacts of the matters under consideration in this proceeding, the direct economic impacts on the organization and its members are anticipated to be negligible.</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>3</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):	
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):	
<b>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.	
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

<sup>3</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).