

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	R.14-02-001 (Filed February 5, 2014)
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NOTICE OF INTENT TO CLAIM INTERVENOR COMPENSATION AND, IF REQUESTED (and ¹ checked), ADMINISTRATIVE LAW JUDGE'S RULING ON CLEAR RESPONSIBILITY'S SHOWING OF SIGNIFICANT FINANCIAL HARDSHIP

Customer (party intending to claim intervenor compensation): Alliance for Nuclear Responsibility		
Assigned Commissioner: Carla Peterman	Assigned ALJ: 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:		/s/ Rochelle Becker
Date: 05/16/14	Printed Name:	Rochelle Becker, Executive Director

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.	

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>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).</p>	
<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>	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>Identify all attached documents in Part IV.</p>	
<p>The Alliance for Nuclear Responsibility (A4NR) represents both residential and small business customers on nuclear energy issues before California and Federal regulatory agencies, the Legislature, and Congress. A4NR provided the relevant portions of its articles of incorporation in the NOI it submitted in A.05-12-002 and A.10-01-022. They remain unchanged since those submittals. A4NR estimates that more than 90% of its members are residential customers receiving bundled electricity service from PG&E, SCE or SDG&E. A4NR believes that both its residential and small business customer constituents share identical interests in this proceeding.</p>	
<p>• Do you have any direct economic interest in outcomes of the proceeding?³ If so, explain: No.</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 checked="" type="checkbox"/> Yes <input 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 checked="" type="checkbox"/> No</p>

C. Timely Filing of Notice of Intent (NOI) (§ 1804(a)(1)):	Check
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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).

<p>1. Is the party's NOI filed within 30 days after a Prehearing Conference? Date of Prehearing Conference: _____</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>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)?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>2a. The party's description of the reasons for filing its NOI at this other time:</p>	
<p>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:</p>	

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

<p>A. Planned Participation (§ 1804(a)(2)(A)(i)):</p>
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- The party’s statement of the issues on which it plans to participate.

The Alliance for Nuclear Responsibility (“A4NR”) will focus on the role which PG&E’s potential operation of the Diablo Canyon Nuclear Power Plant (“DCPP”) on a load-following basis would have on California’s need for and design of a multi-year Resource Adequacy mechanism to address system, local, and/or flexible capacity requirements. PG&E has publicly stated that its plans are aimed at the 2017-18 time period, and the Diablo Canyon Independent Safety Committee established by the Commission has characterized PG&E’s review as “a very active program to look at it.” A4NR’s objective is to better understand the dimensions of what PG&E has planned, share that knowledge with the other parties to R.14-02-001, and assure that such knowledge is considered by the Commission and the CAISO in evaluating the best means by which to meet reliability needs consistent with state energy policy. A4NR expects its efforts to primarily take place in Tracks 1 and 2, based on the Preliminary Scoping Memo contained in the OIR.
- The party’s explanation of how it plans to avoid duplication of effort with other parties.

After attending the PHC and the first two workshops, A4NR has been unable to identify any likely duplication of efforts with other parties. A4NR will continue to monitor this question closely, and coordinate with any other parties evaluating the impacts of DCPP’s operation on a load-following basis. A4NR’s participation in other Commission proceedings has consistently avoided duplication of other parties’ efforts and instead focused on unique questions that might not otherwise be addressed.
- 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).

Although subject to change based on the final Scoping Memo, A4NR currently envisions its participation as discovery, participation in workshops, and filing written comments.

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				
John Geesman	50	555	27,750	
[Attorney 2]				
TBD	TBD	TBD	TBD	
[Expert 2]				
Rochelle Becker	20	125	2,500	
David Weisman	20	75	1,500	
			<i>Subtotal: \$ 31,750</i>	
OTHER FEES				
[Person 1]				

[Person 2]				
<i>Subtotal: \$</i>				
COSTS				
Copying & postage			125	
Travel			1,000	
<i>Subtotal: \$ 1,125</i>				
TOTAL ESTIMATE: \$32,875				
<p>Estimated Budget by Issues: The entire budget is allocated to Track 1 and Track 2. Until the final Scoping Memo and the Staff Report are published, and discovery substantially completed, it is impossible to provide a more granular allocation.</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 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)).	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 in this proceeding (§ 1804(b)(1)).	X
ALJ ruling (or CPUC decision) issued in proceeding number: ALJ Pulsifer’s ruling in A.12-11-009/I.13-03-007	X
Date of ALJ ruling (or CPUC decision): March 29, 2013	

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):

The cost of A4NR’s participation in R.14-02-001 will substantially outweigh the direct financial benefit to the individual members it represents. A4NR’s members are residential and small business customers spread across California whose individual economic interests in this proceeding are small relative to the costs of effective participation. Although A4NR’s contribution will be designed to create significant benefit across the entire CPUC jurisdictional customer base, A4NR’s members can expect to personally benefit by only a tiny fraction of the costs of A4NR’s participation. Even when aggregated, it is highly unlikely that A4NR’s members will see financial benefits that exceed its costs of intervention.

**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:

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).

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