


Decision _____

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 12-03-014 (Filed March 22, 2012)
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**INTERVENOR COMPENSATION CLAIM OF [Clean Coalition]
AND DECISION ON INTERVENOR COMPENSATION CLAIM OF [Clean Coalition]**

Claimant: Clean Coalition	For contribution to Decision (D.) D. 13-02-015/D. 14-02-040
Claimed: \$10,632.50	Awarded: \$
Assigned Commissioner: Florio	Assigned ALJ: Gamson
I hereby certify that the information I have set forth in Parts I, II, and III of this Claim is true to my best knowledge, information and belief. I further certify that, in conformance with the Rules of Practice and Procedure, this Claim has been served this day upon all required persons (as set forth in the Certificate of Service attached as Attachment 1).	
Signature:	
Date: 5/2/14	Printed Name: Dyana Delfin-Polk

PART I: PROCEDURAL ISSUES (to be completed by Claimant except where indicated)

A. Brief Description of Decision:	Track 3: DECISION MODIFYING LONG-TERM PROCUREMENT PLANNING RULES Track 4: DECISION AUTHORIZING LONG-TERM PROCUREMENT FOR LOCAL CAPACITY REQUIREMENTS DUE TO PERMANENT RETIREMENT OF THE SAN ONOFRE NUCLEAR GENERATIONS STATIONS
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B. Claimant must satisfy intervenor compensation requirements set forth in Pub. Util. Code §§ 1801-1812:

	Claimant	CPUC Verified
Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):		
1. Date of Prehearing Conference:	April 18 th ,	

	2012	
2. Other Specified Date for NOI:	May 18 th , 2012	
3. Date NOI Filed:	August 1 st , 2012 ¹	
4. Was the NOI timely filed?		
Showing of customer or customer-related status (§ 1802(b)):		
5. Based on ALJ ruling issued in proceeding number:	R. 11-05-005/R. 11-09-011	
6. Date of ALJ ruling:	December 13 th , 2013	
7. Based on another CPUC determination (specify):		
8. Has the Claimant demonstrated customer or customer-related status?		
Showing of "significant financial hardship" (§ 1802(g)):		
9. Based on ALJ ruling issued in proceeding number:	R. 11-05-005/R. 11-09-011	
10. Date of ALJ ruling:	December 13 th , 2013	
11. Based on another CPUC determination (specify):		
12. Has the Claimant demonstrated significant financial hardship?		
Timely request for compensation (§ 1804(c)):		
13. Identify Final Decision:	D. 13-02-015/D. 14-02-040	
14. Date of Issuance of Final Order or Decision:	March 4 th /March 14 th , 2014	
15. File date of compensation request:	5/2/14	
16. Was the request for compensation timely?		

C. Additional Comments on Part I (use line reference # as appropriate):

#	Claimant	CPUC	Comment

PART II: SUBSTANTIAL CONTRIBUTION (to be completed by Claimant except where indicated)

¹ The Clean Coalition formally intervened in R. 12-03-014 in June of 2012. Due to various miscommunication issues and staffing changes for the Intervenor Compensation Program, the Clean Coalition filed an NOI in this proceeding in August of 2012 with permission from ALJ Gamson to do so.

- A. In the fields below, describe in a concise manner Claimant’s contribution to the final decision (see § 1802(i), § 1803(a) & D.98-04-059). (For each contribution, support with specific reference to the record.)

Contribution	Specific References to Claimant’s Presentations and to Decision	Showing Accepted by CPUC
<p><u>Track 3</u></p> <p><u>Clean Coalition Comments</u></p> <p>-Clean Coalition Opening Comments on Track 3 Issues, dated April 26th, 2013</p> <p><u>Transparency</u></p> <p>The Clean Coalition submitted comments on the scoping of Track 3 that specifically focused on full transparency being the presumption with respect to RFOs and contracts.</p> <p>“Full transparency should be the presumption with respect to RFOs and contracts to ensure that forward procurement meets future energy and capacity needs in the best interest of ratepayers.” (Clean Coalition Comments on Track 3 Issues at 2)</p> <p>“By making pricing transparent, advocates and policymakers will have more insight into the cost impacts of procurement programs, and thus a better idea of how future</p>	<p><u>Commission Decision</u></p> <p>“It is in the public interest to promote greater reporting of the information that the Commission regularly collects from the utilities regarding procurement activities, either as aggregate or in specific, to the market and the CAISO, to the extent that confidentiality is not compromised.” (Decision Conclusion of Law #6 at 73)</p> <p>“Clean Coalition supports the Commission’s presumption that that information should be publicly disclosed. All pricing information for all power purchase agreements (PPAs)</p>	

<p>programs will fiscally impact ratepayers.” (Clean Coalition Comments on Track 3 Issues at 7)</p> <p>“Bids and offers into request for offers (RFOs) should be released online. While security and privacy concerns are primary with respect to better transparency, there are many ways to address these concerns. For areas in which consumer privacy is a legitimate concern, data can be anonymized and/or aggregated, though aggregation should only be done as a last resort because key information may be omitted with aggregation.” (Clean Coalition Comments on Track 3 Issues at 7 & 8)</p>	<p>should be transparent to serve the interests of ratepayers. ” (Decision at 20)</p> <p>“Sierra Club recommends that this information be made public on the Commission website. The data should include bids, offers, price, volume, location, and date of delivery. Clean Coalition agrees that bids and offers into RFOs should be released online.” (Decision at 22).</p>	
<p><u>Track 4</u></p> <p><u>Clean Coalition Comments</u></p> <p><i>-Comments of the Natural Resources Defense Council, the California Energy Efficiency Industry Council,, the Vote Solar Initiative and the Clean Coalition on the Schedules Proposed at the September 4th, 2013 Prehearing Conference, dated September 10th, 2013</i></p> <p><i>-Clean Coalition Reply</i></p>	<p><u>Commission Decision</u></p>	

<p><i>Testimony (Kenneth Sahn White), dated September 30th, 2013</i></p> <p><i>- Notice of Ex Parte Communication by Sierra Club California, the Environmental Justice Alliance, Natural Resources Defense Council, Environmental Defense Fund, Clean Coalition, Communities for a Better Environment, the Vote Solar Initiative and the Asian Pacific Environmental Network, dated December 23rd, 2013</i></p> <p>The Clean Coalition submitted comments and testimony in Track 4 to support the use of local preferred resources and storage to replace the San Onofre Nuclear Generating Station (SONGS) and other resources scheduled for retirement. Our involvement included testimony regarding the value of advanced inverters, ex parte meetings with Commission staff, collaboration with other organizations to ensure that our efforts added value without duplicating efforts.</p> <p><u><i>Preferred Resources</i></u></p> <p>The Clean Coalition has been a consistent advocate for the increased use of local preferred resources, as evidenced in our testimony.</p> <p>“All procurement should be</p>	<p>“We will take a prudent approach to reliability, while still promoting preferred resources to the greatest extent feasible. The prudent approach we take entails a gradual increase in the level of preferred resources and energy storage into the resource mix, to historically high levels.” (Decision at 91)</p>	
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<p>informed by an accurate assessment of the full value of preferred resources and should have the objective of maximizing the use of cost-effective preferred resources to meet local area needs. The Clean Coalition urges the joint agencies to not rush to support new conventional generation and transmission investments before updating assumptions about the value and availability of preferred resources and system needs assessments through public procurement and planning processes. This “no regrets” approach is consistent with the Loading Order and will best serve the interests of ratepayers.” (Clean Coalition Reply Testimony at 7)</p> <p>“This proceeding should be developed with the objective of maximizing the use of cost-effective preferred resources to meet local area needs, and especially taking advantage of advanced inverter technologies and capabilities.” (Clean Coalition Reply Testimony dated September 30th, 2013)</p>	<p>“We will modify SCE’s proposal to ensure that SCE procures a higher percentage of authorized resources from preferred resources and energy storage. For SCE (and SDG&E as delineated below), we will not require any specific incremental procurement from gas-fired resources. This means that all incremental procurement as a result of this decision may be from preferred resources.” (Decision at 93)</p> <p>“First, the Commission and parties must be diligent in moving ahead to develop the necessary programs that can participate with other supply-side resources (such as demand response) and that will provide load-shaping demand-side benefits (such as energy efficiency and small PV) with the necessary locational data that the ISO can use in its local area capacity studies to offset the need for conventional infrastructure. “ (Decision at 88)</p>	
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B. Duplication of Effort (§§ 1801.3(f) & 1802.5):

	Claimant	CPUC Verified
a. Was the Office of Ratepayer Advocates (ORA) a party to the proceeding? ²	Yes	
b. Were there other parties to the proceeding with positions similar to yours?	Yes	
c. If so, provide name of other parties: NRDC, Sierra Club California, Vote Solar, California Environmental Justice Alliance		
d. Describe how you coordinated with ORA and other parties to avoid duplication or how your participation supplemented, complemented, or contributed to that of another party: The Clean Coalition developed joint comments with the above listed parties to specifically avoid duplication. The Clean Coalition focused reply comments on informing the proceeding about advanced inverters for PV and storage to avoid duplication with other parties.		

C. Additional Comments on Part II (use line reference # or letter as appropriate):

#	Claimant	CPUC	Comment

PART III: REASONABLENESS OF REQUESTED COMPENSATION (to be completed by Claimant except where indicated)

A. General Claim of Reasonableness (§§ 1801 & 1806):

<p>a. Concise explanation as to how the cost of Claimant’s participation bears a reasonable relationship with benefits realized through participation (include references to record, where appropriate)</p> <p>The Clean Coalition has been an active participant in the LTPP process and has provided this Commission with recommendations that have been incorporated into the long term planning assumptions and scenarios in all four tracks of this proceeding.</p> <p>The Clean Coalition leveraged its rare combination of technical, policy, and project development experience to inform the proceeding. The Clean</p>	CPUC Verified
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² The Division of Ratepayer Advocates was renamed the Office of Ratepayer Advocates effective September 26, 2013, pursuant to Senate Bill No. 96 (Budget Act of 2013: public resources), which was approved by the Governor on September 26, 2013.

<p>Coalition's Hunters Point Community Microgrid Project, in partnership with Pacific Gas & Electric, will show how local preferred resources like demand response and energy storage can integrate high levels of local renewables while maintaining or improving grid reliability. Our staff works with companies to improve power-flow modeling tools to enable greater visibility into the distribution grid and optimization of portfolios of integrated local resource solutions. Recently, the Clean Coalition made a presentation to the California Energy Commission to show how intelligent grid solutions such as advanced inverters and demand response can integrate higher levels of renewable generation and address “Duck” chart concerns.</p> <p>The Clean Coalition is also the only nonprofit organization participating in the CPUC working group to revise technical standards to allow advanced inverters to provision reactive power and ride through voltage events, which will result in enhanced value of clean local energy and allow for far higher levels of intermittent renewables. We educated the LTPP proceeding about the voltage control capabilities of distributed solar and storage facilities to prevent the Commission from committing to unnecessary investments in centralized voltage control solutions at this time. The benefits provided to the Commission by our participation in this proceeding are reflected in the Final Decisions issued for Tracks 3 and 4.</p>	
<p>b. Reasonableness of Hours Claimed.</p> <p>Pursuant to the Clean Coalition Notice of Intent to Claim Intervenor Compensation, our comments focused on very specific issues. In this case, the issues were: (a) greater transparency in forward procurement, and (b) feasibility relying on local preferred resources to replace the San Onofre Nuclear Generating Station (SONGS) and other resources scheduled for retirement. We leveraged our deep technical expertise to inform the LTPP proceeding about how local preferred resources can meet system needs for both power balancing and voltage control.</p>	
<p>c. Allocation of Hours by Issue</p> <p>The Clean Coalition focused resources on the issues described above. This included: development of comments, coordination with other parties and relevant research. We were careful to assign tasks to appropriate staff members. Policy Manager Dyana Delfin-Polk took the lead on comments as well as the compensation claim. Policy Director and Attorney Stephanie Wang contributed to comments and provided oversight of activities. Economics and Policy Analysis Director Kenneth Sahn White assisted with testimony and made himself available for cross examination during evidentiary hearings.</p>	

B. Specific Claim:

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
Kenneth Sahm White	2012	3	\$185	CPUC Published Hourly Rates (updated 9/13)	\$555			
Kenneth Sahm White	2013	3.75	\$270	Resolution ALJ-287/D. 13-12-023	\$1012.5			
Dyana Delfin-Polk	2013	7	\$190	Resolution ALJ-287/D.13-12-021	\$1330			
Dyana Delfin-Polk	2014	2	\$190	Resolution ALJ-287/D.13-12-021	\$380			
Stephanie Wang	2013	17	\$305	Resolution ALJ-287	\$5185			
Subtotal: \$8462.5						Subtotal: \$		
OTHER FEES								
Describe here what OTHER HOURLY FEES you are Claiming (paralegal, travel **, etc.):								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate	Total \$
[Person 1]								
[Person 2]								
Subtotal: \$						Subtotal: \$		
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate	Total \$
Dyana Delfin-Polk	2014	10	95	Resolution ALJ-287/D.13-12-021	950			
Stephanie Wang	2014	8	152.5	Resolution ALJ-287	1220			
Subtotal: \$2170						Subtotal: \$		
COSTS								
#	Item	Detail			Amount	Amount		

TOTAL REQUEST: \$10,632.50		TOTAL AWARD: \$	
When entering items, type over bracketed text; add additional rows as necessary. *If hourly rate based on CPUC decision, provide decision number; otherwise, attach rationale. **Travel and Reasonable Claim preparation time are compensated at ½ of preparer's normal hourly rate.			
Attorney	Date Admitted to CA BAR ³	Member Number	Actions Affecting Eligibility (Yes/No?) If "Yes", attach explanation
Stephanie Wang	9/28/2008	#257437	No

C. Attachments Documenting Specific Claim and Comments on Part III (Claimant completes; attachments not attached to final Decision):

Attachment or Comment #	Description/Comment
1	Certificate of Service

D. CPUC Disallowances, Adjustments, and Comments (CPUC completes):

Item	Reason

PART IV: OPPOSITIONS AND COMMENTS
 Within 30 days after service of this Claim, Commission Staff or any other party may file a response to the Claim (see § 1804(c))

(CPUC completes the remainder of this form)

A. Opposition: Did any party oppose the Claim?	
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If so:

Party	Reason for Opposition	CPUC Disposition

³ This information may be obtained at: <http://www.calbar.ca.gov/>.

B. Comment Period: Was the 30-day comment period waived (<i>see</i> Rule 14.6(2)(6))?	
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If not:

Party	Comment	CPUC Disposition

FINDINGS OF FACT

1. Claimant [has/has not] made a substantial contribution to D. _____.
2. The requested hourly rates for Claimant’s representatives [,as adjusted herein,] are comparable to market rates paid to experts and advocates having comparable training and experience and offering similar services.
3. The claimed costs and expenses [,as adjusted herein,] are reasonable and commensurate with the work performed.
4. The total of reasonable contribution is \$_____.

CONCLUSION OF LAW

1. The Claim, with any adjustment set forth above, [satisfies/fails to satisfy] all requirements of Pub. Util. Code §§ 1801-1812.

ORDER

1. Claimant is awarded \$_____.
2. Within 30 days of the effective date of this decision, _____ shall pay Claimant the total award. [for multiple utilities: “Within 30 days of the effective date of this decision, ^, ^, and ^ shall pay Claimant their respective shares of the award, based on their California-jurisdictional [industry type, for example, electric] revenues for the ^ calendar year, to reflect the year in which the proceeding was primarily litigated.”] Payment of the award shall include compound interest at the rate earned on prime, three-month non-financial commercial paper as reported in Federal Reserve Statistical Release H.15, beginning [date], the 75th day after the filing of Claimant’s request, and continuing until full payment is made.

Revised December 2013

3. The comment period for today's decision [is/is not] waived.
4. This decision is effective today.

Dated _____, at San Francisco, California.

**Attachment 1:
Certificate of Service by Customer**

I hereby certify that I have this day served a copy of the foregoing **INTERVENOR COMPENSATION CLAIM OF [Clean Coalition] AND DECISION ON INTERVENOR COMPENSATION CLAIM** by (check as appropriate):

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

to the following persons appearing on the official Service List:

See attached service list.

Executed this 2nd day of May, 2014, at Berkeley, California.

Dyana Delfin-Polk

Dyana Delfin-Polk

16 Palm Court
Menlo Park, CA 94025

Revised December 2013

VERIFICATION

I, Dyana Delfin-Polk, am Policy Manager for the Clean Coalition and am authorized to make this verification on its behalf. I am informed and believe that the matters stated in the foregoing pleading are true.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 2nd day of May, at Berkeley, California.

A handwritten signature in cursive script that reads "Dyana Delfin-Polk".

Dyana Delfin-Polk