

**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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**WORLD BUSINESS ACADEMY'S NOTICE OF INTENT TO CLAIM INTERVENOR COMPENSATION AND, IF REQUESTED (and [X] checked), ADMINISTRATIVE LAW JUDGE'S RULING ON WORLD BUSINESS ACADEMY'S SHOWING OF SIGNIFICANT FINANCIAL HARDSHIP (PUBLIC VERSION)**

Customer (party intending to claim intervenor compensation): World Business Academy		
Assigned Commissioner: Carla Peterman	Assigned ALJs: Colette Kersten and 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 has been served this day upon all required persons (as set forth in the Certificate of Service attached as Attachment 1).		
Signature:		
Date: May 15, 2014	Printed Name:	Dr. Jerald B. Brown

**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.	X

<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>	
<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 World Business Academy's ("Academy") business office is located at 2020 Alameda Padre Serra, Suite 135, Santa Barbara, CA 93103. The Academy is a public benefit corporation and consumer of power in SCE's service territory. See Attachment 2, filed under seal containing utility payment information. Except to the extent SCE's ratepayers, including the Academy as a customer of SCE, may generally benefit from the Commission's decisions made in this proceeding, the Academy has no direct economic interest in the outcome of the proceeding.</p> <p>The Academy formally began investigating the various issues associated with energy infrastructure in 1995, which it followed with a book (Profiles in Power) on the subject in 1997, and a lengthy well-researched and footnoted chapter on the subject in its book (Freedom From Mid-East Oil) published in 2007. In addition to those two books, the Academy has published more than a dozen articles on the subject of energy up to the present time in various journals both domestically and abroad, including the American Bar Association journal.</p> <p>The Academy has sought to use its business expertise and its prominent network of Fellows to educate and thereby encourage businesses to understand the connection between environmentally and socially responsible business practices and an improved economy. For example, through its free-to-the public monthly radio show (New Paradigms in Business, a commentary on business and society) and its monthly newsletter (Currents In Commerce), the Academy analyzes and advocates "best business practices" with respect to energy sources and use, educating business about the strengths and weaknesses of each form of energy, the appropriate mix of energy sources, the benefits and drawbacks of various sources of energy supply, and the externalized costs of different energy sources. In addition to purchasing SCE</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.

power for its corporate offices in Santa Barbara, the Academy has worked to catalyze greater corporate responsibility by business towards society. The Academy has sought to use its business expertise and its prominent network of Fellows (see [www.worldbusiness.org](http://www.worldbusiness.org)) to encourage improvement of the performance of companies by assisting them to become more environmentally, socially and financially sustainable which benefits the general public.

The Academy represents the broader interests of at least some other SCE customers, such as those businesses within SCE's territory who care about social responsibility and environmental sustainability and who endorse the Academy's mission. These business consumers include small, medium and large businesses. For example, the Academy has corporate sponsors and supporters that are within SCE's service territory that support the Academy's work and mission, including its participation in this proceeding. Examples of these business customers include: Men's Wearhouse (corporate sponsor for over 10 years) with locations in the service territories of all three of California's major investor-owned utilities; Seven Oaks Ranch in Ventura (corporate sponsor for over 5 years) in SCE's service area; and the Chopra Foundation in Carlsbad (Academy Fellow Dr. Deepak Chopra's organization) in SDG&E's service area.

The main purpose of the Academy's intervention in this proceeding is to help the Commission find the optimal path forward to realize California's aggressive clean energy goals, including the achievement of a 33% renewable portfolio standard by 2020, and the reduction of all anthropogenic greenhouse gas (GHG) emissions by 2050 to a level that is 80% less than what such emissions were in 1990. The achievement of this second goal, in particular, will require dramatic changes in the way in which we generate and utilize the energy resources that we have come to depend on as part of our advanced, technology-based way of life. Moving systematically toward this goal, one of the most promising technological shifts that we, as a society, can and should make as quickly as possible is to replace fossil fuels with hydrogen.

Hydrogen is the ultimate fuel for transportation, residential and commercial electricity needs. Moreover, unlike fossil fuels, the amount of available hydrogen is virtually limitless. The technology to make hydrogen by the electrolysis of water is well established, and with sufficient scale-up, a hydrogen-based energy economy will be less expensive, more reliable and much cleaner than continued reliance on fossil-fuel-based technologies. Most importantly, the electricity needed to electrolyze hydrogen from water can be generated from surplus wind, solar and geothermal sources.

The Joint Reliability Plan (JRP) proceeding can play a key role in assisting the implementation of this vision. The establishment of a two- and three-year forward-looking resource adequacy procurement requirement can and should provide a major opportunity to replace inflexible, older units that will require major retrofits in order to meet the state's evolving system reliability needs with small, dispersed highly flexible fuel cells that can be fueled by clean-burning hydrogen. Moreover, in this new proceeding, the Commission will be implementing a long-term joint reliability planning assessment with the California Independent System Operator Corporation's (CAISO) and California Energy Commission (CEC). Such a long-term assessment can and should seriously evaluate the need for advanced, highly flexible and ultimately carbon-free electric generation infrastructure that will facilitate the retirement of inefficient and environmentally harmful resources. Moreover, this

JRP proceeding, in parallel with, but not overlapping, the Commission's long-term procurement planning proceeding, provides an opportunity for the Commission to direct its jurisdictional utilities to start looking systematically at the important role they will need to play in enabling California to meet its strict GHG emission reduction goals.

It is the Academy's position that the cost (both internalized and externalized) of energy to California businesses is a key driver of economic viability. The Academy is particularly interested in participating in this proceeding, because the Academy believes that the Commission can and should take vigorous action to de-carbonize California's electric power system as quickly as possible. Toward this end, as appropriate, the Academy will sponsor witnesses who will make the case that California can and should be powered by 100% renewable energy in the near-term and that any expansion of the Commission's resource adequacy program to include multi-year forward-looking requirements in order to enhance system reliability should focus, to the extent possible, on replacing inefficient and dirty old conventional resources with hydrogen fuel cells and similar advanced technologies.

For the foregoing reasons, the Academy believes that it satisfies the criteria of representing consumer interests well as broader interests of some other commercial customers, who endorse the Academy's work and mission.

Identify all attached documents in Part IV.  
Please see Attachment 2, filed under seal, containing utility payment information

• Do you have any direct economic interest in outcomes of the proceeding?<sup>3</sup> If so, explain:  
**NO**

Please see

<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 checked="" type="checkbox"/> Yes <input 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 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? Date of Prehearing Conference: <b>April 17, 2014</b>	<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 <b>n/a</b>
2a. The party's description of the reasons for filing its NOI at this other time:	

<sup>3</sup> See Rule 17.1(e).

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)**

### **A. Planned Participation (§ 1804(a)(2)(A)(i)):**

The main purpose of the Academy's intervention in this proceeding is to help the Commission find the optimal path forward to realize California's aggressive clean energy goals in the world, including the achievement of a 33% renewable portfolio standard by 2020, and the reduction of all anthropogenic greenhouse gas (GHG) emissions by 2050 to a level that is 80% less than what such emissions were in 1990. Moving systematically toward these goals, one of the most promising technological shifts that we, as a society, can and should make as quickly as possible is to replace fossil fuels with hydrogen.

Hydrogen is the ultimate fuel for transportation, residential and commercial electricity needs. Moreover, unlike fossil fuels, the amount of available hydrogen is virtually limitless. The technology to make hydrogen by the electrolysis of water is well established, and with sufficient scale-up, a hydrogen-based energy economy will be less expensive, more reliable and much cleaner than continued reliance on fossil-fuel-based technologies. Most importantly, the electricity needed to electrolyze hydrogen from water can be generated from surplus wind, solar and geothermal sources.

The JRP provides the Commission with a key opportunity to allow for the replacement, on a near-term basis, of inefficient and dirty old conventional resources with hydrogen fuel cells and similar advanced technologies. Not only will such advanced fuel cells provide the grid with greater reliability and enhanced flexibility, but the Commission's encouragement of utility procurement of such resources on a near-term, two- or three-year basis will help prove the efficacy of this advanced technology, thereby encouraging and facilitating the virtuous cycle whereby, in coordination with its jurisdictional utilities and the CAISO and the CEC, this Commission can take vigorous action to lead the way toward the rapid de-carbonization of California's electric power system as quickly as possible.

The Academy will coordinate its participation with other parties to avoid duplication. The Academy has previously demonstrated its ability to engage in such collaboration in its various joint filings with Friends of the Earth in the Commission's San Onofre Investigation (Docket No. I.12-10-013).

<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>				
Laurence Chaset, Attorney	100	\$370	\$ 37,000	
Expert 1 - Rinaldo Brutoco, President, WBA	100	\$400	\$ 40,000	
Expert 2 - Dr. Jerald Brown, Project Advocate	100	\$320	\$ 32,000	
Expert 3 - Robert Perry, Researcher	100	\$180	\$ 18,000	
Expert 4 - tbd	25	\$320	\$ 8,000	
Expert 5 - tbd	25	\$320	\$ 8,000	
Expert 6 - tbd	25	\$320	\$ 8,000	
			<b>Subtotal: \$151,000</b>	
<b>OTHER FEES</b>				
[Person 1]				
[Person 2]				
			<b>Subtotal: \$</b>	
<b>COSTS</b>				
Travel			\$ 9,000	
[Item 2]				
			<b>Subtotal: \$9,000</b>	
<b>TOTAL ESTIMATE: \$160,000</b>				
<p>Estimated Budget by Issues:</p> <p>At this point in time, the Academy finds it difficult to predict all the issues that might arise in this proceeding. At the pre-hearing conference, ALJ Gamson was somewhat unclear about how the issues in the LTPP proceeding would be parsed separately from the issues in this JRP proceeding, and as the Academy is a party in both proceedings, it may be more appropriate for certain aspects of the issues that it plans to raise in the LTPP to be brought forward in this JRP proceeding. This is especially so, given that the second main issue for this JRP proceeding set forth in the OIR is the implementation of a long-term reliability planning assessment in coordination with the CAISO and the CEC. In light of the uncertainty articulated at the pre-hearing conference, combined with the clear language of the OIR, the Academy estimates that a significant portion of its effort will be focused on Phase 2 (presumably identical to issue 2 on page 2 of the OIR). However, based on the recent workshops in Phase 1, and depending on the extent to which the anticipated Staff report coming out of the recent workshops focuses on the need for flexible resources, the Academy may need to put significant substantive effort into commenting on that report and participating in the subsequent stages of that phase of the proceeding. Thus, as of this writing, the Academy estimates that it will have to devote approximately 75 hours to Phase 1 and 400 hours to Phase 2.</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.

and travel **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	<input checked="" type="checkbox"/>  <b>X</b>
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:  Date of ALJ ruling (or CPUC decision):	

<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>The Academy cannot without undue hardship afford to pay costs of effective participation. The Academy has already incurred significant costs for participation in this proceeding, which has already become an undue hardship on the Academy. To demonstrate the factual basis of this undue hardship claim, the Academy will provide financial information (Attachments 2 &amp; 3), and file a motion requesting the Commission accept this financial information under seal, because such information is confidential in nature and furnished to the Commission with the specific and limited purpose of demonstrating significant financial hardship.</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)

<b>Attachment No.</b>	<b>Description</b>
1	Certificate of Service
2	Utility Payment Information
3	World Business Academy 2012 and partial 2013 Financial Statement

**ADMINISTRATIVE LAW JUDGE RULING<sup>4</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.

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Administrative Law Judge

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<sup>4</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).

**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:

[Service List attached to this filing]

Executed this 15th day of May, 2014, at Santa Barbara, California.

Dr. Jerald B. Brown  
Director, Safe Energy Project  
World Business Academy  
2020 Alameda Padre Serra, Suite 135  
Santa Barbara, CA 93103