Revised May 2014

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking on the Commission's Own Motion to Address the Issue of Customer's Electric and Natural Gas Service Disconnection	R. 10-02-005 (Filed February 4, 2010)

INTERVENOR COMPENSATION CLAIM OF THE NATIONAL CONSUMER LAW CENTER

Intervenor: National Consumer Law Center (NCLC)	**For contribution to Decision D.14-06-036**
Claimed: $ 20,367.08	**Awarded: $**
Assigned Commissioner: Michel Peter Florio	**Assigned ALJ: Maryam Ebke**
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:	**/s/ Darlene R. Wong**
Date: August 25, 2014 **Printed Name:**	**Darlene R. Wong**

A. Brief description of Decision:	The Decision approves a Settlement among PG&E, SCE, SoCalGas and SDG&E and consumer groups that continues some of the disconnection practices established in Docket R.10-02005. The Decision clarifies that, despite the prescriptive nature of the payment pilot plans outlined in the Settlement, there is room for individual considerations. The Decision also notes that it is the Settling Parties' intent to continue the permanent protections of D.12-03-54 of live CARE enrollment and field visits before disconnections to vulnerable and sensitive customers. In resolving the Joint Motion for Settlement, the Decision denies Settling Parties' request to modify two prior Orders (D.10-12-051 and D.12-03-54) in this docket, and instead reopens the record for the limited purpose of resolving the Joint Motion for Settlement and related comments and filings.

B. Intervenor must satisfy intervenor compensation requirements set forth in Pub. Util. Code §§ 1801-1812:

	Intervenor	CPUC Verified
Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):		
1. Date of Prehearing Conference (PHC):	N/A	
2. Other specified date for NOI:	3/6/2010	
3. Date NOI filed:	3/5/2010	
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.10-02-005	
6. Date of ALJ ruling:	April 1, 2010	
7. Based on another CPUC determination (specify):		
8. Has the Intervenor demonstrated customer or customer-related status?		
Showing of "significant financial hardship" (§ 1802(g)):		
9. Based on ALJ ruling issued in proceeding number:	R.10-02-005	
10. Date of ALJ ruling:	April 1, 2010	
11. Based on another CPUC determination (specify):		
12. Has the Intervenor demonstrated significant financial hardship?		
Timely request for compensation (§ 1804(c)):		
13. Identify Final Decision:	D.14-06-036	
14. Date of issuance of Final Order or Decision:	June 30, 2014	
15. File date of compensation request:	August 25, 2014	
16. Was the request for compensation timely?		

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

#	Intervenor's Comment(s)	CPUC Discussion

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

A. Did the Intervenor substantially contribute to the final decision (*see* § 1802(i), § 1803(a), and D.98-04-059). (For each contribution, support with specific reference to the record.)

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
1. NCLC's participation helped clarify the record, establishing that the protection of a pre-disconnection site visit for vulnerable customers by a field representative continues to be permanent and is unaffected by the Settlement, despite lack of clarity in the Settlement terms.	D. 14-06-036 at 5 & Finding of Fact 6 ("The Settling Parties also confirmed their intent to continue the permanent provisions of D.12-03-054 related to field visits and immediate CARE enrollment."). NCLC Comments on Joint Motion for Settlement at 4-5 (without explicit clarification, one interpretation of Settlement is that it transforms permanent protections into temporary ones). NCLC Comments on Joint Motion for Settlement at Attachment 1 (in response to NCLC Data Request A, the Settling Parties clarify their intent to abide by D.12-03-054, the decision which establishes the permanent nature of these two protections, and their intent to abide by Paragraph 2(b) of D.12-03-054 which requires the field visit) NCLC Response to Petition for Modification at 6-7 (noting that the Settling Parties' Petition to Modify D.12-03-054 attempts to delete Paragraph 2.b of that order, which provides the field visit protection, but that such change does not align with the stated intent of the parties)	
2. NCLC's participation helped clarify the record and establish that the requirement that CSRs offer live enrollment in CARE is a permanent protection that	D. 14-06-036 at 5 & Finding of Fact 6 ("The Settling Parties also confirmed their intent to continue the permanent provisions of D.12-03-054 related to field visits and immediate CARE	

remains unaffected by the Settlement, despite lack of clarity Settlement terms.	enrollment.”). NCLC Comments on Joint Motion for Settlement at 4-5 (without explicit clarification, one interpretation of Settlement is that it transforms permanent protections into temporary ones) NCLC Comments on Joint Motion for Settlement at Attachment (in response to NCLC Data Request A, the Settling Parties clarify their intent to abide by D.12-03-054, the decision which establishes the permanent nature of the protection of live CSR assistance for CARE enrollment)	
3. NCLC demonstrated that the Petition to Modify D.10-12-051 is moot and should be denied.	D.14-06-036 at 13 (Conclusion of Law #5) NCLC Response to Petition for Modification at 7-8 (as the terms of the prior Settlement have expired, the request to modify the decision approving the prior Settlement at D.10-12-051 is moot).	
4. NCLC demonstrated that a preferable procedure to address the Joint Motion for Settlement (rather than modifying Commission Decisions D.10-12-051 and 12-03-054) was to reopen the record for the sole and limited purpose of receiving the Joint Motion for Settlement and related comments into the record, and issuance of a new Commission decision on whether to adopt the new Settlement.	D.14-06-036 at 5 (Settling Parties agree with NCLC’s procedural proposal), 9 (Commission agreeing with NCLC’s recommendation to reopen record for sole purpose of considering the new Settlement Agreement and associated filings), 13 (Conclusion of Law #6) NCLC Response to Petition for Modification at 4-5, 8-9 (recommending introduction of Settlement into record as new evidence to support a new order, independent of prior orders in this docket)	

5. NCLC contributed to enforcing the Commission-approved Settlement Provisions 4.1.2 and 4.1.3 for PG&E, SDG&E and SoCalGas, which require the utilities to set forth in tariffs a final opportunity for vulnerable customers to pay and in-person field visit prior to disconnection.	D.14-06-036 at 14 (Ordering Paragraph 2 directs utilities to each file a Tier 1 Advice Letter implementing changes required by the Settlement) & Attachment A (Settlement Provisions 4.1.2 and 4.1.3) *Compare* PG&E Advice 3493-G/3352-E (July 2, 2014) *with* PG&E Advice 3493-G/4452-E (July 8, 2014) (adding sentence to Gas and Electric Rules 11). *Compare* SDG&E AL 2l616-E/2305-G (July 3, 2014) *with* Supplemental Advice Letter 2616-E-A/2305-G-A (July 10, 2014) (adding language to Gas and Electric Rules 11). *Compare* SoCalGas AL 4665 (July 7, 2014) *with* Substitute Sheet for SoCalGas' AL 4665 (July 10, 2014) (adding sentence to Rule 9). NCLC Timeslips at Attachment 2 (*See* entries for 7/3/2014 through 7/10/2014). NCLC obtained corrections and clarifications from the utilities regarding protections that had inadvertently been omitted from their tariff filings to comply with D.14-06-036. Although this enforcement activity occurred after the issuance of D.14-06-036, the enforcement of Commission-approved Settlement provisions should be found to "contribut[e] to the proceedings of the commission, as determined by the commission in its orders and decisions." Cal. Pub. Util. Code Sec. 1801.3(d). NCLC's activities that enforce the Commission-approved Settlement also constitute participation or presentation which substantially contributes to the adoption of the Settlement terms approved by D.14-06-036, in fact and in practice. *See* Cal. Pub. Util. Code Sec.	

	1803(a).	

B. Duplication of Effort (§ 1801.3(f) and § 1802.5):

	Intervenor's Assertion	CPUC Discussion
a. Was the Office of Ratepayer Advocates (ORA) a party to the proceeding?[1]	**Yes**	
b. Were there other parties to the proceeding with positions similar to yours?	**Yes**	
c. If so, provide name of other parties: CforAT, Greenlining, and TURN were parties that shared positions similar to NCLC's positions on a broad level.		
d. Intervenor's claim of non-duplication: Throughout these proceedings, NCLC has remained engaged and cooperative with ORA and the other consumer groups. NCLC maintained a line of communication with ORA, CforAT, Greenlining and TURN early in settlement discussions. When NCLC determined that it could not be a party to the settlement, it continued to keep the consumer groups apprised of its substantive and procedural positions. NCLC's contributions for which it claims compensation were not duplicative of other parties' efforts. NCLC's efforts to clarify the Settlement terms – specifically, that the pre-existing protections of D.12-03-054 of both live CSR assistance for CARE enrollment and pre-disconnection field visits for remotely disconnected vulnerable customers are not diminished by the Settlement – were successful and aided by NCLC's unique viewpoint. NCLC had a unique perspective as a non-signatory to the current Settlement whose comments on Settlement were informed by NCLC's great familiarity with D.12-03-054 and the issues in this docket as an active party. When NCLC had concerns regarding whether the permanent protections of D.12-03-054 were negatively affected by the draft Settlement, NCLC avoided duplication of efforts by first determining whether clarification from the other parties was forthcoming. NCLC communicated with the consumer groups and the utilities by phone calls and during the Commission-mandated settlement conference. Only when NCLC found the Settling Parties' explanations did not fully address NCLC's concerns, did NCLC spend time and resources on developing its concerns for the written record by serving a Data Request on the Settling Parties and filing responses		

[1] 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.

to the Settling Parties' Joint Motion for Settlement and to the Petition for Modification of 10-12-051 and 12-03-054. NCLC also drew upon its unique experience and expertise as a national consumer organization in this proceeding. In NCLC's perspective, a procedure to adopt the Settlement that leaves prior, sound, Commission decisions intact is preferable to modifying those decisions as requested by the Settling Parties. It helps to retain the integrity of those prior decisions as resources for best practice models for addressing the problem of disconnection of gas and energy service to low-income and payment-troubled customers. This perspective led to NCLC's recommendation of a procedural path to consider the Joint Motion for Settlement that was accepted by the other parties and adopted by the Commission. NCLC's review of the tariffs, which were filed after Commission-approval of the Settlement, found that several corrections were necessary where there had been inadvertent omissions of the settlement obligation for an in-person, pre-disconnection field visit to vulnerable customers and/or final options for customer payment. To avoid duplication of efforts, NCLC informed the consumer groups of its communications with PG&E, SDG&E, and SoCalGas regarding NCLC's request that the utilities revise their tariff pages in accordance with Settlement terms. NCLC's communications with consumer groups ensured that duplicate efforts would not be necessary, as NCLC kept consumer groups aware of the substance of the discussions. As a result of NCLC's efforts, the necessary corrections were made in revised tariff page filings, to the benefit of sensitive and vulnerable consumers for three different utilities.	

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

#	Intervenor's Comment	CPUC Discussion

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

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

a. Intervenor's claim of cost reasonableness:	CPUC Discussion
NCLC filed Comments on the Settlement to clarify, on the record, the intent	

behind language in the Settlement. The result is that the Commission's order in D.14-06-036 clarifies the permanent, rather than negotiable nature of (1) the in-person field visit before remote disconnection and (2) a customer's opportunity to enroll in CARE using help from a live representative. The continuance of the live CARE enrollment obligation will help eligible customers enroll in CARE, assisting them in making more timely, affordable payments to their utility and avoid the costs of disconnection. The continuance of the pre-disconnection field visit ensures that sensitive and vulnerable customers will be afforded a premise check that may help avoid an untimely disconnection, and helps ensures that sensitive and vulnerable customers have an in-person opportunity to pay before disconnection. NCLC's efforts should help payment-troubled and vulnerable and sensitive customers avoid the costs and inconveniences of premature and untimely disconnection. Additionally, NCLC proactively suggested a simpler procedural path for the Commission's review of the Settlement, rather than the Petition for Modification of D.10-12-051 and D.12-03-054 offered by the Settling Parties. NCLC's recommendation was accepted by the Settling Parties and adopted by the Commission. This represents a savings in time and resources over that which may otherwise have been required to litigate the issue of Settling Parties' requests for modifications of two prior Commission orders. Further, keeping the prior Commission orders intact helps to avoid unnecessary confusion and expenditure of time and resources of consumer advocates and policymakers who seek to access the prior opinions as models of how to best assist low-income customers in lessening the risk disconnections. NCLC attempted to avoid the costs of unnecessary responsive filings by first communicating its concerns about the draft Settlement with the consumer groups and utilities by phone and during the Commission-mandated settlement conference. Only when NCLC found oral explanations to be insufficient and it became clear that more explicit clarification on-the-record was necessary, did NCLC spend more extensive resources to participate in the late stages of this proceeding by submitting a Data Request and filing Comments on the Settlement and a Response to the Petition for Modification of D.10-12-051 and D.12-03-054. NCLC's review of the utilities' tariffs that were filed in accordance with the Commission Order approving Settlement resulted in several corrections that benefit payment-troubled customers. The revised tariff language includes a pre-disconnection field visit to vulnerable customers and/or a final opportunity to pay, which had been inadvertently omitted from some of the filings. Customers of PG&E, SDG&E, and SoCalGas are ensured greater protection from premature disconnections for nonpayment as a result of NCLC's efforts to enforce the Settlement terms through the tariffs. NCLC's requests a fair and reasonable rate for its lead attorney, Darlene R. Wong. Attorney Wong's experience includes practicing from 2001 to 2009 as an Assistant Consumer Advocate at the Pennsylvania Office of Consumer Advocate which focused exclusively on regulatory utility matters. From 2009 to the present, as Staff Attorney in NCLC's utilities group and in her role as consultant and Of Counsel to NCLC, she has continued to focus the vast majority of her practice on regulatory utility issues at state and national levels. The requested rate is	

reasonable, given Attorney Wong's length and nature of experience with regulated utility matters. While it is difficult to assign a precise dollar value to the benefit to ratepayers from NCLC's participation, NCLC's efforts have contributed to ensuring greater protection for customers, as described above. These protections should help customers make payments and avoid economic costs and inconveniences of disconnection. Additionally as described above, care has been taken to collaborate with other Consumer Groups to avoid duplication. NCLC participated in meetings by teleconference, which also reduced participation costs that otherwise would have been incurred by travel.	
b. Reasonableness of hours claimed: Only after NCLC's attempt to obtain oral explanations from Settling Parties were unsatisfactory and it became clear that more explicit clarification on-the-record was necessary, did NCLC spend more extensive resources to participate in the late stages of this proceeding by submitting a Data Request and filing Comments on the Settlement and a Response to the Petition for Modification of D.10-12-051 and D.12-03-054. Time was invested in this case by the managing attorney of NCLC's energy unit and NCLC's senior energy analyst; however, NCLC is not submitting a claim for their time. NCLC only claims the hours of its primary advocate on the case, Attorney Wong. Additionally, NCLC has voluntarily reduced the number of hours of participation by Attorney Wong for which NCLC claims compensation. NCLC ultimately was not a signatory to the Settlement, but by arguing for even more flexibility in payment plan options, NCLC believes that its participation and input in Settlement negotiations contributed to obtaining attention to the need for flexibility in payment plans and pilot plans. *See* D.14-06-036 at 5 (The utilities have incorporated some level of flexibility into their pilot payment plan programs as set forth in Settlement Attachment A: Settlement Provisions 4.4.3.1, 4.4.3.2, 4.4.3.3 and 4.4.4.1, which all explicitly mention some level of "flexibility" in pilot payment plan); NCLC Timeslips at Attachment 2 (entries dated 9/20/13, 9/23/13, and 10/15/13 show time devoted to developing negotiation position for payment plans, including a form of payment plan pilot). However, NCLC has excluded 10.33 hours related to pilot and flexible payment plans from its compensation request to support a Commission finding of the reasonableness of NCLC's overall claim. NCLC has documented in great detail the hours claimed in this filing and has drawn clear connections between the expenditure of its resources to the positive outcomes for consumers in this case. The time and effort NCLC has expended has directly contributed to a Commission Order with provisions that provides substantial protection for low-income and payment-troubled customers. NCLC's efforts also directly contributed to the enforcement of the provisions of the	

Settlement that was approved by the Commission's Order.	
c. Allocation of hours by issue: *See* Attachment 5 (NCLC Time Allocation by Issue)	

B. Specific Claim:*

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	**Year**	**Hours**	**Rate $**	**Basis for Rate***	**Total $**	**Hours**	**Rate $**	**Total $**
Darlene Wong	2013	4.0	345	D.13-04-009 (approving rate of $325/hour), together with NCLC's second request of a 5% "step increase" in the "8-12" years of experience compensation range, as authorized by D.07-01-009 and reaffirmed by ALJ-287. *See* Attachment 4 (Basis of Request for NCLC's Hourly Rates)	1,380.00			
Darlene Wong	2014	49.16	345	Same justification as above for 2013 rate	16,960.20			
[Expert 1]								
[Expert 2]								
[Advocate 1]								
[Advocate 2]								
					***Subtotal:* $ 18,340.20**		***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 $**
Darlene Wong	2014	11	172.50	½ requested regular hourly rate. *See* Attachment 4	2,026.88			
[Preparer 2]								
					***Subtotal:* $2,026.88**		***Subtotal:* $**	
COSTS								
#	**Item**			**Detail**	**Amount**	**Amount**		
					TOTAL REQUEST: $ 20,367.08	**TOTAL AWARD: $**		

**We remind all intervenors that Commission staff may audit their records related to the award and that intervenors must make and retain adequate accounting and other documentation to support all claims for intervenor compensation. Intervenor's records should identify specific issues for which it seeks compensation, the actual time spent by each employee or consultant, the applicable hourly rates, fees paid to consultants and any other costs for which compensation was claimed. The records pertaining to an award of compensation shall be retained for at least three years from the date of the final decision making the award.

**Travel and Reasonable Claim preparation time typically compensated at ½ of preparer's normal hourly rate

ATTORNEY INFORMATION			
Attorney	**Date Admitted to CA BAR[2]**	**Member Number**	**Actions Affecting Eligibility (Yes/No?) If "Yes", attach explanation**
Darlene R. Wong	October 24, 2001 (PA); and March 17, 2009 (MA)[3]	87381 (PA) 674514 (MA)	No (PA) No (MA)

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

[2] This information may be obtained through the State Bar of California's website at http://members.calbar.ca.gov/fal/MemberSearch/QuickSearch .

[3] Attorney Wong is admitted to the Pennsylvania and Massachusetts bars; her initial rate for work performed before the California Public Utilities Commission was established by the Commission at $300 in D.11-10-042, which recognized that Attorney Wong is not licensed in California. Since that initial fee setting decision, the Commission has granted a step increase and COLA adjustment to increase Attorney Wong's rate to the current hourly rate of $325.

<table>
<tr><th>Attachment or Comment #</th><th>Description/Comment</th></tr>
<tr><td>1</td><td>Certificate of Service</td></tr>
<tr><td>2</td><td>Time Slips for NCLC's Attorneys and Expert Consultant

The following is a key to the codes used in Attachments 2 and 5:

<table>
<tr><td>COORD</td><td>Coordination - work related to coordination with other parties; conference calls, emails and correspondence on joint strategy, joint filings, allocation of issues, etc.</td></tr>
<tr><td>GP</td><td>General Participation - work related to general participation/procedural/case management.</td></tr>
<tr><td>PD</td><td>Proposed Decision - work related to analysis, comments, coordination, and strategy pertaining to Proposed Decision's discussion of payment plans, deposits, outreach, remote disconnections, and data reporting when time spent was difficult to separate out into specific issue categories.</td></tr>
<tr><td>PM</td><td>Petition for Modification - work related to procedural and substantive arguments against Settling Parties' Petition to Modify D. 10-12-051 and D. 12-03-054.</td></tr>
<tr><td>PP</td><td>Payment Plans - work related to advocacy for option of longer, renegotiated and/or more flexible payment plans that maximize customer ability to pay. This work included discussion of pilot plans and levelized payment plans.</td></tr>
<tr><td>SET</td><td>Settlement - substantive work related to analysis, coordination, strategy, revisions and negotiations related to settlement, where separating time into more particular settlement issues is impractical or impossible.</td></tr>
<tr><td>SNV</td><td>Special Needs and Vulnerable Customers - work related to advocacy establishing special protection for vulnerable customers, including those with special needs such as seniors and the disabled, customers on Life Support or enrolled in Medical Baseline, and customers who self-certify that they have a serious illness/condition that could become life threatening with disconnection. This work included re-establishing permanent nature of the protections of (1) CARE enrollment assistance by a live representative and (2) a pre-disconnection in-person field visit, including when disconnection is performed remotely.</td></tr>
</table>
</td></tr>
</table>

	NCLC is noting its time spent on work related to pilot and flexible payment plans (PP); however, NCLC voluntarily excludes these hours from its compensation claim to support a Commission finding of the reasonableness to NCLC's overall claim.
3	**Direct Expenses** NCLC is claiming no direct expenses.
4	**Basis of Request for NCLC's Hourly Rates** NCLC believes that it has provided sufficient support for the requested rate for Attorney Wong under the Commission's adopted practices. However, if the Commission has any questions or concerns about this request, NCLC respectfully requests that it be given an opportunity to answer any questions and provide further support to its claim.
5	**NCLC Time Allocation by Issue** *See* description of Attachment 2 for applicable key to issue codes.
6	**Preparation of Compensation Claim** NCLC has voluntarily reduced the hours it is claiming for preparation of this claim to support a Commission finding of the reasonableness of NCLC's claim.
7	**Verification**

D. CPUC Disallowances and Adjustments (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?	

If so:

Party	Reason for Opposition	CPUC Discussion

B. Comment Period: Was the 30-day comment period waived (*see* Rule 14.6(c)(6))?	

If not:

Party	Comment	CPUC Discussion

FINDINGS OF FACT

1. Intervenor [has/has not] made a substantial contribution to D._____.

2. The requested hourly rates for Intervenor'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 compensation 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. Intervenor is awarded $_____.

2. Within 30 days of the effective date of this decision, _____ shall pay Intervenor the total award. [for multiple utilities: "Within 30 days of the effective date of this decision, ^, ^, and ^ shall pay Intervenor 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 Intervenor's request, and continuing until full payment is made.

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

4. This decision is effective today.

Dated _____, at San Francisco, California.

Attachment 2:
Timeslips

DATE	ATTORNEY/ EXPERT	TASK DESCRIPTION	HOURS	ISSUE/ACTIVITY
8/27/2013	Darlene Wong	Teleconference with consumer groups on developing settlement position	1.00	COORD
8/28/2013	Darlene Wong	Follow up on conference call with consumer groups on settlement position: payment plans	0.25	PP
8/28/2013	Darlene Wong	Follow up on conference call with consumer groups on settlement position: in-person visit for remote disconnections	0.25	SNV
8/28/2013	Darlene Wong	Follow up on conference call with consumer groups on settlement position: Live CARE enrollment	0.25	CARE
9/2/2013	Darlene Wong	Update CH on settlement discussions	0.25	GP
9/5/2013	Darlene Wong	Develop negotiation position for settlement extension that includes uniform utility policy: payment plans	1.50	PP
9/6/2013	Darlene Wong	Update CH on settlement discussions	0.25	GP
9/10/2013	Darlene Wong	Strategy call with Consumer Groups on extending settlement and uniform utility policy	1.00	COORD
9/20/2013	Darlene Wong	Call CH re: Strategy for extending settlement and uniform utility policy: pilot payment plans	0.50	PP
9/20/2013	Darlene Wong	E-mail CH re: Strategy for extending settlement and uniform utility policy	0.25	SET
9/20/2013	Darlene Wong	Correspond with Consumer Group re: strategy for extending settlement	0.25	COORD
9/20/2013	Darlene Wong	Correspond with Consumer Group re: strategy for uniform utility policy on payment plans	1.25	PP
9/23/2013	Darlene Wong	Conference call Consumer Group re: Strategy for extending settlement and NCLC position re: payment plans	1.00	PP
9/23/2013	Darlene Wong	Call Consumer Group re: Strategy for extending settlement provisions on payment plans: pilot payment plans	0.50	PP
9/23/2013	Darlene Wong	Correspond Consumer Group re: Strategy for extending settlement and NCLC position re: payment plans	0.50	PP
10/15/2013	Darlene Wong	Quarterly settlement conference call with utilities and consumer groups to discuss settlement extension	0.25	SET
10/30/2013	Darlene Wong	Review Consumer Group proposal to utilities on settlement extension	0.25	SET
10/30/2013	Darlene Wong	Strategy discussion with CH re: Consumer Group proposal re:PP in settlement extension	0.25	PP

1/25/2014	Darlene Wong	Monitoring for other parties' filing for extending disconnection settlement.	0.25	GP
3/13/2014	Darlene Wong	Case update to CH and JH	0.25	GP
3/14/2014	Darlene Wong	Review other parties' draft settlement proposal	0.75	SET
3/14/2014	Darlene Wong	Email initial analysis on settlement proposal to CH and JH	0.25	SET
3/16/2014	Darlene Wong	Review draft Settlement to prepare for Settlement Notice Meeting	0.50	SET
3/18/2014	Darlene Wong	Settlement Notice Meeting Conference	0.75	SET
3/21/2014	Darlene Wong	Monitor for proposed settlement filing	0.25	GP
3/23/2014	Darlene Wong	Prepare outline to respond to settlement filing: PP	0.75	PP
3/23/2014	Darlene Wong	Prepare outline to respond to settlement filing: clarify permanent character of in-person visit before remote disconnections)	1.00	SNV
3/23/2014	Darlene Wong	Prepare outline to respond to settlement filing: effect on permanent provision for live CARE enrollment	1.00	CARE
3/24/2014	Darlene Wong	Prepare outline to respond to settlement filing: PP	0.33	PP
3/24/2014	Darlene Wong	Prepare outline to respond to settlement filing: CARE	0.33	CARE
3/24/2014	Darlene Wong	Prepare outline to respond to settlement filing: SNV	0.33	SNV
3/25/2014	Darlene Wong	Monitor for proposed settlement filing	0.25	GP
3/27/2014	Darlene Wong	Review proposed settlement as filed	0.25	SET
3/27/2014	Darlene Wong	Review proposed motion to modify CPUC decisions and motion for shortened time	0.25	GP
4/1/2014	Darlene Wong	Email CH and JH analysis of filing reviews	0.25	GP
4/2/2014	Darlene Wong	Meeting with JH re: strategy for answering to settlement	0.25	SET
4/2/2014	Darlene Wong	Research CPUC for response to petition for modification	1.50	PM
4/2/2014	Darlene Wong	Research for answer to motion to modify CPUC cases	2.00	PM
4/3/2014	Darlene Wong	Call CforAT to clarify settlement terms re: permanent provisions	0.25	SNV
4/4/2014	Darlene Wong	Email JH and CH strategy and list of comments for responding to settlement: payment plans	0.25	PP
4/4/2014	Darlene Wong	Email JH and CH strategy and list of comments for responding to settlement : CARE	0.25	CARE
4/4/2014	Darlene Wong	Email JH and CH strategy and list of comments for responding to settlement : continuing on site visit and live CARE enrollment	0.25	SNV
4/4/2014	Darlene Wong	Review motions for modifying Commission order and shortening time	0.25	GP
4/4/2014	Darlene Wong	Call CH re: response to motion for modifying order and shortening time	0.25	GP
4/4/2014	Darlene Wong	Email ALJ that NCLC may oppose motion for shortened time	0.25	GP
4/4/2014	Darlene Wong	Research CA cases for decisions on petitions to modify	1.00	PM
4/5/2014	Darlene Wong	Draft Comments on settlement: CARE	1.50	CARE
4/5/2014	Darlene Wong	Draft Comments on settlement : site visits before disconnection	1.50	SNV

4/6/2014	Darlene Wong	Draft response to Petition to Modify Decisions :CA cases/precedents	2.00	PM
4/6/2014	Darlene Wong	Draft response to Petition to Modify Decisions : rule based arguments	1.50	PM
4/6/2014	Darlene Wong	Draft response to Petition to Modify Decisions : principle based arguments	1.50	PM
4/6/2014	Darlene Wong	Draft comments to motion for settlement: payment plans	3.25	PP
4/7/2014	Darlene Wong	Call CH on comments to settlement	0.25	GP
4/7/2014	Darlene Wong	Edit draft comments on settlement	0.25	SET
4/7/2014	Darlene Wong	Call and email TURN on comments settlement	0.25	COORD
4/7/2014	Darlene Wong	Call and email TURN on Petition to modify decisions	0.50	PM
4/8/2014	Darlene Wong	Call TURN to discuss concerns with settlement terms on permanent provisions	0.25	SNV
4/8/2014	Darlene Wong	Call TURN to discuss concerns with petition for modification procedure	0.25	PM
4/8/2014	Darlene Wong	Prepare discovery on settlement re: CARE protections	1.25	CARE
4/8/2014	Darlene Wong	Prepare discovery on settlement re: on site visit protections	1.25	SNV
4/9/2014	Darlene Wong	Draft comments to settlement	1.00	SET
4/10/2014	Darlene Wong	Draft response to petition to modify	2.50	PM
4/10/2014	Darlene Wong	Draft comments on settlement	2.00	SET
4/10/2014	Darlene Wong	Review discovery responses	0.25	SET
4/11/2014	Darlene Wong	Edits to response to petition for modification: CARE	0.25	CARE
4/11/2014	Darlene Wong	Edits to response to petition for modification: permanent protection of site visit	0.25	SNV
4/11/2014	Darlene Wong	Edits to response to petition for modification: general edits	0.25	PM
4/11/2014	Darlene Wong	Edits to comments on settlement: permanent protection site visit	1.75	SNV
4/11/2014	Darlene Wong	Edits to comments on settlement: CARE	1.75	CARE
4/12/2014	Darlene Wong	Edits to response to petition for modification	1.50	PM
4/12/2014	Darlene Wong	Edits to comments on settlement	2.50	SET
4/13/2014	Darlene Wong	Draft response to petition for modification	2.00	PM
4/13/2014	Darlene Wong	case research for comments to settlement	1.00	SET
4/14/2014	Darlene Wong	Share draft response to petition and draft comments on settlement with CH/JH	0.25	GP
4/28/2014	Darlene Wong	Review Settling Parties Reply on NCLC's Response to Petition for Modification and review Reply Comments	0.25	GP
5/1/2014	Darlene Wong	Compare SDG&E advice letter re: revised disconnection notice/tariff provisions to current tariff (revisions omit physical posting of 48 hour disconnection notice for elders and disabled)	1.00	SNV
5/1/2014	Darlene Wong	Share concerns re: SDG&E advice letter re: lack of field visit/physical posting of notice for elders and disabled with TURN, CforAT, Greenlining	0.25	SNV
5/2/2014	Darlene Wong	update CH and JH on possible tariff issues	0.25	SNV

5/6/2014	Darlene Wong	monitor for SDG&E revised advice letter/response to request for clarification on advice letter	0.25	SNV
5/12/2014	Darlene Wong	review SDG&E revised advice letter (revision now includes physical posting of 48 hour disconnection notice for elders and disabled)	0.25	SNV
6/19/2014	Darlene Wong	Review Comments on PD and update CH and JH	0.25	PD
7/3/2014	Darlene Wong	Review PG&E advice letter/tariff filing	0.25	SNV
7/6/2014	Darlene Wong	Review SoCal Gas tariff (missing field payment provision)	0.50	SNV
7/6/2014	Darlene Wong	Review SDG&E tariff (missing field payment provision)	0.50	SNV
7/6/2014	Darlene Wong	Review PG&E tariff (missing field paymentprovision)	0.50	SNV
7/7/2014	Darlene Wong	email and call PG&E re: omissions in tariff	0.25	SNV
7/6/2014	Darlene Wong	Review SCE filed tariffs	0.50	GP
7/6/2014	Darlene Wong	email CH re: possible tariff issues	0.25	SNV
7/7/2014	Darlene Wong	email and call Sempra re: SoCal Gas omissions in tariff	0.25	SNV
7/7/2014	Darlene Wong	email and call Sempra re: SDG&E omissions in tariff	0.25	SNV
7/7/2014	Darlene Wong	update Consumer Groups on tariff issues	0.25	COORD
7/7/2014	Darlene Wong	update CH/JH on tariff issues	0.25	SNV
7/8/2014	Darlene Wong	Review PG&E corrected tariff page	0.25	SNV
7/10/2014	Darlene Wong	Review Sempra (SDG&E and SoCal Gas) tariff corrections	0.25	SNV
8/17/2014	Darlene Wong	Compensation claim preparation	3.00	COMP
8/19/2014	Darlene Wong	Compensation claim preparation	3.00	COMP
8/20/2014	Darlene Wong	Compensation claim preparation	5.00	COMP
8/25/2014	Darlene Wong	Compensation claim preparation	0.75	COMP
TOTAL			75.24	

Attachment 3:
Direct Expenses

NCLC is not claiming any direct expenses in this request for compensation.

Attachment 4
Basis of Request for NCLC's Hourly Rates

Attorney Darlene R. Wong

In ALJ-287, the Commission found that "we approve a 2% cost-of-living adjustment (COLA), which we will use in calculating intervenor awards of compensation for work performed in calendar year 2013." *See* ALJ-287 at 1. The decision also provided for the 5% step increases to continue, as provided in D.07-11-009. In D.08-04-010, the Commission stated that "any request for a step increase be clearly and separately explained in the compensation request" and identify whether the request is for a first or second increase within the given level of experience.

NCLC seeks an hourly rate of $345 for Attorney Wong's work beginning in 2013. This represents her currently hourly rate adjusted by the 2% COLA ($325 x 1.02 = $331.50, or $330 when rounded to the nearest $5; *see* D.08-04-010 at 13) along with the 5% step increase authorized by ALJ-287 and D.08-04-010 ($330 x 1.05 = 346.50, or $345 with rounding). The current request is the second step increase that NCLC has sought for Attorney Wong within the 8-12 year experience level.[4]

In D.11-10-042, the Commission awarded Attorney Wong an initial hourly rate of $300, at the low end of the range set for attorneys with 8-12 years of practice. In D.13-04-009, the Commission granted NCLC's request for a first step increase for Attorney Wong, to apply to her work in 2011. The Commission also awarded a COLA to bring her rate to the current $325/hour for work performed in 2012.

In 2013, Attorney Wong was in her twelfth year of practice. She is a 2001 law school graduate and since 2001 has practiced with a continued focus on consumer protection, specifically in the sphere of public utility regulation. Before her work with NCLC, Attorney Wong was an Assistant Consumer Advocate for eight years at the Pennsylvania Office of Consumer Advocate where she routinely appeared before the state's public utility commission and dealt exclusively with consumer issues involving the rates and service of regulated public utilities. The reasonableness of NCLC's request for Attorney Wong's second step increase to $345/hour is further supported by the fact that NCLC's litigation billing rate in other forums for its attorneys with her years of experience is $425/hour.

NCLC's showing in support of this requested increase is consistent with its showing for Attorney Wong's first request for a step increase, which was granted in this docket. *See* D.13-04-009. It is also consistent with TURN's showing for a step increase together with COLA for Attorney Hawiger in D.13-08-022 and the showing for a step increase with COLA for Attorney Christine Mallioux in D.08-04-37. This requested step

[4] Although Attorney Wong is eligible for an increased rate upon reaching the 13+ year experience range with work performed in 2014, NCLC declines to enter such request at this time. NCLC reserves the right to make a future request.

increase for Attorney Wong is reasonable and consistent with past showings for step increases that the Commission has approved, and with D.08-4-010.

NCLC believes that it has provided sufficient support for the requested rate for Attorney Wong's work performed in 2013 and 2014 under the Commission's adopted practices. However, if the Commission has any questions or concerns about this request, NCLC respectfully requests that it be given an opportunity to answer any questions and provide further support to its claim.

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Attachment 5
NCLC Time Allocations by Issue

Attorney	CARE	COORD	GP	PD	PM	PP**	SET*	SNV	Total Time
~~Darlene Wong~~	~~6.58~~	~~2.75~~	~~4~~	~~0.25~~	~~16.5~~	~~10.33~~	10.5	12.58	63.49
TOTAL HOURS	6.58	2.75	4	0.25	16.5	10.33	10.5	12.58	63.49
% TOTAL HOURS	*10.36%*	*4.33%*	*6.30%*	*0.39%*	*25.99%*	*16.27%*	*16.54%*	*19.81%*	*100.00%*

*The code "SET" refers to Settlement. This is largely substantive work related to analysis, coordination, strategy, revisions and negotiations related to settleme difficult to separate out into specific issue categories.

**Although NCLC believes that its efforts have contributed to the idea of pilotpayment plans as a Settlement term and some degree of flexibility to the Settlement and NCLC voluntarily declines to claim those hours for compensation. This voluntary reduction in hours claimed for compensation supports an overall compensation claim ission should find to be reasonable.

Attachment 6:
Preparation of Compensation Claim

	DATE	ATTORNEY	TASK DESCRIPTION	HOURS	ISSUE/ ACTIVITY
	8/17/2014	Darlene Wong	Prepare compensation claim	3.0	COMP
	8/19/2014	Darlene Wong	Prepare compensation claim	3.0	COMP
	8/20/2014	Darlene Wong	Prepare compensation claim	5.0	COMP
	8/25/2014	Darlene Wong	Prepare compensation claim	0.75	COMP
TOTAL				**11.75**	

NCLC has voluntarily reduced its hours spent in preparing this compensation claim to claim only those hours shown above. This voluntary reduction, that limits claim preparation time to 11.75 hours, should support a finding of the reasonableness of NCLC's overall compensation claim.

Attachment 7:
Verification

I, Darlene R. Wong, am Of Counsel for the National Consumer Law Center and am authorized to make this verification. The statements in the foregoing document are true to the best of my knowledge, except for those matters that are stated on information and belief, and as to those matters I believe them to be true.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this **25th day of August 2014** in Westwood, MA.

/s/ Darlene R. Wong

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