

Decision \_\_\_\_\_

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

Order Instituting Rulemaking to Continue the Development  
of Rates and Infrastructure for Vehicle Electrification.

Rulemaking 18-12-006  
(Filed December 13, 2018)

**DECISION GRANTING COMPENSATION TO THE UTILITY REFORM NETWORK  
FOR SUBSTANTIAL CONTRIBUTION TO DECISION (D.) 20-12-027, D.20-12-029,  
D.21-07-028, D.21-12-030, D.21-12-033, D.22-08-024, D.22-11-040, RESOLUTION E-5167,  
AND RESOLUTION E-5227**

<b>Intervenor:</b> The Utility Reform Network (“TURN”)	<b>For contribution to Decisions (D.):</b> D.20-12-027, D.20-12-029, D.21-07-028, D.21-12-030, D.21-12-033, D.22-08-024, D.22-11-040, Resolution E-5167, Resolution E-5227
<b>Claimed:</b> \$418,658.53	<b>Awarded:</b> <del>\$349,328.23</del> <a href="#">\$365,525.73</a>
<b>Assigned Commissioner:</b> Alice Reynolds <sup>1</sup>	<b>Assigned ALJs:</b> Colin Rizzo <sup>2</sup> & Marcelo Poirier

**PART I: PROCEDURAL ISSUES**

<b>A. Brief description of Decision:</b>	D.20-12-027 adopts elements of a Transportation Electrification Framework (TEF) staff proposal regarding utilization by the large electrical corporations of certain proceeds they earn through the Low Carbon Fuel Standard (LCFS) program. The decision also directs large electrical corporations to spend certain Low Carbon Fuel Standard proceeds in accordance with the guidance and regulations established by the California Air Resources Board and the Commission and to file LCFS plans and coordinate their marketing, education, and outreach activities with other transportation electrification initiatives.
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<sup>1</sup> This proceeding was reassigned to President Alice Reynolds on January 31, 2023.

<sup>2</sup> Assigned February 15, 2023.

	<p>D.20-12-029 adopts strategies and metrics to further the integration of electric vehicles as electrical grid resources through vehicle to grid integration (VGI), and fulfills obligations imposed on the Commission by Senate Bill 676.</p> <p>D.21-07-028 adopts guidance and a streamlined advice letter process for the IOUs, regarding near-term priority transportation electrification investments and addresses issues of equity as they relate to transportation electrification. This decision also provides guidance to the IOUs in the event that they choose to submit proposals for transportation electrification investments prior to the time Transportation Electrification Plans are filed.</p> <p>D.21-12-030 revises two elements of Decision 21-07-028, which set near-term priorities for transportation electrification investments by the electrical corporations. First, this decision revises one criterion for the new building construction investment area. Second, this decision revises language describing the expedited review process for applications to extend existing transportation electrification programs.</p> <p>D.21-12-033 orders the interim policy, Common Treatment for Excess Plug-in Electric Vehicle Charging Costs, be made the policy of the Commission, “Common Treatment policy” consistent with Assembly Bill 841. The Common Treatment policy applies to any residential customer of an electrical corporation.</p> <p>D.22-08-024 adopts a plug-in electric vehicle submetering protocol for the IOUs and requires the utilities to implement the submetering protocol for all customers with plug-in electric vehicles and customer-owned submeters.</p> <p>D.22-11-040 adopts a long-term transportation electrification policy framework that includes a third-party administered statewide transportation electrification infrastructure rebate program (TEP) and directs the California electrical corporations to jointly fund the program and associated activities.</p> <p>Resolution E-5167 approves, with modifications, the requests from Pacific Gas and Electric Company (PG&amp;E), Southern California Edison Company (SCE), and San Diego</p>
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	<p>Gas &amp; Electric Company (SDG&amp;E) to establish new Electric Vehicle (EV) Infrastructure Rules and associated Memorandum Accounts, pursuant to Assembly Bill (AB) 841 (Ting, 2020).</p> <p>Resolution 5227-E approves, with modifications, SCE's proposal of the low port rebate program under the Charge Ready 2 program.</p>
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**B. Intervenor must satisfy intervenor compensation requirements set forth in Pub. Util. Code §§ 1801-1812<sup>3</sup>:**

	Intervenor	CPUC Verification
<b>Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):</b>		
1. Date of Prehearing Conference:	3/1/2019	Verified
2. Other specified date for NOI:	N/A	
3. Date NOI filed:	3/29/19	Verified
4. Was the NOI timely filed?		Yes
<b>Showing of eligible customer status (§ 1802(b)) or eligible local government entity status (§§ 1802(d), 1802.4):</b>		
5. Based on ALJ ruling issued in proceeding number:	A.18-12-008	R.18-12-006
6. Date of ALJ ruling:	2-12-19	April 30, 2019
7. Based on another CPUC determination (specify):	N/A	
8. Has the Intervenor demonstrated customer status or eligible government entity status?		Yes
<b>Showing of "significant financial hardship" (§1802(h) or §1803.1(b)):</b>		
9. Based on ALJ ruling issued in proceeding number:	A.18-12-008	R.18-12-006
10. Date of ALJ ruling:	2-12-19	April 30, 2019
11. Based on another CPUC determination (specify):	N/A	
12. Has the Intervenor demonstrated significant financial hardship?		Yes
<b>Timely request for compensation (§ 1804(c)):</b>		

<sup>3</sup> All statutory references are to California Public Utilities Code unless indicated otherwise.

	<b>Intervenor</b>	<b>CPUC Verification</b>
13. Identify Final Decision:	D.22-11-040	Verified
14. Date of issuance of Final Order or Decision:	11/21/22	Verified
15. File date of compensation request:	1/19/22	January 19, 2023, and amended on February 14, 2023.
16. Was the request for compensation timely?		Yes

**PART II: SUBSTANTIAL CONTRIBUTION**

**A. Did the Intervenor substantially contribute to the final decision (see § 1802(j), § 1803(a), 1803.1(a) and D.98-04-059):**

<b>Intervenor’s Claimed Contribution(s)</b>	<b>Specific References to Intervenor’s Claimed Contribution(s)</b>	<b>CPUC Discussion</b>
<p><b>1. D.20-12-027 Decision Concerning Low Carbon Fuel Standard Holdback Revenue Utilization (LCFS):</b></p> <p><b>a.)</b> TURN advocated for a greater allocation of LCFS holdback funds to be used for projects that benefit and low-income individuals. The Decision partially adopted this proposal by increasing the minimum expenditure amount to disadvantaged communities, including low-income communities, to 75% in 2024. The decision also adopted a second-hand EV rebate program as an option for LCFS funds which TURN supported.</p> <p><b>b.)</b> TURN also recommended that the IOUs be directed to pool their LCFS forklift revenue with their LCFS holdback revenue to maximize the support LCFS funding can provide for the important statewide policy objectives</p>	<ul style="list-style-type: none"> <li>• TURN Opening Comments on the Transportation Electrification Framework Scorecards, Targets, Metrics and Reporting and Low Carbon Fuel Standard Programs, 5/11/20, p. 6.</li> <li>• D.20-12-027, p. 13 &amp; 21.</li> <li>• TURN Opening Comments on the Transportation Electrification Framework Scorecards, Targets, Metrics and Reporting and Low Carbon Fuel Standard Programs, 5/11/20, pp. 8-9</li> <li>• D.20-12-027, p. 31.</li>   <li>• TURN Opening Comments on the Transportation Electrification Framework Scorecards, Targets, Metrics and Reporting and Low Carbon Fuel Standard Programs, 5/11/20, p. 9.</li> <li>• D.20-12-027, p. 33.</li> </ul>	<p>Many of the proposals TURN supported were created by staff or other parties on their own motion. TURN’s contributions on these issues were minimal at best.</p> <p><a href="#">While TURN provided an amended claim in comments to the original proposed decision on their intervenor compensation claim, the material in the amended claim relevant to this issue described TURN’s participation in post-decision activities that do not relate to the Commission decision at issue.</a></p>

<p>which the Decision adopted. c.) TURN also supported the Joint Commenter’s proposal to encourage utilities to use holdback funds for TE projects that reduce public health burdens on freight-impacted communities which the Decision included as option for the LCFS funds despite it not being on of Staff’s recommended options in TEF.</p>	<ul style="list-style-type: none"> <li>• TURN Reply Comments on the Transportation Electrification Framework Scorecards, Targets, Metrics and Reporting and Low Carbon Fuel Standard Programs, 6/19/20, p. 10.</li> <li>• D.20-12-027, p. 29.</li> </ul>	
<p><b>2. D.20-12-029 Concerning Implementation of Senate Bill 676 and VGI Strategies:</b> TURN recommended the Commission hold workshops to evaluate the utilities proposed criteria for ALM deployments for electric vehicle charging load. The Commission agreed and directed Energy Division to hold a series of workshops addressing ALM deployment criteria.</p>	<p>- TURN Comments on Proposed Decision Concerning Implementation of Senate Bill 676 and Vehicle-To-Grid Integration Strategies, pp. 4-5.</p> <p>- D.20-12-029, p.. 28-29</p>	<p>The addition of a requirement to hold ALM workshops in the revised proposed decision was a relatively minor component of the decision’s ALM determinations. TURN did not file comments on VGI issues prior to filing comments on the proposed decision, and did not contribute to nearly the entirety of D.20-12-029.</p> <p><a href="#">While TURN provided an amended claim in comments to the original proposed decision on their intervenor compensation claim, the material in the amended claim relevant to this issue described TURN’s participation in post-decision activities that do not relate to the</a></p>

		<a href="#">Commission decision at issue.</a>
<p><b>3. AB 841/ EV Infrastructure Rules: Cost of Underground EV Service Extensions</b>                      TURN proposed various cost containment measures for the EV Infrastructure Rules (Rules). While not all were adopted, The Commission did adopt TURN’s recommendation that PG&amp;E and SDG&amp;E’s EV Rules be clarified to require underground EV Service Extensions installed at the request of the applicant be paid for by the applicant. The Commission agreed and directed PG&amp;E and SDG&amp;E to revise their proposed rules.</p>	<p>- TURN Protest to San Diego Gas and Electric AL 3705-E, Pacific Gas and Electric Advice Letter 6102-E, and Southern California Edison Advice Letter 4429-E, p. 4.</p> <p>- Resolution 5167-E, p. 15.</p>	<p>Verified</p>
<p><b>4. AB 841/ EV Infrastructure Rules: Upsizing the Capacity of EV Service Extensions</b>                      TURN raised the need to balance the long-term efficiencies in future-proofing sites by providing utility-side distribution infrastructure to support more ports than there is currently demand for, with ensuring costs are reasonable and the risk of stranded costs is mitigated to the greatest extent possible and proposed requiring some contribution or commitment from site hosts regarding future demand.</p>	<p>- TURN Protest to San Diego Gas and Electric AL 3705-E, Pacific Gas and Electric Advice Letter 6102-E, and Southern California Edison Advice Letter 4429-E, p.2.</p> <p>- Resolution 5167-E, p. 23. “TURN notes that efforts to future proof sites by providing more infrastructure for future ports must be balanced with ensuring costs are reasonable and that the risk of stranded costs is mitigated.”</p> <p>- Resolution 5167-E, pp. 23-24. “We also agree with TURN that we must balance this with ensuring that costs are reasonable and stranded assets are avoided. ... we require that each IOU gets a signed commitment from applicants that they will install additional EVSE in the future and the approximate number of EVSE they plan to install. Each applicant must provide the IOU with its timeline for the</p>	<p>Verified</p>

	<p>installation.</p>	
<p><b>5. AB 841/ EV Infrastructure Rules: Timing for Evaluation of EV Infrastructure Rules</b>                  AB 841 included a provision that the EV Infrastructure rules could be revised at the end of the general rate case cycle of the electrical corporation following the one during which the advice letter was filed. TURN researched the proper implementation of this provision given the IOU’s respective GRC cycles and recommended the Commission evaluate the impacts of the Rules on ratepayers at the end of each IOU’s GRC cycle to determine if a policy change is necessary to mitigate unnecessary costs and risks to ratepayers. TURN also proposed the evaluation start before the cycle ends so changes could be made at the start of the new cycle if necessary. The Commission agreed. TURN also recommended a clause be added to each of the IOUs rules reflecting this possible future change in policy which the Commission adopted.</p>	<p>- TURN Opening Comments On The Assigned Commissioner’s Ruling Regarding The Implementation Of Assembly Bill 841, p. 13.</p> <p>- Resolution 5167-E, p. 31: “TURN, citing the potential for unnecessary risk to ratepayers, recommends that the CPUC should evaluate the impacts of the IOUs’ policies at the end of each IOU’s GRC cycle to determine if a policy change is necessary. ... we understand there may be a need to evaluate these policies one-by-one. Thus, it is reasonable for the CPUC to begin the evaluation of the EV Infrastructure Rules by January 2025.”</p> <p>- Resolution 5167-E, p. 31: “While the timing for a modification of the Rules, per statute, would not occur until after 2026, 2027, and 2028 respectively, it is critical that we begin evaluating these policies earlier.”</p> <p>- TURN Protest to San Diego Gas and Electric AL 3705-E, Pacific Gas and Electric Advice Letter 6102-E, and Southern California Edison Advice Letter 4429-E, p.4.</p> <p>- Resolution 5167-E, p. 32: “TURN within its combined protest to the three ALs recommends that a timeframe clause be added to the Applicability section of the Rules. ... We find TURN’s recommendation both reasonable and aligned with AB 841 and Section 740.19(c).</p>	<p>Verified</p>
<p><b>6. AB 841/ EV Infrastructure Rules: Customer</b></p>		<p>Verified</p>

<p><b>Contribution</b>                  TURN disputed the ACR and other parties’ statutory interpretations that AB 841 specifically precluded customer contributions. TURN argued customer contributions were permitted under the statute and that they should be required. The Resolution agreed with TURN’s interpretation but declined to adopt a customer contribution requirement at this time. TURN’s extensive statutory research contributed to the Commission’s decision making and determination that contributions are permitted which will benefit ratepayers in the future if the cost of implementing the rules proves excessive.</p>	<ul style="list-style-type: none"> <li>- TURN Opening Comments On The Assigned Commissioner’s Ruling Regarding The Implementation Of Assembly Bill 841, 2-5-21, pp.11-12.</li> <li>- Resolution 5167-E, pp. 29. “we agree with Cal Advocates, TURN, UCAN, and SBUA that customer contributions are allowable under the statute.”</li> <li>- Resolution 5167-E, pp. 29-30. “The CPUC may incorporate one in the future after evaluating the Rules, if necessary.”</li> </ul>	
<p><b>7. AB 841/ EV Infrastructure Rules: Site Level Data Collection &amp; Reporting.</b>                  TURN advocated strongly for granular, site level data reporting in order to provide transparency regarding the cost of implementing the rules and to evaluate reasonableness. The utilities strongly opposed this requirement but the Commission ultimately adopted TURN’s recommendation.</p>	<ul style="list-style-type: none"> <li>-Reply Comments On The Assigned Commissioner’s Ruling Regarding The Implementation Of AB 841, 2-19-21, pp. 3-5.</li> <li>- TURN Protest to San Diego Gas and Electric AL 3705-E, Pacific Gas and Electric Advice Letter 6102-E, and Southern California Edison Advice Letter 4429-E, p.5.</li> <li>- Resolution 5167-E, p. 35. “TURN states that site level cost tracking is necessary to evaluate the costs and benefits of the Rules, and that the CPUC should direct the IOUs to track site level data, ....”</li> <li>- Resolution 5167-E, p. 36. Further, in order to evaluate and determine</li> </ul>	<p>Verified</p>



	<p>reasonableness of costs, we see value in directing the IOUs to take a granular approach to cost data reporting within their Memo Accounts. ... he IOUs' Memo Accounts must attribute all labor and material costs to individual sites. Further, understanding the individual site-by-site expenditures is imperative to understanding the reasonableness of the expenditures.”</p>	
<p><b>8. AB 841: Common Treatment Policy</b>                  In response to an Assigned Commissioner Ruling TURN filed comments recommending that the common treatment policy for EV infrastructure costs be extended to multi-family housing where non-separately metered EV chargers were installed, to promote equity as MUDs had been excluded from the policy but MUD residents were required to pay for the system distribution costs associated with single family residential customers' EV charging upgrades. The Commission agreed with TURN's position and extended the policy to multi-unit dwellings.</p>	<p>-Reply Comments On The Assigned Commissioner's Ruling Regarding The Implementation Of AB 841, 2-19-21, pp. 1-2.</p> <p>- D.21-12-033, p. 5: “The Utility Reform Network (TURN) agrees that the statute directly addresses providing subsidies for residential utility-side distribution services upgrades for home-based EV charging.”</p> <p>- D.21-12-033, p. 9, COL 4: “It is reasonable to interpret the term “residential” as used in Public Utilities Code § 740.19(d)(2), as being inclusive of all types of residences, and not just applying to single-family residences”</p> <p>- D.21-12-033, p. 9, COL 5: “It is reasonable to modify the interim policy known as Common Treatment for Excess PEV Charging Costs such that service facility upgrade costs triggered by the installation EV charging at MUDs shall be treated as common facility costs where there are logistical or financial barriers to the installation of a separate meter for EV charging facilities.”</p>	<p>Verified</p>
<p><b>9. Near-Term Priorities Decision 21-07-028: Priority</b></p>		<p>Verified</p>

<p><b>Segments</b> TURN supported near-term priority project segments focused on solutions for customers without access to home charging and resiliency pilots focused in areas subject to very high or extreme fire threats &amp; to the extent not duplicative with existing projects and pilots.</p>	<p>RE MUD resident Access see: TURN Reply Comments, p. 15.</p> <p>D.21-07-028, pp. 51-52.</p> <p>(RE Resiliency see: TURN Opening Comments, pp. 17-18.</p> <p>D.21-07-028, pp. 47-48: "... this decision finds it reasonable to include resiliency as a near-term priority for Electrical Corporation TE investments"</p>	
<p><b>10. Near-Term Priorities Decision 21-07-028: Cost Allocation</b> TURN advocated for committing substantial percentage of project funds to equity communities. TURN also advocated for harmonizing the equity communities definition in the TEF with the priority communities definition used in AB 841 which the Commission adopted. TURN also recommended that Fortune 1000 companies located in underserved communities not be eligible for enhanced subsidies which the commission adopted.</p>	<p>- TURN Opening Comments, pp. 11-12.</p> <p>- D.21-07-028, p.32: requiring IOUs to "Utilize a program specific infrastructure or expenditure requirement of at least 50 percent for customers living in underserved communities."</p> <p>- D.21-07-028, p.68: "... the Electrical Corporations should ensure potential underserved community sites are not on the Fortune 1000 list. Organizations listed on the Fortune 1000 list should be excluded from receiving a rebate ..."</p>	<p>It is not clear that TURN's activity specifically contributed to either of these conclusions in D.21-07-028. In particular, the revised proposed decision noted that TURN's recommendation regarding Fortune 1000 companies had already been adopted by a previous Commission decision, rendering their recommendation superfluous.</p>
<p><b>11. Near-Term Priorities Decision 21-07-028: Budget Caps</b> TURN supported a \$20 million budget cap for advice letter proposals which the Commission adopted.</p>	<p>TURN Opening Comments, p. 17.</p> <p>D. 21-07-028, p.39 &amp; 41. "This decision imposes these budgetary caps in order to safeguard the interests of ratepayers, as required by SB 350 and as argued by Cal Advocates and TURN.</p>	<p>The original proposal for a budgetary cap was made by staff on its own motion. TURN's contribution on this issue was minimal.</p>
<p><b>12. Decision D.22-08-024 -</b></p>		<p>Verified</p>

<p><b>Adopting Plug-In Electric Vehicle Submetering Protocol And Electric Vehicle Supply Equipment Communication Protocols: Use of Submeters</b></p> <p>TURN argued against separate utility-owned meters to enable submetering as overly costly and not scalable. The Commission agreed and determined submeters should be used.</p>	<ul style="list-style-type: none"> <li>- TURN Reply Comments on ALJ Ruling (1/23/20), p. 2.</li> <li>- “We agree with parties that a submeter either owned by the customer or a third party and operated and maintained by either the customer or a third party is the best option.” D.22-08-024, P.9</li> <li>- See also D.22-08-024, P.40, COL 1.</li> </ul>	
<p><b>13. Decision D.22-08-024 - Adopting Plug-In Electric Vehicle Submetering Protocol And Electric Vehicle Supply Equipment Communication Protocols: Data storage</b></p> <p>TURN recommended the Commission develop standard minimum local station data storage requirements to enable both the preservation of usage data when WIFI is temporarily down and the submission of that data once WIFI is restored. The Commission agreed, adopting a requirement to use WIFI or cellular networks for submeter data communication and to require that the submeter data be stored onsite for 30 days.</p>	<ul style="list-style-type: none"> <li>- TURN Reply Comments on ALJ Ruling (1/23/20), p. 2.</li> <li>- See also D.22-08-024, P.19.</li> <li>- Storing raw data would allow a utility and a customer to resolve any discrepancies that arise between the submeter’s load readings and the customer’s monthly bill. We therefore require the use of WIFI or cellular networks for submeter data communication. We also require that the submeter data be stored onsite for 30 days and remotely for 90 days to ensure any billing disputes can be accurately addressed with the stored consumption data. D.22-08-024, pp. 19-20.</li> </ul>	<p>Verified</p>
<p><b>14. D.22-11-040 TE Program (TEP) Structure:</b> Decision 22-11-040 establishes a \$1 billion, 5-year, EV infrastructure (charging stations) rebate program (TEP)</p>	<p>Opening Comments of The Utility Reform Network On The Transportation Electrification Framework Overview, Investor Owned Utility Transportation Electrification Plan Development, IOU Roles, And</p>	<p>Pages 95-96 of D.22-11-040 do not appear to refer to the issue cited by TURN, and these pages do not contain references</p>

<p>that will run from 2025-2030. TURN advocated strongly for a rebate program structure throughout the proceeding and the move away from utility ownership of charging infrastructure. TURN also recommended the program be administered by a third party. TURN also supported a multi-year statewide program. The Commission adopted a rebate-only program administered by a statewide program administrator. TURN also argued against any additional authorization of funds for TE projects during the first term of the TEP which the commission adopted.</p>	<p>Near-Term Investment Priorities, March 6, 2020, pp. 5-6.</p> <p>TURN Comments on TEF Staff Proposal, p.1</p> <p>TURN Reply Comments on the Proposed Decision, p.4.</p> <p>D.22-11-040, p. 95-96 &amp; 101.</p> <p>D.22-11-040, p.103. “We find it appropriate to eliminate all IOU ownership of BTM infrastructure beginning with FC1.”</p>	<p>to TURN filings.</p> <p>Otherwise verified as to pages 101 and 103 of D.22-11-040.</p>
<p><b>15. D.22-11-040: TEP Equity Measures</b>  <b>A)</b> TURN analyzed the results of past EV infrastructure programs and determined that the best way to promote equity is to focus on focusing on low-income residents instead of census tract designations when offering enhanced subsidies. TURN proposed offering enhanced incentives for charging infrastructure to multi-unit dwellings where the majority of the residents have incomes at or below 80 percent of the area median income (AMI). The Commission adopted this proposal and declined to offer enhanced rebates for other light duty site types. <b>B)</b> TURN also proposed at least 50 percent of funding for communities affected by both poverty and pollution. The Commission adopted a 65%</p>	<p>TURN Comments on TEF Staff Proposal, p.13.</p> <p>D.22-11-040, p. 133-135.          “We adopt higher LD rebates for only one customer type in the proposal: MUDs with a majority low-income residents, defined as those customers with incomes at or below 80 percent of the AMI. In response to persuasive arguments from TURN, GRID, Greenlining, Cal Advocated, and NDC, this decision does not authorize higher rebates for all MUDs in DACs and MUD-serving public locations.”</p> <p>TURN Comments on TEF Staff Proposal, pp.12-14.</p>	<p>Verified</p>

<p>minimum for underserved communities which TURN supported in comments on the PD and other parties opposed. C) TURN also recommended that Fortune 1000 corporations-operating in DACs or elsewhere be prohibited from receiving any FC1 rebates because these large corporations do not require additional TE incentives funded by ratepayers, the Commission adopted this proposal.</p>	<p>- D.22-11-040, p. 130 &amp; 138.</p> <p>- TURN Comments on TEP PD, p. 8.</p> <p>- TURN Comments on TEF Staff Proposal, p.14.</p> <p>- D.22-11-040, p. 115.</p>	
<p><b>16. D.22-11-040 TEP cost recovery:</b> TURN proposed that all costs be treated as expense, to reduce long-term costs for ratepayers and reduce the risk of stranded costs, which the Commission adopted. The utilities lobbied for the capitalized of rebates which TURN opposed, and the Commission relied on TURN's cost analysis in rejecting the capitalization proposals.</p>	<p>Opening Comments of The Utility Reform Network On The Transportation Electrification Framework Overview, Investor Owned Utility Transportation Electrification Plan Development, IOU Roles, And Near-Term Investment Priorities, March 6, 2020, pp. 5-6.</p> <p>- TURN Opening Comments on Staff Proposal, p. 4.</p> <p>-TURN Reply Comments on Staff Proposal, pp. 4-6.</p> <p>D.22-11-040, p. 105: "we agree with TURN that capitalizing these costs will be significantly more expensive for ratepayers over time."</p>	Verified
<p><b>17. D.22-11-040 TEP Cost:</b> Decision 22-11-040 establishes a \$1 billion, 5-year, EV infrastructure (charging stations) rebate program that will run from 2025-2030.</p>	<p>TURN Comments on TEF Staff Proposal, pp. 3 &amp; 6.</p> <p>D.22-11-040, pp. 89-90. "Of the authorized \$1 billion program budget, the IOUs may only access up to 60</p>	Verified

<p>TURN opposed such a large authorization of ratepayer funds prior to the start of the program and instead recommended a budget of up to \$500 million. In response to TURN and other parties’ advocacy, the initial authorized budget was reduced from \$1 billion to \$600 million, with the remaining \$400 million subject to a mid-course review of the program in 2027. TURN also argued against any additional authorization of funds to address funding gaps as unnecessary, which the commission adopted.</p>	<p>percent of the budget within the first three years. ... This provides flexibility to determine if the full \$1 billion is reasonable over the five-year period.”</p> <p>TURN Comments on TEF Staff Proposal, p.9</p> <p>D.22-11-040, p.100: “We do not adopt any process to authorize additional funds for FC1. We agree with TURN and NDC that any gaps would indicate a robust market.”</p>	
<p><b>18. SCE PAC: Resolution E-5227: SCE Low-Port Rebate Program: Incentive Levels Comparable to Standard Program</b></p> <p>In regards to Resolution 5227-E, regarding SCE’s low-port rebate program which was a post-decision implementation activity of SCE’s Charge Ready 2 program, TURN was the only party to file a protest to SCE’s advice letter and TURN submitted a detailed proposal for SCE’s low-port rebate program, which the Commission primarily adopted. TURN’s advocated for a low-port program offering that is a comparable alternative to the standard make-ready program, challenging SCE’s proposal to set the rebate at only \$5,000.</p>	<p>TURN Protest to SCE’s AL 4480-E, p. 4-5.</p> <p>It is unreasonable to lower the rebate level to cover customer-side costs to \$5,000. Instead, the Commission directs a customer-side rebate cap of \$10,000 for sites installing four or fewer ports. Accounting for increased costs since the pilot, a \$10,000 cap will not exceed the nearly 70 percent of costs for a per port cap of \$16,000 but will cover a generous amount of costs if needed.” P. 10</p>	<p>Verified</p>
<p><b>19. SCE PAC: Resolution E-5227 SCE Low-Port</b></p>		<p>Verified</p>

<p><b>Rebate Program: Budget Limitations</b> TURN argued that consistent with the Decision, the low-port rebate program costs were included in the total authorized Charge Ready 2 budget, contrary to SCE’s proposal to record the costs separately. The Commission agreed that the authorized Charge Ready 2 budget included the low-port rebate program.</p>	<p>TURN Protest to SCE’s AL 4480-E, pp. 3-4.</p> <p>“The Commission agrees with TURN’s assertions that the make-ready expansion budget includes total program costs for L1/L2 ports, including customer, utility side costs, O&amp;M, and contingencies regardless of site size<sup>11</sup>.” Res. 5227-E, p.9.</p>	
<p><b>20. SCE PAC: General Participation:</b> TURN is an active participant in the Program Advisory Council (PAC) for SCE’s Transportation Electrification standard &amp; priority review programs, Parks and Beaches programs, and its EVCN and EVC2 Programs. This PACs were created pursuant to Decision 18-05-040 to provide feedback and advice on the implementation of the programs, including data collection</p>	<p>- D.18-05-040, OP 2, 31, 34, 46.</p>	<p>Verified, except with respect to OP 46 of D.18-05-040, which does not refer to PAC work.</p>
<p><b>21. PG&amp;E PAC:</b> TURN is an active participant in the Program Advisory Council (PAC) for PG&amp;E’s Transportation Electrification standard review programs, Parks and Beaches programs, and its EVCN and EVC2 Programs. This PACs were created pursuant to Decision 18-05-040 to provide feedback and advice on the implementation of the programs, including data collection. D.18-05-040</p>	<p>- D.18-05-040, OP 2, 31, 34, 46.</p>	<p>Verified, except with respect to OP 46 of D.18-05-040, which does not refer to PAC work.</p>

<p>discusses the responsibilities of PAC members and calls for participation from a “diverse set of stakeholders”. TURN participates in most PAC meetings and gives feedback regarding program implementation and revisions.</p>	<p>- D.18-05-040, p. 126.</p>	
<p><b>22.SDG&amp;E PAC:</b> TURN is an active participant in the Program Advisory Council (PAC) for SDG&amp;E’s Transportation Electrification priority review programs, Parks and Beaches programs, and its Power Your Drive (PYD) and PYD2 programs. This PACs were created pursuant to Decision 18-05-040 to provide feedback and advice on the implementation of the programs, including data collection. TURN participates in most PAC meetings and gives feedback regarding program implementation and revisions. As a member of the PYD PAC TURN reviewed the semi-annual reports for the program. In its review of the sixth annual report TURN identified a 55% (\$25M) overspent in the program that had not been previously identified. TURN filed comments on the report notifying the Commission of this issue.</p>	<p>- D.18-05-040, OP 2, 31, 34, 46.</p> <p>- TURN Comments On The Electric Vehicle-Grid Integration Pilot Program Sixth Semi-Annual Report Of San Diego Gas &amp; Electric, June 12, 2019, pp. 1-3.</p>	<p>OPs 2, 31, 34, and 46 of D.18-05-040 do not refer to SDG&amp;E. OP 2 is specific to SCE and PG&amp;E. OP 31 is specific to PG&amp;E. OP 34 is specific to PG&amp;E and SCE. OP 46 does not refer to PAC work at all.</p> <p><del>Given that</del> <del>However,</del> <del>TURN’s participation in SDG&amp;E’s PAC is not related to the cited portions of D.18-05-040,</del> <del>amende</del> <del>d claim provided in</del> <del>comments to the original proposed decision on their intervenor compensation claim support their contention that</del> <del>this work did not substantially contribute</del> <del>contributed</del> to a Commission decision <del>and should be disallowed</del> <del>notably the work on SDG&amp;E’s PAC. This contribution is</del></p>



		<a href="#">therefore verified.</a>
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**B. Duplication of Effort (§ 1801.3(f) and § 1802.5):**

	<b>Intervenor's Assertion</b>	<b>CPUC Discussion</b>
<b>a. Was the Public Advocate's Office of the Public Utilities Commission (Cal Advocates) a party to the proceeding?<sup>4</sup></b>	Yes	Noted
<b>b. Were there other parties to the proceeding with positions similar to yours?</b>	Yes	Noted
<b>c. If so, provide name of other parties:</b> In regards to certain issues and as explained in greater detail below: National Diversity Coalition (NDC), Cal Advocates, Utility Consumers Action Network (UCAN), The Greenlining Institute (Greenlining).		Noted
<b>d. Intervenor's claim of non-duplication:</b> This proceeding covers a wide variety of topics related to California's transportation electrification initiatives. In regards to Resolution 5167-E and the implementation of AB 841, TURN, UCAN and Cal Advocates took similar positions in regards to the need for customer contributions. TURN and NDC took similar positions regarding the need for site level data reporting. However, TURN's 4 sets of comments and Advice Letter protest provided detailed statutory interpretations and TURN uniquely advocated for the need to re-evaluate the policies one a utility by utility basis as soon as permissible under the statute which the Commission adopted. TURN also made unique data collection and reporting recommendations that were adopted by the Commission.  In regards to Decision 21-07-028 regarding near-term priorities, TURN and Cal Advocates both argued that budget caps were necessary for the streamlined review projects and supported the \$20 million cap proposed in the draft TEF. TURN proposed many other unique recommendation in regards to near-term priority projects that were adopted.		Noted

<sup>4</sup> The Office of Ratepayer Advocates was renamed the Public Advocate's Office of the Public Utilities Commission pursuant to Senate Bill No. 854, which the Governor approved on June 27, 2018.

In regards to Decision 22-08-024 regarding submetering and EVSE communication protocols, TURN's advocacy helped the Commission determine that submeters within EV charging stations could be used for billing thus eliminating the need for a second utility meter which will save ratepayers money on EV charging equipment deployments. TURN's data communication and storage proposals will save money but using existing WIFI and cellular networks and ensure any billing disputes can be accurately addressed with the stored consumption data.

In regards to Resolution 5227-E, regarding SCE's low-port rebate program which was a post-implementation activity of SCE's Charge Ready 2 program, TURN was the only party to file a protest to SCE's advice letter and TURN submitted a detailed proposal for SCE's low-port rebate program which the Commission primarily adopted. TURN's advocacy resulted in a low-port program offering that is a comparable alternative to the standard make-ready program which will save ratepayers money and enhance the operation of the Charge Ready 2 program by ensuring a less costly option exists for low-port sites.

In regards to D.22-11-040, NDC, Cal Advocates and UCAN took similar positions as TURN regarding cost recovery via a one-way balancing account. NDC also supported TURN's rebate proposal and joined TURN in opposing the utilities' arguments to capitalize the rebates. Cal Advocates, NDC and UCAN also opposed the \$1 billion program budget but provided diverse alternative proposals. In regards to equity issues, TURN took complementary positions to Greenlining and NDC.

For the various TE application-specific PACs, other parties such as the Cal Advocates, UCAN, Greenlining and the National Diversity Coalition have participated in the PACs and made similar recommendations as TURN on at least one issue.

TURN's compensation in this proceeding should not be reduced for duplication of the showings of other parties. TURN and Cal Advocates have been the primary parties actively advocating for ratepayers, however both parties have proposed unique recommendations and have coordinated as appropriate to avoid duplication to the extent possible. TURN has additionally participated in some workshops and interagency working group meetings on VGI and submetering issues as the sole advocate for ratepayers.

Regarding the various PAC meetings, many parties are involved and it is virtually impossible for TURN to completely avoid some duplication of the work of other parties. However, TURN worked with other intervenors to avoid duplication and took unique positions on key issues for ratepayers. TURN has devoted a relatively small amount of time to its participation in the various PACs and has chosen issues to focus on that were not being addressed

<p>by other stakeholders.</p> <p>In a proceeding such as this where many stakeholder groups are encouraged to participate, some degree of duplication may be practically unavoidable.<sup>5</sup> TURN at times advanced recommendations that overlapped with the positions of other parties, including parties with whom TURN’s interests are quite distinct (such as the Joint Parties). Nonetheless, TURN submits that its compensation in this proceeding should not be reduced for duplication of the showings of other parties. Rather, the Commission should find that there was no undue duplication, as any duplication served to materially supplement, complement or contribute to the showing of another party and, therefore, is fully compensable under PU Code Section 1802.5.</p>	
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**C. Additional Comments on Part II: *(use line reference # or letter as appropriate)***

#	Intervenor’s Comment	CPUC Discussion
1.	<b>Compensation for Partial Success:</b>	Noted

<sup>5</sup> See, i.e. D.96-08-040 (67 CPUC 2d 562, 575-576.X)(“[B]ecause of the extraordinary level of participation required of both parties and intervenors throughout these proceedings, we find that a reduction in the amount awarded to intervenors based on duplication of effort is unwarranted. Section 1803(b) requires that the awarding of fees to intervenors “be administered in a manner that encourages the effective and efficient participation of all groups that have a stake in the public utility regulation process.” Each of the intervenor groups clearly has a stake in the process of restructuring California’s electrical services industry and we are grateful for their participation in these proceedings. Moreover, we rely on them to continue their effective and efficient participation in our proceedings as we move forward with the many implementation tasks ahead. [footnote omitted][¶] . . . In a broad, multi-issue proceeding such as this, we expect to see some duplication of contribution. This duplication does not diminish the value of that contribution to the Commission. In our view, to deduct from an award of reasonable fees in this case would not encourage the effective and efficient participation of all stakeholders in the spirit of § 1801.3(b).”)

#	Intervenor’s Comment	CPUC Discussion
	<p>The Commission has interpreted the Section 1802 definition, in conjunction with Section 1801.3, so as to effectuate the legislature’s intent to encourage effective and efficient intervenor participation. The statutory provision of “in whole or in part,” as interpreted by multiple Commission decisions on intervenor compensation requests, has established as a general proposition, that when a party makes a substantial contribution in a multi-issue proceeding, it is entitled to compensation for time and expenses even if it does not prevail on some of the issues.</p> <p>The standard for an award of intervenor compensation is whether TURN made a substantial contribution to the Commission’s decision, not whether TURN prevailed on a particular issue. See, for example, D.98-04-028 (awarding TURN full compensation in CTC proceeding, even though TURN did not prevail on all issues); D.98-08-016, pp. 6, 12 (awarding TURN full compensation in SoCalGas PBR proceeding); D.00-02-008, pp. 4-7, 10 (awarding TURN full compensation even though TURN unsuccessfully opposed settlement); D.08-04-004, p. 5-6; D.09-04-027, p. 4 (TURN’s efforts “contributed to the inclusion of these issues in the Commission’s deliberation” and caused the Commission to “add</p>	

#	Intervenor’s Comment	CPUC Discussion
	<p>more discussion on the issue, in part to address TURN’s comments.”); D.10-06-046, p. 5.</p> <p>In D.21-07-028, the Commission adopted TURN’s primary positions regarding budget caps, underserved communities allocations and limitations and certain segments to target with investment. The Commission should compensate TURN for all work in this proceeding, despite the fact that the Commission did not adopt all of TURN’s recommendations on certain other issues, such as including MD-HD projects in the target segment categories as this time.</p> <p>Additionally D.21-12-030 revised discrete portions of D.21-07-028 that TURN had originally supported. However, many of the program structure and segments TURN advocated for remained intact. Accordingly the revisions to D.21-07-028 did not significantly erode TURN’s substantial contributions.</p> <p>In D.22-11-040, the Commission adopted TURN’s primary positions regarding the structure of the program, equity provisions, limiting the initial and cost recovery. The Commission should compensate TURN for all TURN for all work in this proceeding, despite the fact that the Commission did not adopt all of TURN’s recommendations on certain other issues, such as the overall budget for the TEP.</p>	

**PART III: REASONABLENESS OF REQUESTED COMPENSATION**

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

	<b>CPUC Discussion</b>
<p><b>a. Intervenor’s claim of cost reasonableness:</b></p> <p>TURN’s request for intervenor compensation seeks an award of approximately \$418,658 as the reasonable cost of our participation in this proceeding resulting in D.20-12-027, D.20-12-029, D.21-07-028, D.21-12-030, D.21-12-033, D.22-08-024, D.22-11-040, Resolution E-5167, and Resolution E-5227. Additionally, TURN’s participation in the Transportation Electrification Framework process in R.18-12-006 contributed to the Commission’s guidance to the utilities for their individual light-duty EV charging applications, by ensuring that the Commission’s framework for reviewing those applications was structured to minimize costs and include important ratepayer protections. TURN submits that these costs are reasonable in light of the importance of the issues TURN addressed and the benefits provided to ratepayers.</p> <p>All of the benefits of TURN’s participation in R.18-12-006 cannot be quantified, as the proceeding primarily involved policy issues. For this reason, the Commission should treat this compensation request as it has treated similar past requests with regard to the difficulty of establishing specific monetary benefits associated with TURN’s participation. (See i.e. D.07-12-040, p. 21 (awarding TURN intervenor compensation for energy efficiency (EE) policy work in A.05-06-004 et al.); D.13-06-019 (awarding TURN intervenor compensation for EE policy work in R.09-11-014); D.19-10-015 (awarding TURN compensation for TE policy work in R.13-11-007.)</p> <p>However, TURN’s participation contributed to the Commission making many policies regarding TE that benefit and protect ratepayers, including:</p> <ul style="list-style-type: none"> <li>• Limiting the scope of the extension of common facilities treatment for residential EV charging infrastructure under the new EV tariff rules and establishing a process to re-evaluate the new rules in the near future.</li> <li>• Creating a framework for utility TE applications filed throughout the rest of the decade that mandate the consideration of ratepayer benefits, strategies to leverage non-ratepayer funds, data collection and reporting components, measures to reduce the risk of stranded assets, and a showing that the applications are necessary in light of the TEP.</li> </ul> <p>TURN’s participation in the Rulemaking also enhanced the discussion and</p>	<p>As described above, some of TURN’s efforts in this proceeding did not substantially contribute to Commission decisions, and therefore the costs associated with those efforts are unreasonable.</p>

	CPUC Discussion
<p>analysis of several important TE issues including rate design, vehicle to grid integration, and submetering protocols.</p> <p>TURN’s participation in this proceeding contributed to a reduction of the automatically authorized cost for the TEP from \$1 billion proposed in the TEF Staff Proposal, to approximately \$600 million, requiring a thorough review and evaluation of the TEP before authorizing the remaining \$400 million. TURN’s contributions also resulted in modifications to the cost recovery and treatment of some costs which reduced the capital costs of the program, which will result in ratepayers paying a substantially lower revenue requirement and total cost over the program term and into the future. Per TURN’s suggestions, the Commission also eliminated utility ownership of charging stations from the TEP which reduces the risk of stranded costs that would be paid by ratepayers and essentially eliminates ratepayer capital costs for the program. The Commission’s adoption of TURN’s equity proposals will help ensure the rebates are targeted to sites that need them the most to induce participation.</p> <p>TURN also includes our time devoted to participation in the PACs for all three utilities’ and related efforts through review of, and protest to, the utilities’ program implementation advice letters. The benefits of TURN’s participation cannot be easily quantified but has resulted in many ratepayer benefits including ensuring the implementation of the various TE programs is consistent with the Commission’s directives, setting program rebates at a reasonable level to reduce the cost burden on non-participating ratepayers, evaluating the TEF and revised Staff Proposals’ equity proposals to ensure the benefits of the programs flow to low-income individuals and underserved communities.</p> <p>For all of these reasons, the Commission should find that TURN's efforts have been productive.</p>	
<p><b>b. Reasonableness of hours claimed:</b></p> <p>In this request TURN seeks compensation for approximately 310 hours of expert witness time and approximately 780 hours of attorney time. This amount of resources was warranted and reasonable in light of a number of factors, including that TURN’s participation in this rulemaking spans a four year period and covers many Commission rulings, workshops, PAC meetings, and working groups.</p> <p>This rulemaking also addressed a wide breath of TE issues with great policy significance. The issues and policies explored in this rulemaking are essential for creating well designed and sustainable TE policies necessary to support the Governor’s ambitious TE adoption goals, California’s GHG</p>	<p>As described above, some of TURN’s efforts in this proceeding did not substantially contribute to Commission decisions, and therefore the costs associated with those efforts are unreasonable.</p>

	CPUC Discussion
<p>reduction goals, and ensure ratepayers receive benefits from transportation electrification. Much of the work related to broad TE issues is ongoing and it continues irrespective of whether the issues are pending in an open application. Indeed, the work in this Rulemaking fed and will continue to feed into the Commission’s formal consideration of specific TE applications. The hours TURN seeks compensation for here also includes work regarding the oversight and implementation of several significant utility TE infrastructure programs.</p> <p>TURN filed at least 27 separate sets of comments in response to various rulings and proposed decisions and resolutions, and two Advice Letter protests. TURN’s work contributed to the Commission’s decision making in seven separate and unique Decisions and two Resolutions. TURN addresses some of the Decisions and Resolutions specifically below:</p> <p>For the LCFS Decision 20-12-027, TURN’s advocacy partially lead to the Commission adopted a program for LCFS holdback funds that helps equity communities receive a greater portion of funding and pooling the funding so it can be more impactful.</p> <p>In regards to D.20-12-029 and VGI Strategies, TURN’s advocacy resulted in a more robust process for establishing criteria for deploying ALM which helps ensure ratepayer funds are only spent on these technologies when they are cost effective.</p> <p>In regards to the Implementation of AB 841 via Resolution 5167-E and D.21-12-033, TURN filed 4 sets of comments addressing multiple issues and questions identified in the Assigned Commissioner’s Ruling and the draft Resolution and Proposed Decision. TURN also filed an extensive Protest to the three large IOU’s implementation advice letters. The Commission relied heavily on TURN’s filing, including its statutory interpretations to implement AB 841. TURN’s advocacy resulted in many benefits to ratepayers including customer contributions for certain excess underground costs, the Commission’s commitment to evaluating and potentially changing the policy as soon as possible under the statute, and more robust and transparent data collection and reporting that will inform the Commission as it re-evaluates these policies in the future. In regards to D.21-12-033, TURN’s advocacy help to extend the common treatment policy to multi-unit dwellings to promote equity and ensure MUD residents received the same subsidies as those living in single-family residences.</p> <p>In regards to D.21-07-028 and D.21-12-030 regarding near-term TE priorities, TURN filed two sets of comments addressing these issues as proposed in the draft staff proposal and responding to other party</p>	



	CPUC Discussion
<p>comments. TURN also filed opening and reply comments on the PD and opening comments on the PD revising D.21-07-028. These comments addressed multiple issues, including identifying segments to focus on and ensuring sufficient project funds were set aside for to equity communities and the Commission adopted many of TURN’s recommendations. The Commission also agreed with TURN that budget caps were necessary for the streamlined review projects and adopted the \$20 million cap TURN supported which benefits ratepayers by reducing costs and ensuring these limited process applications are relatively low-cost.</p> <p>In regards to Decision 22-11-040, which establishes a \$1 billion, 5-year, EV infrastructure (charging stations) rebate program that will run from 2025-2030. The costs will be split between the IOUs by percentage of electricity sales. In response to TURN’s advocacy, the initial authorized budget was reduced from \$1 billion to \$600 million, with the remaining \$400 million subject to a mid-course review of the program in 2027. TURN’s proposed rebate program structure, administered by a third party with all costs treated as expense, was also adopted which reduces long-term costs for ratepayers and removes the risk of stranded costs. TURN also advocated for and the Commission adopted, a targeted approach to TE equity that helps to ensure that enhanced subsidies are targeted to those who truly need them to induce EV adoption. TURN also advocated for and supported the Commission’s determination to target the majority of TEP funds to low-income and disadvantaged communities.</p> <p><u>Program Advisory Council Participation and Post-Decision Implementation Advice Letters</u></p> <p>TURN includes our time devoted to participation in the PACs for all three utilities’ and their various TE programs and related efforts in this request for compensation because this work flowed from the Commission’s directives in D.18-05-004 and was related to participating in R.18-12-006. TURN’s active participation in these PACs and contribution towards their work informs and enhances the Commission’s oversight of the various TE programs with costs of over \$1 billion. The Commission awarded parties compensation for participation in PACs in the last EV Rulemaking, R.13-11-007, see D.19-10-015.</p> <p>In regards to Resolution 5227-E, regarding SCE’s low-port rebate program which was a post-implementation activity of SCE’s Charge Ready 2 program, TURN was the only party to file a protest to SCE’s advice letter and TURN submitted a detailed proposal for SCE’s low-port rebate program which the Commission primarily adopted. TURN’s advocacy resulted in a low-port program offering that is a comparable alternative to the standard make-ready program which will save ratepayers money and enhance the operation of the Charge Ready 2 program by ensuring a less</p>	

	CPUC Discussion
<p>costly option exists for low-port sites. TURN’s advocacy also ensured that the low-port rebate program costs were included in the total authorized Charge Ready 2 budget, contrary to SCE’s proposal to record the costs separately. Thus, TURN’s advocacy saved ratepayers from having to pay for the costs of the low-port rebate program in addition to the already authorized Charge Ready 2 program.</p> <p><b><u>STAFF TIME</u></b></p> <p>TURN primarily devoted the resources of one staff attorney and TURN’s in-house energy analyst, who served as an expert witness to this proceeding in order to address key issues related to the deployment of TE infrastructure including, the light duty electric vehicle market, EV technology, cost forecasting and program design. TURN’s energy analyst also conducted comprehensive analysis of the pilot results to inform TURN’s recommendations. In the following subsections, TURN describes the responsibilities of the different staff members and expert witnesses and explains the reasonableness of the hours and effort devoted to this proceeding.</p> <p><b><u>Attorney Time</u></b></p> <p><u>Elise Torres</u></p> <p>Ms. Torres was TURN’s lead attorney in this proceeding and represented TURN in the other TE proceedings discussed in this request and the subsequent PAC participation and implementation of those programs. Ms. Torres took the lead on drafting the majority of TURN’s pleadings, including comments on the implementation of AB 841 and draft Resolution 5167-E, comments on the various Proposed Decisions, and comments on the various ALJ and Assigned Commissioner rulings in this proceeding. Ms. Torres assisted TURN’s expert with discovery and developing TURN’s positions. Ms. Torres also represented TURN in workshops and some PAC meetings and informal meetings regarding the implementation of the programs. Ms. Torres worked with Mr. Borden to research and draft protests to various implementation advice letters. Ms. Torres also represented TURN in ex parte meetings with Commissioner advisors. Ms. Torres devoted approximately 750 hours to this proceeding.</p> <p>TURN excludes from this request work done by Ms. Torres on transportation policy issues at the California Energy Commission (CEC), including time spent researching and drafting comments to the CEC and participating in CEC workshops.</p> <p><u>Katy Morsony</u></p> <p>Ms. Morsony represented TURN in this proceeding while Ms. Torres was out on parental leave from February-July 2022. Ms. Morsony worked with</p>	

	CPUC Discussion
<p>Mr. Borden to review the TEF Staff Proposal and draft comments on the Staff Proposal. Ms. Morsony devoted approximately 26 hours to this proceeding.</p> <p><u>Consultation with other TURN Attorneys on Limited Issues</u></p> <p>Mr. Hawiger assisted with this proceeding on the issue of AB 841 implementation and Ms. Torres &amp; Mr. Borden also benefitted from his input on the near-term priorities proposed decision.</p> <p>Ms. Torres and Mr. Borden also benefited from consultation with TURN’s Managing Attorney, Hayley Goodson on CCA program administration issues. Approximately 3.25 hours of Ms. Goodson and 2.75 hours of Mr. Hawiger’s time is included in this request.</p> <p><b>Expert Witness Time</b></p> <p><u>Eric Borden</u></p> <p>TURN’s in-house energy analyst, Mr. Eric Borden, conducted significant research and TURN’s analyses in this case. Mr. Borden reviewed and analyzed the draft TEF and the TEF staff proposal. Mr. Borden addressed numerous issues related to the size of TE investments, ratepayer risks due to technology risks and stranded costs, air quality and GHG reduction benefits of TE, the potential downward pressure on rates from TE programs, and proposed a modified rebate program intended to improve potential TE adoption while better minimizing the risks of excess costs in over 20 sets of comments. Mr. Borden also conducted research on EV infrastructure cost reporting and metrics and provided feedback to Energy Division staff regarding the data recording template. Mr. Borden also conducted discovery. He also represented TURN in ex parte meetings with Commissioner advisors. Mr. Borden devoted approximately 308 hours to this proceeding.</p> <p>TURN excludes from this request work done by Mr. Borden on transportation policy issues at the California Energy Commission (CEC), including time spent researching and drafting comments to the CEC and participating in CEC workshops.</p> <p><u>Catherine Yap</u></p> <p>Ms. Torres and Mr. Borden also benefited from consultation with outside expert Catherine Yap regarding cost reporting practices. Ms. Yap reviewed the utilities workpapers to attempt to develop a methodology for an apples to apples cost comparison. This work informed Mr. Borden’s feedback to Energy Division staff regarding the data recording template. Ms. Yap devoted 3 hours to this proceeding.</p>	

		CPUC Discussion						
<p><b>Coordination among staff and presence of multiple TURN staff members at meetings:</b></p> <p>A relatively small percentage of hours reflect internal and external meetings involving two or more of TURN’s staff members, primarily between TURN’s attorney, Elise Torres, and expert witness, Eric Borden, in this proceeding. There are a limited number of hours devoted to internal planning meetings. Such meetings are essential to the effective development and implementation of TURN’s strategy in this case. Strategy planning meetings with multiple staff are essential, as each staff member contributes particular knowledge and expertise to develop complex case strategy that require a certain amount of “group-think.” Furthermore, in a large rulemaking, and with the implementation of multiple utility proposals, TURN assigned a primary staff attorney and TURN’s in-house energy analyst to cover different issues, both to maximize the use of staff with particular expertise and for basic workload management. Some internal coordination is then necessary to ensure proper coverage and allocate responsibilities. Such a process is overall more efficient and effective than having a single staff member cover the entire proceeding.</p> <p><b>Compensation Related Hours</b></p> <p>TURN is also seeking compensation for 31.25 hours devoted to the preparation of this request by Ms. Torres. TURN assigned the task to Ms. Torres despite her relatively high hourly rate because of her in-depth familiarity with the proceeding and her experience with compensation requests ensured that the request could be prepared in a relatively small number of hours and a lower total cost, even at the relatively high hourly rate. Due to the fact that this compensation request address over four years of work on multiple issues addressed in approximately 30 pleadings and resulting in 7 Commission Decision and 2 Resolutions, and work related to over three program advisory councils, the amount of time dedicated to preparing this compensation request is reasonable.</p> <p><u>Summary</u></p> <p>Given TURN’s substantial contributions in this proceeding, the Commission should find that the number of hours claimed by TURN is reasonable. Should the Commission believe that more information is needed or that a different approach to discussing the reasonableness of the requested hours is warranted here, TURN requests the opportunity to supplement this section of the request.</p>								
<p><b>c. Allocation of hours by issue:</b></p> <table border="1"> <thead> <tr> <th>Code</th> <th>Description</th> <th>Allocatio</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>		Code	Description	Allocatio				Noted.
Code	Description	Allocatio						

			CPUC Discussion
		n of Time	
<b>D.20-12-027</b>			
LCFS	Attorney and expert witness time spent reviewing the TEF Low Carbon Fuel Standard Programs (LCFS) proposal and researching and drafting opening and reply comments in response and researching and drafting reply comments on the proposed decision.	4%	
<b>D.20-12-029</b>			
VGI	Attorney and expert witness time spent researching and drafting comments on VGI issues in the draft TEF and opening and reply comments on PD Concerning Implementation of Senate Bill 676 and Vehicle-To-Grid Integration Strategies. Also includes limited participation in VGI working group.	6%	
ALM	Expert witness time researching and drafting January 2021 comments RE automated load management and reviewing other party comments.	0.40%	
<b>D.21-07-033 &amp; D.21-12-030</b>			
Near-Term	Attorney and expert witness time spent researching and drafting opening and reply comments on the draft TEF sections addressing near-term priorities and opening and reply comments on the PD. Also includes time spent reviewing D.21-12-030 revising the near-term priorities decision and researching and drafting comments.	7%	
<b>Res E-5167</b>			
AB 841	Includes attorney and expert time spent researching and drafting opening and reply comments in response to an ACR requesting party feedback on the implementation of AB 841, waiving the costs of excess line extension for EV charging. Also includes time spent researching and drafting an extensive Advice Letter protest to the three large IOUs EV infrastructure rule	11%	

			CPUC Discussion
	implementation advice letters. Also includes time spent reviewing draft Resolution 5167-E and researching & drafting comments on the resolution.		
<b>D.21-12-033</b>			
AB 841 (CT)	Includes attorney and expert time spent reviewing party comments in response to ACR requesting party feedback on the implementation of common treatment policy and researching and drafting reply comments advocating for the application of the policy to all residential customers. Also includes time spend reviewing & analyzing proposed decision and researching and drafting comments. Also included limited hours early in the proceeding reviewing & evaluating the PD temporarily extending on common treatment policy.	0.50%	
<b>D.22-11-040</b>			
TEF (Partnerships)	Attorney and expert witness time spent researching and drafting comments the TE Partnerships section of the draft TEF including addressing CCA and TNC roles.	2%	
TEF (Equity & ME&O)	Attorney and expert witness time spent researching and drafting opening and reply comments the Equity and ME&O sections of the draft TEF and the TE Staff Proposal. Also includes time spent participating in workshops regarding these issues.	4%	
TEF (Safety & Standards)	Attorney and expert witness time spent researching and drafting opening and reply comments on the Safety section of the draft TEF, including installation guidelines and the resiliency section. Also includes attorney and expert witness time spent researching and drafting Reply Comments on Sections 7 and 8 of the draft TEF addressing EVSE connections and communication standards.	2%	
TEF	General attorney and expert work related to reviewing & analyzing the draft TEF and PD on TE Policy and Investment that cannot easily be segmented by issue.	8%	
TEF SP	Attorney and expert witness time spent	10%	

			CPUC Discussion
	reviewing revised staff proposal and researching and drafting opening and reply comments.		
TEF (Metrics)	Attorney and expert witness time related to reviewing the proposed metrics, targets and scorecard in the draft TEF and researching and drafting comments on the proposal and developing alternative metrics. Also includes time spent participating in workshops regarding these issues.	7%	
TEF (structure)	Attorney and expert witness time spent researching and drafting opening and reply comments on proposed program structure, role of IOUs, market maturity analysis and missing elements of the TEF. Also includes time spent participating in workshops regarding these issues, including preparing and presenting at a workshop on TURN's proposed rebate structure.	7%	
TEF (costs)	Attorney and expert witness time spent researching and drafting comments on program cost, cost recovery and cost allocation issues. Also includes consulting with ED to establish cost reporting template, discovery RE cost recording and consulting with C.Yap RE IOU cost recording practices.	2%	
<b>D.22-08-024</b>			
Submetering "Sub"	Attorney and expert witness time spent researching and drafting Reply Comments (filed 2/24/20) on the ALJ Ruling issued 1/23/20 requesting party comment on submetering protocol issues. Also includes time spent reviewing the PEV Submetering Phase 2 Evaluation Report & take notes for comments and participating in the submetering workshop.	3%	
<b>PACs</b>			
PG&E PAC	Attorney and expert witness time spent participating in PG&E PAC meetings and reviewing and analyzing materials and giving feedback.	2%	
SDG&E PAC	Attorney and expert witness time spent participating in SDG&E PAC meetings and	4%	

			CPUC Discussion
	reviewing and analyzing materials and giving feedback. Also includes time spent reviewing sixth semi-annual report and researching and drafting comments RE 50% cost overrun		
SCE PAC	Attorney and expert witness time spent participating in SCE PAC meetings and reviewing and analyzing materials and giving feedback. Also includes reviewing low port rebate program proposal advice letter and researching and drafting protest to advice letter, resulted in Resolution E-5227: also includes time spent reviewing and providing feedback on bridge program per se reasonableness metrics	6%	
Misc.			
Discovery "Disc"	Includes TURN's attorney and expert witness time preparing data requests. Also includes TURN's expert witness and attorney time spent reviewing data request responses related to cost reporting template.	1%	
General Participation "GP"	General Participation work essential to participation that typically spans multiple issues and/or would not vary with the number of issues that TURN addresses, including research related to various aspects TE that informed TURN's pleadings and participation in workshops. Also includes attorney and expert witness time reviewing OIR and participating in PHC, attending 10/31/21 En Banc, reviewing and commenting on IOUs Stocktake of EV investments.	10%	
Coordination "Coord"	Attorney and expert witness time related to coordination with other parties, primarily Cal Advocates, UCAN, Greenlining, and the National Diversity Coalition.	3%	

**B. Specific Claim:\***

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate \$	Basis for	Total \$	Hours	Rate \$	Total \$



CLAIMED						CPUC AWARD		
				Rate*				
Elise Torres, TURN Staff Attorney	2018	2.25	\$315.00	D.18-11-043	\$708.75	2.25	\$315	\$708.75
Elise Torres, TURN Staff Attorney	2019	107.75 <sup>6</sup>	\$340.00	D.20-04-025	\$36,465.00	<del>78.62</del> <u>104.37</u> [3] [4] [5]	\$340	<del>\$26,730.80</del> <u>\$35,485.80</u>
Elise Torres, TURN Staff Attorney	2020	270.00	\$360.00	D.20-11-008	\$97,200.00	<del>245</del> <u>245</u> .5 [3] [4] [5] [6]	\$360	<del>\$88,200.00</del> <u>\$88,380.00</u>
Elise Torres, TURN Staff Attorney	2021	276.50	\$450.00	D.21-12-049	\$124,425.00	<del>216</del> <u>226</u> [1] [2] [4] [5] [7]	\$450	<del>\$97,200.00</del> <u>\$101,700.00</u>
Elise Torres, TURN Staff Attorney	2022	93.00	\$465.00	Res. ALJ-393, Annual Escalation Methodology, BLS Employment Cost Index Table 5, Occupational Group: Management, Professional, and Related excluding Incentive Paid Occupations (3.3% change for 12-months ended Dec. 2021). See	\$43,245.00	<del>85.5</del> <u>88.5</u> [2] [5] [8]	\$465 [11]	<del>\$39,757.50</del> <u>\$41,152.50</u>

<sup>6</sup> TURN’s timesheets reflect 107.25 hours for Torres in 2019.

CLAIMED						CPUC AWARD		
				Comment 1.				
Elise Torres, TURN Staff Attorney	2023	1.50	\$465.00	Limited use of 2022 Rate, see Comment 1.	\$697.50	<del>1.25</del> <u>1.5</u> [5]	\$465 [11]	<del>\$581.25</del> <u>\$697.50</u>
Eric Borden, TURN Energy Policy Analyst	2019	30.50	\$215.00	D.20-04-025	\$6,557.50	<del>21.25</del> <u>5.00</u> [3] [5]	\$215	<del>\$4,568.75</del> <u>\$5,375</u>
Eric Borden, TURN Energy Policy Analyst	2020	170.50	\$220.00	D.21-05-014	\$37,510.00	163.12 [3] [4]	\$220	\$35,886.40
Eric Borden, TURN Energy Policy Analyst	2021	78.75	\$430.00	D.21-12-049	\$33,862.50	43.75 [1] [2] [3] [9]	\$430	\$18,812.50
Eric Borden, TURN Energy Policy Analyst	2022	28.75	\$445.00	Res. ALJ-393, Annual Escalation Methodology, BLS Employment Cost Index Table 5, Occupational Group: Management, Professional, and Related excluding Incentive Paid Occupations (3.3% change for 12-months ended Dec. 2021). See Comment 2.	\$12,793.75	<del>27.25</del> <u>8.25</u> [5] [10]	\$445 [12]	<del>\$12,126.25</del> <u>\$12,571.25</u>
Hayley Goodson,	2020	2.25	\$455.00	D.20-09-032	\$1,023.75	2.25	\$455	\$1,023.75

CLAIMED						CPUC AWARD		
TURN Staff Attorney								
Hayley Goodson, TURN Staff Attorney	2021	1.00	\$550.00	D.21-12-046	\$550.00	0.5 [2]	\$550	\$275.00
Katy Morsony, TURN Staff Attorney	2022	26.25	\$515.00	Res. ALJ-393, Annual Escalation Methodology, BLS Employment Cost Index Table 5, Occupational Group: Management, Professional, and Related excluding Incentive Paid Occupations (3.3% change for 12-months ended Dec. 2021)	\$13,518.75	26.25	\$515 [13]	\$13,518.75
Marcel Hawiger, TURN Staff Attorney	2019	0.50	\$445.00	D.19-11-011	\$222.50	0.5	\$445	\$222.50
Marcel Hawiger, TURN Staff Attorney	2021	2.25	\$650.00	D.22-07-021	\$1,462.50	2.0 [2]	\$650	\$1,300.00
Catherine Yap, Expert Witness	2021	3.00	\$305.00	Res. ALJ-393 - New Rate	\$915.00	3.0	\$305 [14]	\$915.00
<b>Subtotal: \$411,157.50</b>						<b>Subtotal: <del>\$341,827.20</del> <u>\$358,024.70</u></b>		
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$

CLAIMED						CPUC AWARD		
Elise Torres TURN Staff Attorney	2019	1.25	\$170.00	1/2 of 2019 Rate	\$212.50	1.25	\$170	\$212.50
Elise Torres TURN Staff Attorney	2023	31.25	\$232.50	\$	\$7,265.63	31.25	\$232.50	\$7,265.63
<b>Subtotal: \$7,478.13</b>						<b>Subtotal: \$7,478.13</b>		
COSTS								
#	Item	Detail			Amount	Amount		
1.	Photocopy Costs	Expenses for copies of TURN filings mailed for Administrative Law Judge review (2019 & 2020)			10.80	\$10.80		
2.	Postage Costs	Mailing costs associated with pleadings mailed to the Commission (2019 & 2020)			12.10	\$12.10		
<b>Subtotal: \$22.90</b>						<b>Subtotal: \$22.90</b>		
<b>TOTAL REQUEST: \$418,658.53</b>						<b>TOTAL AWARD: <del>\$349,328.23</del> \$365,525.73</b>		
<p>*We remind all intervenors that Commission staff may audit the records and books of the intervenors to the extent necessary to verify the basis for the award (§1804(d)). Intervenors must make and retain adequate accounting and other documentation to support all claims for intervenor compensation. Intervenors' 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.</p> <p>**Travel and Reasonable Claim preparation time are typically compensated at ½ of preparer's normal hourly rate</p>								
ATTORNEY INFORMATION								
Attorney	Date Admitted to CA BAR <sup>7</sup>	Member Number			Actions Affecting Eligibility (Yes/No?) If "Yes", attach explanation			
Elise Torres	December 2011	280443			No			
Marcel Hawiger	January 1998	194244			No			
Hayley Goodson	December 2003	228535			No			
Katy Morsony	December 2011	281538			No			

<sup>7</sup> This information may be obtained through the State Bar of California's website at <http://members.calbar.ca.gov/fal/MemberSearch/QuickSearch>.

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

<b>Attachment or Comment #</b>	<b>Description/Comment</b>
Attachment 1	Certificate of Service
Attachment 2	Timesheets for TURN’s Attorney & Expert
Attachment 3	2019 & 2020 TURN Direct Expenses Associated with D.20-12-027, D.20-12-029 & D.22-11-040
Attachment 4	TURN Hours Allocated by Issue
Attachment 5	Resume for Catherine Yap
Comment 1	<p><b>Hourly Rate for Elise Torres – 2022 &amp; 2023</b></p> <p>TURN requests that the Commission apply the annual escalation methodology adopted in Res. ALJ-393 to determine the 2022 hourly rate for Elise Torres. This annual escalation methodology is based on the annual percentage change in the Bureau of Labor Statistics Employment Cost Index, Table 5, for the Occupational Group “Management, Professional, and Related excluding Incentive Paid Occupations.” (Res. ALJ-393, p. 4; Intervenor Compensation Market Rate Study, Final Report, p. 8). The percent change for this occupational group for the 12-months ended December 2021 is 3.3%. See <a href="https://www.bls.gov/news.release/eci.t05.htm">https://www.bls.gov/news.release/eci.t05.htm</a>.</p> <p>TURN accordingly requests a 2022 hourly rate of \$450, increased by 3.3%, which equals \$465 (rounded to the nearest \$5 increment, as is the Commission's practice).</p> <p>For Ms. Torres’ limited hours in 2023, primarily dedicated to the preparation of this Request for Compensation, TURN requests compensation based on Ms. Torres’ 2022 rate. TURN requests that the requested rate NOT be deemed the adopted rate for Ms. Torres for 2023, as TURN may seek and justify a higher 2023 rate for his work in a future request for compensation.</p>
Comment 2	<p><b>Hourly Rate for Eric Borden – 2022</b></p> <p>TURN requests that the Commission apply the annual escalation methodology adopted in Res. ALJ-393 to determine the 2022 hourly rate for Eric Borden. This annual escalation methodology is based on the annual percentage change in the Bureau of Labor Statistics Employment Cost Index, Table 5, for the Occupational Group “Management, Professional, and Related excluding Incentive Paid Occupations.” (Res. ALJ-393, p. 4; Intervenor Compensation Market Rate Study, Final Report, p. 8). The percent change for this occupational group for the 12-months ended</p>

Attachment or Comment #	Description/Comment
	<p>December 2021 is 3.3%. See <a href="https://www.bls.gov/news.release/eci.t05.htm">https://www.bls.gov/news.release/eci.t05.htm</a>. TURN accordingly requests a 2022 hourly rate of \$430 increased by 3.3%, which equals \$445 (rounded to the nearest \$5 increment, as is the Commission's practice).</p>
Comment 3	<p><b>Hourly Rate for Katy Morsony – 2022</b>  TURN requests that the Commission apply the annual escalation methodology adopted in Res. ALJ-393 to determine the 2022 hourly rate for Katy Morsony. This annual escalation methodology is based on the annual percentage change in the Bureau of Labor Statistics Employment Cost Index, Table 5, for the Occupational Group “Management, Professional, and Related excluding Incentive Paid Occupations.” (Res. ALJ-393, p. 4; Intervenor Compensation Market Rate Study, Final Report, p. 8). The percent change for this occupational group for the 12-months ended December 2021 is 3.3%. See <a href="https://www.bls.gov/news.release/eci.t05.htm">https://www.bls.gov/news.release/eci.t05.htm</a>.  TURN accordingly requests a 2022 hourly rate of \$500, increased by 3.3%, which equals \$515 (rounded to the nearest \$5 increment, as is the Commission's practice).</p>
Comment 4	<p><b>2021 Hourly Rate Request: Catherine Yap</b>  This is TURN’s first request for an hourly rate for outside expert consultant Catherine Yap under the new hourly rate framework adopted by the Commission in Resolution ALJ-393.</p> <p>TURN requests an hourly rate of \$305 for Catherine Yap’s work before the Commission in 2021. This is the rate charged to TURN by Ms. Yap for expert consulting services in Commission proceedings.</p> <p>Ms. Yap has more than four decades working in the utility regulatory area as an energy and resources expert and economist. She has a B.A. in Chemical Physics with Honors from the University of California at Santa Cruz, and a M.S. in Energy and Resources from the University of California at Berkeley. She has also taken course work in finance, accounting, and organization theory from the University of California, Extension.</p> <p>Since 1987, Ms. Yap has been a principal in the firm of Barkovich &amp; Yap, Inc. and has consulted in the utility regulatory area. During this time, she has directed and/or performed major examinations of cost-of-service requirements, cost allocation, rate design, and customer bill effects for electric, natural gas, and solid waste utilities. She has testified on numerous occasions before this Commission and in civil proceedings. Ms. Yap has also consulted internationally on issues related to natural gas industry structure and marginal cost allocation and rate design.</p>

Attachment or Comment #	Description/Comment
	<p>From 1978-1987, Ms. Yap was employed by the Commission. She started as a Staff Economist in the Policy Division acting as a consultant to the Executive Director and to various Commissioners. She also testified on numerous occasions as an expert witness regarding a variety of technical, economic, and financial matters related to electric and natural gas utilities. Ms. Yap then served as the Supervisor of the Gas Supply and Requirements Section of the Fuels Branch of the Public Staff Division. In that capacity, she was responsible for directing, and in some cases performing, advanced technical studies that evaluated California gas utility operations and associated contracts, investments, and expenses. She also acted as the highest-level technical representative of the Commission on natural gas matters and was involved in numerous negotiated settlements involving natural gas pipelines, distribution utilities, producers, and state and federal regulatory agencies. Ms. Yap’s final role at the Commission involved managing the Energy Rate Design and Economics Branch of the Public Staff Division, which was responsible for developing cost of service, rate design, and economic studies, such as sales forecasting and productivity assessment, for both electric and gas utilities. During this time, Ms. Yap participated extensively in the formulation of policy regarding the appropriate structure for the natural gas industry in California.</p> <p>Prior to joining the Commission, Ms. Yap spent two years as a research assistant at the Lawrence Berkeley National Laboratory in the Program for Windows and Lighting.</p> <p>TURN submits that a 2021 rate of \$305 is reasonable for Ms. Yap in light of the hourly rate ranges adopted by the Commission in Resolution ALJ-393 for Level V experts having 15+ years of experience in the Labor Roles that relate to Ms. Yap’s professional experiences. The related labor roles and 2021 Level V hourly rate ranges are as follows:</p> <p>Energy &amp; Resources Expert: \$169.03 - \$357.15  Economist: \$188.53 - \$370.45  Cost Estimation Analyst: \$233.55 - \$389.67  Expert – Not Otherwise Classified: \$219.12 - \$356.50</p> <p>A rate of \$305 is well below the top of the range for all of these Labor Roles. Ms. Yap also meets or exceeds the educational requirements for all of these Labor Roles, which require either a Bachelor’s degree (Energy &amp; Resources Expert, Cost Estimation Analyst, Expert – Not Otherwise Classified) or Master’s Degree (Economist). Given Ms. Yap’s more than four decades of experience working on utility regulatory issues, the</p>

Attachment or Comment #	Description/Comment
	Commission should adopt the requested rate.

#### D. CPUC Comments, Disallowances, and Adjustments

Item	Reason
[1] VGI/ALM Workshop Hours Disallowance	<p>TURN claims several hours for participation in workshops that did not have a bearing on a Commission decision. Because participation in these workshops did not substantially contribute to a Commission decision, the hours are disallowed.</p> <p>Both Borden and Torres claimed several hours for work related to VGI/ALM workshops in 2021. VGI and ALM issues were disposed of in D.20-12-029, and work on VGI and ALM issues in subsequent workshops did not substantially contribute to a Commission decision. Borden claimed 6.75 hours of such time in 2021 (including a telephone call with Siemens on August 11, 2021), and Torres claimed 13.75 hours of such time in 2021 (including hours not spent on workshops but still post-decision and therefore failing to substantially contribute to a Commission decision). These hours are disallowed.</p>
[2] Near-Term Priorities Decision Work	<p>TURN claims 72.75 hours for work on D.21-07-028, the Near-Term Priorities Decision. 1.25 of these hours were claimed by Torres for “review &amp; analyze Redline changes to PD modifying D.21-07-028, take notes” on December 13, 2021 (0.25 hours) and “review Near-Term Priorities advice letter template; take notes for feedback to ED” on February 7, 2022 (1.0 hour). Neither of these activities substantially contributed to a Commission decision as they occurred subsequent to D.21-07-028 and are disallowed.</p> <p>As noted previously, TURN’s contributions to D.21-07-028 were not as extensive as claimed. Of the remaining Near-Term Priorities hours (36.5 for Borden, 1.0 for Goodson, 0.5 for Hawiger, and 33.5 for Torres), 50% should be disallowed. This reduces Borden’s 2021 hours by 18.25 hours, Goodson’s 2021 hours by 0.5 hours, Hawiger’s 2021 hours by 0.25 hours, and Torres’ 2021 hours by 16.75.</p>
[3] VGI/SB676 Decision Work	<p>As noted previously, TURN’s contributions to D.20-12-029, the VGI/SB676 Decision, were minimal at best.</p> <p>Borden’s claim for 1.25 hours on January 12, 2021 to “Review VGI Decision” is disallowed entirely as it did not substantially contribute to a Commission decision.</p> <p>After accounting for that disallowance and the disallowances related to workshops described in comment [1] above, Borden claimed 11 hours for</p>



Item	Reason
	<p>VGI/SB676 work in 2019 and 13.25 hours for VGI/SB676 work in 2020. Torres claimed 1.0 hour in 2019 and 19 hours in 2020 for VGI/SB676 work. Due to the minimal nature of TURN's contribution to D.20-12-029, 50% of these hours should be disallowed. This reduces Borden's 2019 hours by 5.5 hours, and his 2020 hours by 6.63 hours. This also reduces Torres' 2019 hours by 0.5 hours and her 2020 hours by 9.5 hours.</p>
[4] LCFS Decision Work	<p>As noted previously, TURN's contributions to D.20-12-027, the LCFS Decision, were minimal at best. Borden claimed 1.25 hours for this work in 2020 and Torres claimed 4.75 hours in 2019 and 26 hours in 2020. Due to the minimal nature of TURN's contribution to D.20-12-027, 50% of these hours should be disallowed. Borden's 2020 hours are therefore reduced by 0.75, Torres' 2019 hours are reduced by 2.38, and Torres' 2020 hours are reduced by 13.</p> <p>Furthermore, Torres claimed 15.75 hours in 2021 for activities related to LCFS. Given that D.20-12-027 disposed of the LCFS issues in this proceeding, and TURN makes no claim for substantial contribution on LCFS issues beyond those determined by D.20-12-027, all hours related to LCFS work after the issuance of D.20-12-027 are disallowed for failing to substantially contribute to a Commission decision. 15.75 of Torres' 2021 hours are therefore disallowed.</p>
[5] SDG&E PAC Work	<p><del>As noted previously, hours claimed by TURN for work on the SDG&amp;E PAC should be disallowed as this work did not substantially contribute to a Commission decision.</del></p> <ul style="list-style-type: none"> <li><del>• 3.75 of Borden's 2019 hours are disallowed on this basis.</del></li> <li><del>• 1.0 of Borden's 2022 hours is disallowed on this basis.</del></li> <li><del>• 25.75 of Torres' 2019 hours are disallowed on this basis.</del></li> <li><del>• 0.50 of Torres' 2020 hours are disallowed on this basis.</del></li> <li><del>• 10 of Torres' 2021 hours are disallowed on this basis.</del></li> <li><del>• 3 of Torres' 2022 hours are disallowed on this basis.</del></li> <li><del>• 0.25 of Torres' 2023 hours are disallowed on this basis.</del></li> </ul> <p><u>The original proposed decision on TURN's intervenor compensation claim disallowed hours related to this work. However, in light of the information supplied by TURN in their comments to the original proposed decision, the revised proposed decision awards compensation for hours spent on SDG&amp;E PAC work.</u></p>
[6] Torres 2020 Hours	<p>Several hours are disallowed for Torres in 2020 for the following reasons:</p> <ul style="list-style-type: none"> <li>• 2.0 hours are claimed related to the decision clarifying the status of EV charging service providers as public utilities. TURN did not claim substantial contributions to this decision and these hours are therefore disallowed.</li> </ul>
[7] Torres	<p>Several hours are disallowed for Torres in 2021 for the following reasons:</p>

Item	Reason
2021 Hours	<ul style="list-style-type: none"> <li>• 0.75 hours dedicated to “review &amp; analyze Redline changes to PD RE common treatment policy, take notes” on December 14, 2021 are disallowed as this work occurred after the filing of reply comments on the proposed decision on the CTM and therefore could not have made a substantial contribution to the Commission decision cited by TURN in their intervenor compensation claim.</li> <li>• 0.5 hours dedicated to “review PG&amp;E AL 6449-E, SCE 4678-E, RE compliance with D.21-12-033 RE common treatment policy” are disallowed as they did not substantially contribute to the Commission decision cited by TURN in their intervenor compensation claim.</li> <li>• 2.75 hours related to participation in a Commission en banc are disallowed as this work did not contribute to the record of the proceeding and therefore did not substantially contribute to a Commission decision.</li> </ul>
[8] Torres 2022 Hours	<p>Several hours are disallowed for Torres in 2022 for the following reasons:</p> <ul style="list-style-type: none"> <li>• 1.5 hours dedicated to “review &amp; analyze revisions to PD, take notes” on November 17, 2022 are disallowed as this work occurred after the filing of reply comments on the proposed decision on the TEF and therefore could not have made a substantial contribution to the Commission decision cited by TURN in their intervenor compensation claim.</li> <li>• 0.5 hours dedicated to “meet with Comm. Rechtshaffen and advisors RE TE en banc issues” on January 18, 2022 are disallowed as this work did not contribute to the record of the proceeding and therefore did not substantially contribute to a Commission decision.</li> <li>• 1.5 hours are dedicated to activities that occurred after the filing of reply comments on D.22-08-024 on Submetering, and therefore could not have made a substantial contribution to the Commission decision cited by TURN in their intervenor compensation claim.</li> </ul>
[9] Borden 2021 Hours	<p>Several hours are disallowed in 2021 for the following reasons:</p> <ul style="list-style-type: none"> <li>• Borden claimed 8.75 hours for work in 2021 related to a Commission en banc. This work did not contribute to the record of the proceeding and therefore did not substantially contribute to a Commission decision.</li> </ul>
[10] Borden 2022 Hours	<p>Several hours are disallowed in 2022 for the following reasons:</p> <ul style="list-style-type: none"> <li>• 0.5 hours dedicated to “T/c with Rechtschaffen office re EN Banc follow up” on January 18, 2022 are disallowed as this work did not contribute to the record of the proceeding and therefore did not substantially contribute to a Commission decision.</li> </ul>
[11] Torres 2022 and 2023 Rates	<p>D.21-12-049 authorized a 2021 rate of \$450 for Torres. We apply the 2022 escalation factor of 3.31% per Resolution ALJ-393 and round to the nearest \$5 increment for a 2022 rate of \$465.</p>

Item	Reason
	For Torres’ limited hours in 2023, TURN requests compensation be based on Torres’ 2022 rate. TURN also requests that the requested rate not be deemed the adopted rate for Torres for 2023. We find this request reasonable and use the adopted 2022 rate for Torres’ hours in this request.
[12] Borden 2022 Rate	D.23-05-032 authorized a 2022 rate of \$445 for Borden.
[13] Morsony 2022 Rate	D.23-10-017 authorized a 2022 rate of \$515 for Morsony.
[14] Yap 2021 Rate	TURN requests a 2021 hourly rate of \$305 for Yap. This is the rate charged to TURN by Yap for expert consulting services in Commission proceedings. From 1978-1987, Yap was employed by the Commission. Since 1987, Yap has been a principal in the firm of Barkovich & Yap, Inc. and has consulted in the utility regulatory area. On numerous occasions Yap has testified before the Commission and in civil proceedings. Based on Yap’s experience and education we find the requested rate of \$305 reasonable and adopt it herein.

**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))**

<b>A. Opposition: Did any party oppose the Claim?</b>	No
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<b>B. Comment Period: Was the 30-day comment period waived (see Rule 14.6(c)(6))?</b>	Yes. <a href="#">However, TURN provided comments on the original proposed decision. Those comments were considered and a revision of the proposed decision was created. It should be noted that the revised proposed decision did not reflect all of the comments provided by TURN, or their</a>
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	<p><u>amended claim; but any changes regarded as meritorious based on TURN's comments have been made in the revised proposed decision.</u></p>
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### FINDINGS OF FACT

1. The Utility Reform Network has made a substantial contribution to D.20-12-027, D.20-12-029, D.21-07-028, D.21-12-030, D.21-12-033, D.22-08-024, D.22-11-040, Resolution E-5167, and Resolution E-5227, as clarified in this decision.
2. The requested hourly rates for The Utility Reform Network'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 \$~~349,328.23~~365,525.73.

### CONCLUSION OF LAW

1. The Claim, with any adjustment set forth above, satisfies all requirements of Pub. Util. Code §§ 1801-1812.

**ORDER**

1. The Utility Reform Network is awarded \$~~349,328.23~~365,525.73.
2. Within 30 days of the effective date of this decision, Pacific Gas and Electric Company, San Diego Gas & Electric Company, and Southern California Edison Company shall pay The Utility Reform Network their respective shares of the award, based on their California-jurisdictional electric revenues for the 2022 calendar year, to reflect the year in which the proceeding was primarily litigated. If such data is unavailable, the most recent electric revenue data shall be used. 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 April 4, 2023, the 75th day after the filing of The Utility Reform Network's request, and continuing until full payment is made.
3. The comment period for today's decision is waived.

This decision is effective today.

Dated \_\_\_\_\_, at San Francisco, California.

**APPENDIX****Compensation Decision Summary Information**

<b>Compensation Decision:</b>		<b>Modifies Decision?</b>	No
<b>Contribution Decision(s):</b>	D2012027, D2012029, D2107028, D2112030, D2112033, D2208024, D2211040, Resolution E-5167, Resolution E-5227		
<b>Proceeding(s):</b>	R1812006		
<b>Author:</b>	ALJ Colin Rizzo and ALJ Marcelo Poirier		
<b>Payer(s):</b>	Pacific Gas and Electric Company, San Diego Gas & Electric Company, and Southern California Edison Company		

**Intervenor Information**

<b>Intervenor</b>	<b>Date Claim Filed</b>	<b>Amount Requested</b>	<b>Amount Awarded</b>	<b>Multiplier?</b>	<b>Reason Change/Disallowance</b>
The Utility Reform Network	1/19/23	\$418,658.53	<del>\$349,328.23</del> <a href="#">\$365,525.73</a>	N/A	See Part III.D CPUC Comments, Disallowances, and Adjustments section above.

**Hourly Fee Information**

<b>First Name</b>	<b>Last Name</b>	<b>Attorney, Expert, or Advocate</b>	<b>Hourly Fee Requested</b>	<b>Year Hourly Fee Requested</b>	<b>Hourly Fee Adopted</b>
Elise	Torres	Attorney	\$315.00	2018	\$315
Elise	Torres	Attorney	\$340.00	2019	\$340
Elise	Torres	Attorney	\$360.00	2020	\$360
Elise	Torres	Attorney	\$450.00	2021	\$450
Elise	Torres	Attorney	\$465.00	2022	\$465
Elise	Torres	Attorney	\$465.00	2023	\$465 <sup>8</sup>
Eric	Borden	Expert	\$215.00	2019	\$215

<sup>8</sup> For Torres' limited hours in 2023, TURN requests compensation be based on Torres' 2022 rate. TURN also requests that the requested rate not be deemed the adopted rate for Torres for 2023. We find this request reasonable and use the adopted 2022 rate for Torres' hours in this request.

Eric	Borden	Expert	\$220.00	2020	\$220
Eric	Borden	Expert	\$430.00	2021	\$430
Eric	Borden	Expert	\$445.00	2022	\$445
Hayley	Goodson	Attorney	\$455.00	2020	\$455
Hayley	Goodson	Attorney	\$550.00	2021	\$550
Katy	Morsony	Attorney	\$515.00	2022	\$515
Marcel	Hawiger	Attorney	\$445.00	2019	\$445
Marcel	Hawiger	Attorney	\$650.00	2021	\$650
Catherine	Yap	Expert	\$305.00	2021	\$305

**(END OF APPENDIX)**

Document comparison by Workshare Compare on Tuesday, January 9, 2024  
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Input:	
Document 1 ID	file://C:\Users\SGU\Desktop\PD's\1. R.18-12-006 ICOMP HELD 1-11\original.docx
Description	original
Document 2 ID	file://C:\Users\SGU\Desktop\PD's\1. R.18-12-006 ICOMP HELD 1-11\ (Rev. 1) R.18-12-006 Granting Compensation to TURN.docx
Description	(Rev. 1) R.18-12-006 Granting Compensation to TURN
Rendering set	Standard

Legend:	
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Moved from	
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Style change	
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Inserted cell	
Deleted cell	
Moved cell	
Split/Merged cell	
Padding cell	

Statistics:	
	Count
Insertions	33
Deletions	40
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Moved to	0
Style change	0
Format changed	0
Total changes	73



