



Decision _____

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

Order Instituting Rulemaking to Develop an Electricity Integrated Resource Planning Framework and to Coordinate and Refine Long-Term Procurement Planning Requirements.	Filed Public Utilities Commission February 11, 2016 San Francisco, CA Rulemaking 16-02-007
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**INTERVENOR COMPENSATION CLAIM OF CALIFORNIA
ENVIRONMENTAL JUSTICE ALLIANCE
AND DECISION ON INTERVENOR COMPENSATION CLAIM OF
CALIFORNIA ENVIRONMENTAL JUSTICE ALLIANCE**

NOTE: After electronically filing a PDF copy of this Intervenor Compensation Claim (Request), please email the document in an MS WORD and supporting EXCEL spreadsheet to the Intervenor Compensation Program Coordinator at Icompcoordinator@cpuc.ca.gov.

Intervenor: California Environmental Justice Alliance	For contribution to Decision (D.) 19-04-040
Claimed: \$ 155,037.86	Awarded: \$
Assigned Commissioner: Liane M. Randolph	Assigned ALJ: Julie A. Fitch
I hereby certify that the information I have set forth in Parts I, II, and III of this Claim is true to my best knowledge, information and belief. I further certify that, in conformance with the Rules of Practice and Procedure, this Claim has been served this day upon all required persons (as set forth in the Certificate of Service attached as Attachment 1).	
Signature:	/s/ Deborah N. Behles
Date: 6/4/19	Printed Name: Deborah N. Behles

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

A. Brief description of Decision:	The Decision evaluates the first round of individual integrated resource (IRP) filings of all of the Commission-jurisdictional load serving entities (LSEs). Twenty LSEs have IRPS approved or certified in the decision; nine are determined to be exempt from filing requirements; and nineteen are required to submit information on criteria pollutants before their IRP can be approved or certified. The
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	Decision further adopts a modified version of the Reference System Plan as the Preferred System Portfolio. It recommends this portfolio is adopted as a reliability base case and the policy-driven base case in the 2019-2020 Transmission Planning process. The Decision further requires a procurement track to be opened in this proceeding.
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B. Intervenor must satisfy intervenor compensation requirements set forth in Pub. Util. Code §§ 1801-1812¹:

	Intervenor	CPUC Verification
Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):		
1. Date of Prehearing Conference:	2/25/14 (for R.13-12-010) 4/26/16 (for R.16-02-007)	
2. Other specified date for NOI:	The OIR at pages 34- 35 stated that “Parties who were previously found eligible for compensation in R.13-12-010 shall remain eligible in this proceeding and do not need to file an NOI within 30 days, provided there are no material changes in their bylaws or financial status.” CEJA was found eligible in D.18-10-051. ALJ Fitch issued a ruling on August 15, 2018 stating that: “Any party wishing to file a new or revised Notice of Intent to seek intervenor compensation in this proceeding may do so by no later than September 7, 2018.”	
3. Date NOI filed:	3/25/14 (for R.13-12-010). This was verified in D.18-10-051. 8/23/18 Amended NOI (pursuant to 8/15/18 ALJ Ruling)	
4. Was the NOI timely filed?		

¹ All statutory references are to California Public Utilities Code unless indicated otherwise.

Showing of eligible customer status (§ 1802(b) or eligible local government entity status (§§ 1802(d), 1802.4):		
5. Based on ALJ ruling issued in proceeding number:	A.17-04-028, et. al.	
6. Date of ALJ ruling:	10/11/2018	
7. Based on another CPUC determination (specify):	D.16-10-016; D.17-01-031; D.18-10-051.	
8. Has the Intervenor demonstrated customer status or eligible government entity status?		
Showing of “significant financial hardship” (§1802(h) or §1803.1(b)):		
9. Based on ALJ ruling issued in proceeding number:	A.17-04-028, et. al.	
10. Date of ALJ ruling:	10/11/2018	
11. Based on another CPUC determination (specify):	D.16-10-016; D.17-01-031; D.18-10-051.	
12. Has the Intervenor demonstrated significant financial hardship?		
Timely request for compensation (§ 1804(c)):		
13. Identify Final Decision:	D.19-04-040	
14. Date of issuance of Final Order or Decision:	May 1, 2019	
15. File date of compensation request:	June 4, 2019	
16. Was the request for compensation timely?		

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

#	Intervenor’s Comment(s)	CPUC Discussion
	The California Environmental Justice Alliance (CEJA) is an alliance of nonprofit, public interest, and grassroots environmental justice organizations working to achieve environmental justice for low-income communities and communities of color throughout the state of California. CEJA is an unincorporated organization that is fiscally sponsored by the	

	<p>Environmental Health Coalition.</p> <p>CEJA’s organizations represent utility customers throughout California that are concerned about their health and the environment. In particular, CEJA is advocating for policies at the federal, state, regional and local levels that protect public health and the environment. CEJA is also working to ensure that California enacts statewide climate change policies that protect low-income communities and communities of color.</p>	
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PART II: SUBSTANTIAL CONTRIBUTION
(to be completed by Intervenor except where indicated)

- A. Did the Intervenor substantially contribute to the final decision (see § 1802(j), § 1803(a), 1803.1(a) and D.98-04-059): (For each contribution, support with specific reference to the record.)**

Intervenor’s Claimed Contribution(s)	Specific References to Intervenor’s Claimed Contribution(s)	CPUC Discussion
<p>A. Development and Review of Plans: Criteria Pollutant and Disadvantaged Communities Requirements: CEJA argued that the requirements of D.18-02-018 related to disadvantaged communities (“DACs”) and criteria pollutants applied to all load serving entities (“LSEs”).</p> <p>Consistent with CEJA’s position, the Commission agreed that the air quality and disadvantaged community requirements from D.18-02-018 applied to all LSEs.</p>	<p>D.19-04-040, p. 20 (noting that some LSEs “incorrectly interpreted the [criteria pollutant reporting] requirement as applicable only if they had conventional generators operating within their geographic territory.”)</p> <p>D.19-04-040, p. 23 (summarizing the relevant criteria pollutant reporting requirements of D.18-02-018).</p> <p>D.19-04-040, FOF 8, p. 167.</p> <p>CEJA/SC Sept. 12, 2018 Comments on LSE IRPs, pp. 6-8 (describing how SB 350 and Commission precedent require all LSEs to comply with air quality and DAC requirements).</p>	

<p>A. Development and Review of Plans: Criteria Pollutant and Disadvantaged Community Requirements: CEJA analyzed every LSE plan submitted for compliance with the criteria pollutant and disadvantaged community requirements. This was shown in detailed charts. CEJA recommended that IRPs that did not comply with these requirements be required to submit the information before approval or certification.</p> <p>Consistent with CEJA's recommendation and analysis, the Commission analyzed whether each LSE IRP met the DAC and air quality requirements and found that those who did not include air quality information must file an advice letter before their IRP is approved or certified. D.19-04-040, pp. 2, 20, 22-63.</p>	<p>D.19-04-040, p. 2 ("An additional nineteen LSEs did not provide the required information about criteria pollutants associated with the resources serving their load. Those LSEs will have the opportunity to provide the required criteria pollutant information in a Tier 2 advice letter and have their IRPs approved or certified after the subsequent filing.")</p> <p>D.19-04-040, p. 20 (describing the failure of 19 LSEs to meet the criteria pollutant reporting requirements).</p> <p>D.19-04-040, pp. 22-23 (describing process for submitting additional information).</p> <p><i>See, e.g.,</i> D.19-04-040, p. 24 (AVCE); p. 29 (CPA); p. 31 (Clean Power SF); p. 37 (EBCE); p. 39 (Lancaster); p. 41 (MCE); p. 42 (Monterey Bay); p. 47 (PRIME); p. 48 (Pilot); p. 50 (Pioneer); p. 52 (Rancho Mirage); p. 55 (San Jacinto); pp. 56-57 (SJCE); p. 58 (Shell); p. 59 (SVCE); p. 60 (SCP); p. 63 (VCE).</p> <p>D.19-04-040, FOF 6-7, pp. 166-67.</p> <p>D.19-04-040, COL 5-7, p. 172.</p> <p>D.19-04-040, Order Paragraphs 5-6, p. 177.</p> <p>CEJA/SC Sept. 12, 2018 Comments on LSE IRPs, pp. 14-25 (Table describing CCAs compliance with air quality and DAC requirements).</p> <p>CEJA/SC Sept. 12, 2018 Comments on LSE IRPs, p. 25 ("Most CCAs, however, largely fail to comply with this requirement to include emission calculations in their IRPs.").</p> <p>CEJA/SC Sept. 12, 2018 Comments on LSE IRPs, p. 26 (request that CCAs that did not provide the required emissions information supplement their IRPs).</p>	
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	<p>CEJA/SC Sept. 12, 2018 Comments on LSE IRPs, pp. 27-28 (describing how some of the SMJUs do not calculate emissions associated with their portfolio and request that the Commission require them to supplement their IRPs to include this information).</p> <p>CEJA/SC Sept. 12, 2018 Comments on LSE IRPs, pp. 29-35 (describing how many ESPs do not include criteria emissions associated with their portfolio and request that the Commission require them to supplement their IRPs to include this information).</p> <p>CEJA/SC Sept. 26, 2018 Reply Comments on LSE IRPs, pp. 1-2.</p>	
<p>A. Development and Review of Plans: General Procurement and Planning Related Issues: Actionability of Plans: Proposed Activities: CEJA raised concerns that LSEs were not clearly connecting their planning with their planned procurement.</p> <p>Consistent with CEJA’s concerns, the Commission found that several plans had not adequately connected their plans with their planned near-term activities, and it requires them to better connect their plans with the proposed activities in the next cycle. The Commission also stated that this was a reason for not approving the Hybrid Conforming Plan. D.19-04-040, pp. 3, 17-18, 25, 31, 33, 39, 41, 42, 45, 47, 49, 51, 52, 103.</p>	<p>D.19-04-040, p. 3 (“One critical reason for not accepting the HCP is the high degree of uncertainty about the actual status of resources identified by the individual LSEs in their IRPs – in many cases it was impossible to distinguish in the plans between a resource for which an LSE holds an executed contract and one that is purely aspirational.”)</p> <p>D.19-04-040, pp. 17-18 (noting that statements related to the uncertainty of the plans “are concerning, as the integrity of the IRP process, and the development of the PSP in particular, depends on the provision of accurate, up-to-date data and information by all LSEs.”)</p> <p>D.19-04-040, COL 9, pp. 172-73.</p> <p><i>See, e.g.,</i> D.19-04-040, p. 25 (AVCE); p. 31 (Clean Power SF); p. 33 (Constellation); p. 39 (Lancaster); p. 41 (MCE); p. 42 (Monterey Bay); p. 45 (PCE); p. 47 (PRIME); p. 49 (PILOT); p. 51 (Pioneer); p. 52 (Rancho Mirage).</p>	

	<p>D.19-04-040, p. 103 (“Because of this uncertainty [between planning and procurement], in the next IRP filings we will require that individual LSEs disclose the contractual and development status of their resource choices.”)</p> <p>D.19-04-040, FOF 12, p. 167.</p> <p>D.19-04-040, Order Paragraph 8, p. 178.</p> <p>CEJA/SC Sept. 12, 2018 Comments on LSE IRPs, p. 2.</p> <p>CEJA/SC Dec. 20, 2018 Comments on Reliability, p. 2 (describing concerns because “nearly all LSEs stress that their assumptions are uncertain and that they will likely stray from the resource types indicated in their plans when they actually procure resources in the future.”)</p> <p>CEJA/SC Jan. 31, 2019 Comments on Preferred System Portfolios, p. 13 (requesting that each LSE in the future clearly identify whether resources exist or would need to be procured and built because “[p]roviding this basic information for each resource the LSE plans to rely on to meet its reliability needs will greatly assist parties and the Commission”).</p>	
<p>A. Development and Review of Plans: General Plan Comments: Enforcement: CEJA urged the Commission to have an enforcement mechanism to enforce its IRP requirements. D.19-04-040, p. 162.</p> <p>Consistent with CEJA’s recommendation, the Commission “enhanced the language in this decision on this point” and stated that it “intend[s] to move forward</p>	<p>D.19-04-040, pp. 150-151 (“The Commission will develop a citation program similar to those that exist for the resource adequacy and RPS proceedings, to encourage LSEs to submit their filings on time and in compliance with all of the overall requirements on the first try.”)</p> <p>D.19-04-040, p. 162.</p> <p>D.19-04-040, COL 27, p. 175.</p> <p>CEJA/SC April 9, 2019 Comments on PD, p. 7 (urging the Commission to</p>	

<p>with a citation program similar to the resource adequacy and RPS enforcement mechanisms quickly.” D.19-04-040, p. 162.</p>	<p>clarify that “it will issue penalties on the non-compliant LSEs”).</p>	
<p>B. Preferred System Plan Development and Adoption: CEJA opposed using the Hybrid Conforming Plan as the preferred system plan because it did not meet GHG and RPS requirements. D.19-04-040, p. 98.</p> <p>Consistent with CEJA’s position, the Commission rejected the Hybrid Conforming Plan for Preferred System Plan.</p>	<p>D.19-04-040, p. 2 (“This HCP...was determined to be less reliable and result in more greenhouse gas emissions than the Commission’s prior adopted Reference System Portfolio...”).</p> <p>D.19-04-040, p. 106-107 (“the HCP would not result in emissions reductions consistent with the electricity sector GHG goals established by this Commission...The HCP also does not appear to come close to achieving the 60% RPS requirements in 2030. For all of these reasons, we conclude that the HCP should in no way be our ‘preferred’ system portfolio for future planning. Thus, we will not adopt the HCP as the PSP.”)</p> <p>D.19-04-040, FOF 14, 15, p. 168.</p> <p>D.19-04-040, COL 10, p. 173.</p> <p>CEJA/SC Sept. 12, 2018 Comments on LSE IRPs, p. 40 (expressing concerns about using LSE plans as a basis of a system portfolio).</p> <p>CEJA/SC Jan. 31, 2019 Comments on Preferred System Portfolios, pp. 4-5, 6-7, 12, (describing why the Commission should not approve the hybrid conforming plan because it does not meet GHG or RPS requirements).</p> <p>CEJA/SC Feb. 11, 2019 Reply Comments on Preferred System Portfolios, pp. 2-3 (describing why the Commission should not approve the hybrid conforming plan).</p>	
<p>B. Preferred System Plan Development and Adoption:</p>	<p>D.19-04-040, p. 3 (“[T]his decision instead adopts a modified version of the</p>	

<p>CEJA recommended that the Commission utilize the Reference System Plan with the 2017 IEPR assumptions as the Preferred System Plan. D.19-04-040, p. 98.</p> <p>Consistent with CEJA’s position, the Commission decided that it should rely on the Reference System Plan with the 2017 IEPR assumptions as the Preferred System Plan.</p>	<p>RSP, utilizing 2017 IEPR assumptions, and instituting an assumption of a 40-year life for fossil-fueled generation.”) D.19-04-040, pp. 110-112.</p> <p>D.19-04-040, p. 116 (“[T]he RSP with the 2017 IEPR assumptions and 40-year lifetime assumption for fossil resources achieves a more reliable and lower GHG emissions system than the HCP representing the aggregation of individual LSE IRPs.”)</p> <p>D.19-04-040, FOF 20, 21 and 22, p. 168-9.</p> <p>D.19-04-040, COL 12, p. 173.</p> <p>D.19-04-040, Ordering Paragraph 9, p. 178.</p> <p>CEJA/SC January 31, 2019 Comments on Preferred System Portfolios, pp. 6-7, 10-11 (describing why the Commission should approve the reference system plan as the preferred portfolio).</p> <p>CEJA/SC Feb. 11, 2019 Reply Comments on Preferred System Portfolios, pp. 3-5 (urging the Commission to approve the reference system plan as the interim preferred plan until another plan is developed).</p>	
<p>B. Transmission Planning Cases: Reliability Base Case: CEJA recommended against using the Hybrid Conforming Plan as the reliability base case for transmission planning. CEJA instead recommended that the Reference System Plan with the 2017 IEPR assumptions be used as the reliability base case. D.19-04-040, p. 118.</p> <p>Consistent with CEJA’s recommendation, the Commission adopted the RSP</p>	<p>D.19-04-040, p. 3 (“This decision further recommends to the California Independent System Operator (CAISO) that the PSS, as adopted, be utilized as both the reliability base case and the policy-driven base case for study in its 2019-20 Transmission Planning Process.).</p> <p>D.19-04-040, p. 119 (“[W]e recommend that the CAISO utilize the PSP adopted in this decision as the reliability base case and the policy-driven base case in its 2019-20 TPP.”)</p> <p>D.19-04-040, COL 13, p. 173.</p>	

<p>with the 2017 IEPR assumption as the reliability base case. D.19-04-040, p. 119.</p>	<p>D.19-04-040, Ordering Paragraph 10, p. 178.</p> <p>CEJA/SC January 31, 2019 Comments on Preferred System Portfolios, pp. 7-8 (recommending that “the Commission send the RSP based on 2017 IEPR data as the base case to CAISO because it is a better reflection of the resources necessary to meet our GHG and RPS requirements than the hybrid conforming plan”).</p> <p>CEJA/SC Jan. 31, 2019 Comments on the Preferred System Portfolios, p. 18 (recommending that the Commission send “the RSP as the reliability base case in the 2019-20 TPP”).</p>	
<p>B. Transmission Planning Sensitivities: CEJA recommended sending both sensitivities to CAISO examining in-state and out-of-state renewable development. D.19-04-040, p. 119.</p> <p>Consistent with CEJA’s recommendation, the Commission decided to send the in-state and out-of-state renewable development sensitivities to CAISO. D.19-04-040, pp. 120-121.</p>	<p>D.19-04-040, p. 3 (“This decision further recommends that the CAISO study two policy-driven sensitivity cases designed to test the transmission buildout needed for two distinct portfolios: one portfolio with the majority of renewable development in-state and the other portfolio with a much larger amount of imported renewables, primarily wind from Wyoming and New Mexico.”)</p> <p>D.19-04-040, p. 120 (“it will be wise to study a heavily in-state renewable development future, as well as one based on reliance on out-of-state wind, primarily in Wyoming and New Mexico.”)</p> <p>D.19-04-040, FOF 24, p. 169.</p> <p>D.19-04-040, COL 14, p. 173.</p> <p>D.19-04-040, Ordering Paragraph 10, p. 178.</p> <p>CEJA/SC Jan. 31, 2019 Comments on the Preferred System Portfolios, p. 19 (supporting proposal to submit two sensitivities).</p>	

<p>C. Future Consideration of Procurement: CEJA commented that there needs to be more direct involvement by the Commission to ensure that statewide climate and air requirements are met. CEJA also argued that any suggestion of a centralized capacity market should be rejected.</p> <p>Consistent with CEJA’s comments, the Commission initiated a procurement track to help ensure that the State stays on track to meet climate goals and requirements. The Commission also rejected a centralized capacity market.</p>	<p>D.19-04-040, p. 4 (the Commission agreed to “initiate a ‘procurement track’ of this proceeding to explore options for facilitating procurement, beyond that already planned or being undertaken by LSEs individually, of some existing and some new types of resources that are determined to be necessary for maintaining system reliability and/or facilitate renewable integration.”)</p> <p>D.19-04-040, p. 104 (“the Commission is the only entity in the position to ensure an optimal portfolio that meets environmental goals, while also allowing the electric system to operate reliably and at least cost to ratepayers. This is something that no individual LSE can achieve with its plan.”).</p> <p>D.19-04-040, p. 139 (describing why the Commission is opening a procurement track).</p> <p>D.19-04-040, FOF 25, p. 169.</p> <p>D.19-04-040, FOF 29, p. 170 (“The IRP proceeding is the only venue where the Commission comprehensively examines environmental, reliability, and cost issues for all LSEs”).</p> <p>D.19-04-040, COL 19, p. 174.</p> <p>D.19-04-040, COL 23, p. 175.</p> <p>D.19-04-040, COL 24, p. 175 (“The Commission should maintain its focus on keeping California control over the electricity resource choices to serve load in the state in the retail energy markets.”).</p> <p>D.19-04-040, Ordering Paragraph 11, p. 179.</p> <p>CEJA/SC Sept. 12, 2018 Comments on LSE IRPs, p. 44-46, 49-50 (describing need for Commission guidance related to procurement and for requiring</p>	
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	<p>procurement of integration resources if necessary).</p> <p>CEJA/SC Dec. 20, 2018 Comments on Reliability, p. 2 (“Commission intervention is needed to ensure the multi-pronged objectives of resource planning under this new paradigm [with CCAs and GHG requirements] are realized.”)</p> <p>CEJA/SC Dec. 20, 2018 Comments on Reliability, pp. 3, 4-5.</p> <p>CEJA/SC Jan. 14, 2019 Reply Comments on Reliability, pp. 1-3 (discussing why Commission intervention is needed).</p> <p>CEJA/SC Jan. 14, 2019 Reply Comments on Reliability, p. 6 (discussing why arguments for a centralized capacity market should be rejected).</p> <p>CEJA/SC Jan. 14, 2019 Comments on Reliability, p. 8 (“there is a significant disconnect among the LSE IRP plans and the procurement and planning that will be necessary to meet the state’s GHG requirements”).</p> <p>CEJA/SC Jan. 31, 2019 Comments on Preferred System Portfolio, pp. 20-21, 27 (requesting more Commission direction related to procurement to ensure that overall state goals and requirements are met).</p> <p>CEJA/SC Jan. 31, 2019 Comments on Preferred System Portfolio, pp. 25-26 (describing the Commission’s authority to require procurement for integration resources if necessary).</p>	
<p>C. Future Consideration of Procurement: CEJA urged the Commission to focus procurement on phasing out</p>	<p>D.19-04-040, p. 141 (“[W]e will continue to focus on displacing as much natural gas as possible to reach our</p>	

<p>natural gas facilities and to consider the optimal locations for procurement.</p> <p>Consistent with CEJA’s recommendation, the Commission “modified the language on natural gas procurement to emphasize this priority, consistent with the state’s long-term goals.” D.19-04-040, p. 160. The Commission also stated that the procurement track will focus on optimal locations for procuring resources. D.19-04-040, p. 179.</p>	<p>emissions goals, consistent with maintaining a reliable electric system.”).</p> <p>D.19-04-040, p. 141 (“The procurement track will examine resource types, as well as the optimal locations for procuring these resources.”).</p> <p>D.19-04-040, COL 20, p. 174 (stating that the procurement track should focus, among other things, on resources “to reduce reliance on fossil-fueled generation”).</p> <p>D.19-04-040, Ordering Paragraph 11, p. 179 (“The procurement rack will evaluate the need for ... diverse renewable resources in the near term, to reduce reliance on fossil-fueled generation....This track will examine resource types as well as the optimal locations for procuring these resources.”).</p> <p>CEJA/SC Dec. 20, 2018 Comments on Reliability, p. 2, 5-7 (describing the need to focus on locations and phasing out natural gas reliance).</p> <p>CEJA/SC Jan. 14, 2019 Reply Comments on Medium Term Reliability, pp. 1-2, 5, (discussing the need to focus on phasing out natural gas and targeting local procurement).</p> <p>CEJA/SC Jan. 31, 2019 Comments on the Preferred System Portfolios, p. 2-21 (request to require procurement to consider the most effective locations).</p> <p>CEJA Jan. 31, 2019 Comments on the Preferred System Portfolios, p. 27 (discussing how targeted procurement can help reduce reliance on natural gas fired generation).</p> <p>CEJA/SC April 8, 2019 Comments on the PD, pp. 5-6 (urging for the procurement track to focus on phasing out our reliance on fossil fuels).</p>	
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B. Duplication of Effort (§ 1801.3(f) and § 1802.5):

	Intervenor's Assertion	CPUC Discussion
a. Was the Public Advocate's Office of the Public Utilities Commission (Cal Advocates) a party to the proceeding?²	Yes	
b. Were there other parties to the proceeding with positions similar to yours?	Yes	
c. If so, provide name of other parties: The Sierra Club was the primary intervenor taking positions similar to CEJA. Other parties that took similar positions include: Union of Concerned Scientists, Natural Resource Defense Counsel, Environmental Defense Fund, and the Center for Energy Efficiency and Renewable Technology. As related to the disadvantaged community requirements, Public Advocates Office took similar positions.		
d. Intervenor's claim of non-duplication: Throughout the proceeding, CEJA and Sierra Club California ("CEJA/Sierra Club") extensively coordinated their efforts to avoid duplication. CEJA and Sierra Club drafted and filed joint comments on all matters when their positions were aligned, which was for nearly every set of formal and informal comments in the proceeding. CEJA and Sierra Club communicated to coordinate strategy, share resources, and complete filings in the proceeding. Collaborating significantly minimized time spent drafting, researching, and analyzing issues. The coordinated efforts of CEJA and Sierra Club also avoided the potential for duplication. CEJA focused many of its comments on the air quality and the disadvantaged community issues within this proceeding because CEJA was one of the main parties focused primarily on these issues, and CEJA was the only active party directly representing environmental justice communities. CEJA/Sierra Club's informal and formal comments provided analysis, research and data which highlighted their own arguments from the perspectives of an alliance of environmental justice organizations and an environmental protection organization. These varying perspectives avoided duplication by creating complementary and supplemental positions and approaches to the issues that		

² 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.

<p>helped the Commission more thoroughly evaluate the issues.</p> <p>CEJA also collaborated very closely with Union of Concerned Scientists, Natural Resource Defense Counsel, Environmental Defense Fund and the Center for Energy Efficiency and Renewable Technologies, including by having meetings and conference calls to discuss strategy, data and positions. CEJA also communicated with Public Advocates Office about disadvantaged community requirements, and CEJA was in regular communication with the California Independent System Operator to discuss the proceeding and positions.</p>	
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C. Additional Comments on Part II: (use line reference # or letter as appropriate)

#	Intervenor's Comment	CPUC Discussion
1	CEJA also submitted comments related to confidentiality and to the inputs and assumptions for the 2019-20 IRP. Because those issues were not discussed in D.19-04-040, CEJA has left those hours out and only included those comments directly related to the modeling of the preferred system plan, development and review of LSE plans, and reliability and procurement.	

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

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

	CPUC Discussion
<p>a. Intervenor's claim of cost reasonableness:</p> <p>CEJA participated in all major aspects of this time-intensive, complicated proceeding, including filing multiple informal and formal comments related to the modeling inputs and outputs, the disadvantaged community and air quality requirements, the greenhouse gas requirements, the LSE plans, and future IRP activities. CEJA also attended the workshops in the proceeding and participated in the Modeling Advisory Group.</p>	

<p>CEJA's filings and informal comments are reflected in hundreds of pages of detailed substantive analysis. CEJA took the lead drafting many of the filings that were joined by other parties, including the analysis of all the LSE IRPs. The formal and informal comments CEJA submitted in this proceeding included significant legal, policy, and technical research on the many topics raised by the Commission's rulings, workshops, and decision. CEJA's extensive participation and detailed filings ensured the Commission had sufficient information to make a determination from the record. Importantly, the Commission was tasked with making determinations of how to apply SB 350 for developing a new integrated resource planning process. SB 350 includes many requirements related to disadvantaged communities that have not been addressed previously by the Commission. The majority of the work that CEJA performed in the proceeding was focused on these requirements, as well as increasing transparency and ensuring that modeling represented the best reflection of the greenhouse gas and air quality requirements as possible. Many of the collaboration hours were spent discussing the importance of aspects of our disadvantaged communities and air quality positions with other parties in the proceeding to develop alignment on these issues that are critical to the communities CEJA represents.</p> <p>CEJA spent significant time writing detailed comments to ensure that the Commission and the Energy Division staff had the information needed to make informed decisions. For example, CEJA analyzed every single LSE's IRP in detail and developed charts showing that evaluation for whether each IRP complied with air quality and disadvantaged community requirements. Developing these many sets of detailed comments required significant research and an analysis of hundreds of pages of technical information and filings by dozens of parties.</p> <p>Many of CEJA's core positions were adopted in the Final Decision. These core considerations for disadvantaged communities, air quality, and future steps for consideration of procurement are hard to quantify monetarily, but these will significantly impact ratepayers throughout the State who breathe the air and have a desire to participate in energy decisions made in their community.</p> <p>CEJA's request for fees and costs is likely to be a very small portion of the benefits that utility customers are likely to ultimately realize due to increased consideration of coordination for procurement and consideration of the SB 350 requirements for GHGs, air quality and disadvantaged communities.</p>	
<p>b. Reasonableness of hours claimed:</p> <p>As mentioned above, CEJA participated in all major aspects of the</p>	

proceeding, including filing multiple formal and informal comments, participating in workshops, the all-party meeting, the modeling advisory group, and coordinating with multiple parties. CEJA's total filings are reflected in hundreds of pages of detailed substantive analysis. CEJA often had to analyze dozens and dozens of filings to develop comments and critiques of other parties. The amount of time CEJA spent on the proceeding is reasonable considering CEJA's extensive participation in and contribution to a wide range of outcomes in the proceeding. Furthermore, CEJA's hours are likely very low considering the number of filings, workshops, meetings, wide range of issues, and parties in this proceedings.

CEJA's submitted significant legal, policy, and technical research on the many topics raised by the Commission's ultimate decision. CEJA often took the lead on drafting many of the issues covered in joint informal and formal comments. As one of the only parties directly representing disadvantaged communities, CEJA took the lead on all issues related to disadvantaged communities and air quality and often discussed its positions, analysis, and research with other parties.

CEJA was conscious of limiting hours and time spent on the proceeding. Deborah Behles, an experienced attorney and CPUC practitioner, took on the lead role in the proceeding. She coordinated with co-counsel, Shana Lazerow, to assure that internal duplication was avoided. Shana Lazerow also analyzed filings and issues to help develop positions in the proceeding and as an employee of one of CEJA's members, Ms. Lazerow was instrumental in ensuring that positions represented the goals of the alliance's members. Working together, Ms. Behles and Ms. Lazerow avoided duplication. When Ms. Behles was not lead, Ms. Lazerow, another experienced attorney and CPUC practitioner, assumed the role of lead attorney. When possible, CEJA also utilized a trained lawyer, who billed at a legal fellow rate, to help with the analysis of the hundreds of pages of LSE plans.

Ms. Behles' and Ms. Lazerow's extensive CPUC experience and leadership reduced the number of hours required to develop briefs and comments for their own work.

CEJA is not requesting hours that they found to be duplicative or excessive, and they performed a thorough and detailed review of hours to ensure there is no unnecessary duplication or excessiveness. For example, CEJA removed all the hours discussing the issue internally with CEJA's Energy Equity Committee and committee members. CEJA also removed all hours related to discussions with CEJA members related to the proceeding and its decision.

c. Allocation of hours by issue:

CEJA has allocated all of our attorney and expert time by issue area or activity, as evident by our attached timesheets. The following issues allocate hours by specific substantive issues and activity areas addressed by CEJA. CEJA also provides an approximate breakdown of the number of hours spent on each task and the percentage of total hours devoted to each category.

Issue A: Development and Evaluation of LSE IRP Plans, 43.90% of hours

Work on issues related to the development and analysis of LSE IRP Plans includes time spent researching legal and factual issues, receiving input from various environmental justice advocates, analyzing modeling and plans submitted by all the LSEs, drafting technical and legal comments, responding to critiques raised by other parties, and developing an independent analysis of air pollution and DAC considerations in each of the LSE IRPs.

Issue B: Preferred System Plan, Modeling, and Transmission Planning, 28.70% of hours

Work on issues related to the development of a preferred system plan scenario, modeling and transmission planning scenarios includes time spent researching legal and factual issues, discussions with other groups, research of other agencies' findings and documents, analyzing modeling, drafting technical and legal comments, and responding to critiques raised by other parties.

Issue C: Procurement and Reliability Considerations, 14.84% of hours

Work on issues related to procurement and reliability includes time spent participating on the modeling advisory group, researching legal and factual issues, analyzing modeling, drafting technical and legal comments, and responding to critiques raised by other parties.

Issue D: General Participation, 6.8% of hours

General participation work is work that is essential to participation in the proceeding that typically spans multiple issues and/or is necessary for participating in the proceeding. This includes reviewing the initial Commission rulings, initial review of proposals by Staff, the prehearing conference, workshops, other Commission-sponsored events, and work coordinating with other parties on general issues. If discussions with other parties were focused on a particular issue, those hours are allocated under that issue.

<p>Issue E: Intervenor Compensation, 5.68% of hours</p> <p>Work preparing this request for compensation and analyzing the initial Commission decision related to compensation.</p> <p>CEJA submits that given the broad and extensive nature of this proceeding, this information should suffice to address the allocation requirement under the Commission's rules. If the Commission wishes to see additional or different information at this point, CEJA requests that the Commission inform it and provide a reasonable opportunity to supplement this showing accordingly.</p>	
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B. Specific Claim:*

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
Attorney – Deborah Behles	2018	209.55	\$395	D.18-10-051	\$82,772.25			
Attorney – Deborah Behles	2019	83.65	\$404	D.18-10-051, Resolution ALJ-357	\$33,794.60			
Attorney – Shana Lazerow	2018	52.5	\$385	D.18-10-051	\$20,212.50			
Attorney – Shana Lazerow	2019	23.6	\$394	D.18-10-051, Resolution ALJ-357	\$9,298.40			
Advocate – Jose Torres	2018	1.58	\$150	Comment 3	\$237.00			
Advocate – Jose Torres	2019	1.23	\$157	Comment 3, Resolution ALJ-357	\$193.11			
Subtotal: \$146,507.86						Subtotal: \$		

OTHER FEES								
Describe here what OTHER HOURLY FEES you are Claiming (paralegal, travel **, etc.):								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate	Total \$
Jan Chan, Legal Fellow	2018	27.2	\$135	Comment 4; D.15-03-040	\$3,672.00			
Subtotal: \$3,672.00						Subtotal: \$		
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate	Total \$
Deborah Behles	2019	18.9	\$202	D.04-04-012	\$3,818			
Shana Lazerow	2018	.8	\$192	D.04-04-012	\$154			
Shana Lazerow	2019	4.5	\$197	D.04-04-012	\$887			
Subtotal: \$4,858						Subtotal: \$		
COSTS								
#	Item	Detail		Amount	Amount			
1.								
2.								
Subtotal: \$						Subtotal: \$		
TOTAL REQUEST: \$155,037.86						TOTAL AWARD: \$		
<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 ³	Member Number	Actions Affecting Eligibility (Yes/No?) If “Yes”, attach explanation
Deborah Behles	218281	December 21, 2001	No
Shana Lazerow	195491	June 4, 1998	No

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

Attachment or Comment #	Description/Comment
Attachment 1	Certificate of Service
Attachment 2	Timesheets
Comment 1	<p>Deborah Behles has been practicing environmental law since 2001. Ms. Behles received a B.S. in civil engineering with an environmental and structural engineering emphasis from Purdue University and her J.D. from the University of Minnesota. She has served as a trial attorney for the U.S. Department of Justice in the Environmental Enforcement Section and as an associate professor and a staff attorney with the Environmental Law and Justice Clinic at Golden Gate University School of Law. Since 2016, Ms. Behles is a sole-practitioner specializing in environmental law and policy.</p> <p>Ms. Behles has represented parties in several Commission proceedings since 2008. Ms. Behles received a rate of \$395 for 2018 hours in D.18-10-051. For 2019, Ms. Behles requests the 2.35% COLA adjustment so the rate would be \$404.</p>
Comment 2	<p>Shana Lazerow is Legal Director at Communities for a Better Environment. She graduated from law school at the University of California, Los Angeles in 1997. She has practiced environmental and administrative law for more than 20 years, and has held the position of Chief of Litigation at CBE since 2005.</p> <p>Ms. Lazerow received a rate of \$385 for 2018 hours in D.18-10-051. For 2019, Ms. Lazerow requests the 2.35% COLA adjustment so the rate would be \$394.</p>
Comment 3	<p>Jose Torres has been CEJA’s Energy Equity Program Manager since 2018. Before joining CEJA, Mr. Torres was a legislative analyst for the California Energy Commission, a legislative assistant in the California State Assembly, and a California Senate Fellow. He graduated from California State University in Fullerton in 2013.</p>

³ This information may be obtained through the State Bar of California’s website at <http://members.calbar.ca.gov/fal/MemberSearch/QuickSearch> .

	Consistent with the rates in ALJ-352, Mr. Torres requests a rate of \$150 for his work in 2018. He requests a 5% step increase for his 2019 work consistent with ALJ-352. Accordingly, he requests a rate of \$157 for his 2019 work.
Comment 4	Jan Chan was a legal fellow with Communities for a Better Environment in 2018. He received his Juris Doctorate from the Ateneo de Manila University School of Law in 2015 and his Master of Laws from the University of California Berkeley in 2018. Although he has a law degree, because he was not barred in California at the time of his work on the proceeding, CEJA is requesting the applicable legal fellow for Mr. Chan's work on this case. A rate of \$135 per hour was approved in D.15-03-040 for a legal fellow, and a rate of \$175 was approved for a legal fellow in D.10-10-013. The lowest rate for an expert with no experience in ALJ-357 is \$155 per hour. Given this, \$135 is a reasonable request.

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

Item	Reason

PART IV: OPPOSITIONS AND COMMENTS

Within 30 days after service of this Claim, Commission Staff or any other party may file a response to the Claim (*see* § 1804(c))

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

Party	Reason for Opposition	CPUC Discussion

B. Comment Period: Was the 30-day comment period waived (see Rule 14.6(c)(6))?	
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If not:

Party	Comment	CPUC Discussion

(Green items to be completed by Intervenor)

FINDINGS OF FACT

1. **CALIFORNIA ENVIRONMENTAL JUSTICE ALLIANCE** [has/has not] made a substantial contribution to D.19-04-040.
2. The requested hourly rates for **CALIFORNIA ENVIRONMENTAL JUSTICE ALLIANCE**'s representatives [, as adjusted herein,] are comparable to market rates paid to experts and advocates having comparable training and experience and offering similar services.
3. The claimed costs and expenses [, as adjusted herein,] are reasonable and commensurate with the work performed.
4. The total of reasonable compensation is \$_____.

CONCLUSION OF LAW

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

ORDER

1. **CALIFORNIA ENVIRONMENTAL JUSTICE ALLIANCE** shall be awarded \$_____.
2. Within 30 days of the effective date of this decision, _____ shall pay **CALIFORNIA ENVIRONMENTAL JUSTICE ALLIANCE** the total award. [for multiple utilities: "Within 30 days of the effective date of this decision, ^, ^, and ^ shall pay **CALIFORNIA ENVIRONMENTAL JUSTICE ALLIANCE** their respective shares of the award, based on their California-jurisdictional [industry type, for example, electric] revenues for the ^ calendar year, to reflect the year in which the proceeding was primarily litigated. If such data is unavailable, the most recent [industry type, for example, 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 [date], the 75th day after the filing of **CALIFORNIA ENVIRONMENTAL JUSTICE ALLIANCE**'s request, and continuing until full payment is made.

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

Dated _____, at San Francisco, California.

APPENDIX

Compensation Decision Summary Information

Compensation Decision:		Modifies Decision?	
Contribution Decision(s):	D.19-04-040		
Proceeding(s):	R.16-02-007		
Author:			
Payer(s):			

Intervenor Information

Intervenor	Date Claim Filed	Amount Requested	Amount Awarded	Multiplier?	Reason Change/Disallowance
CALIFORNIA ENVIRONMENTAL JUSTICE ALLIANCE	June 4, 2019	\$155,037.86		N/A	

Hourly Fee Information

First Name	Last Name	Attorney, Expert, or Advocate	Hourly Fee Requested	Year Hourly Fee Requested	Hourly Fee Adopted
Deborah	Behles	Attorney	\$395	2018	
Deborah	Behles	Attorney	\$404	2019	
Shana	Lazerow	Attorney	\$385	2018	
Shana	Lazerow	Attorney	\$394	2019	
Jose	Torres	Advocate	\$150	2018	
Jose	Torres	Advocate	\$157	2019	
Jan	Chan	Legal Fellow	\$135	2018	

(END OF APPENDIX)