



Decision \_\_\_\_\_

**FILED**


05/24/19  
04:59 PM

**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.	Rulemaking 16-02-007
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**INTERVENOR COMPENSATION CLAIM OF GREEN POWER INSTITUTE  
AND DECISION ON INTERVENOR COMPENSATION CLAIM OF GREEN  
POWER INSTITUTE**

**NOTE:** After electronically filing a PDF copy of this Intervenor Compensation Claim (Request), please email the document in an MS WORD, supporting EXCEL Timesheets, and any other supporting documents to the Intervenor Compensation Program Coordinator at [lcompcoordinator@Cpuc.Ca.Gov](mailto:lcompcoordinator@Cpuc.Ca.Gov).

<b>Intervenor: Green Power Institute</b>	<b>For contribution to Decision D.19-04-040.</b>
<b>Claimed: \$ 162,165</b>	<b>Awarded: \$</b>
<b>Assigned Commissioner: Liane Randolph</b>	<b>Assigned ALJs: Julie Fitch</b>
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).	
<b>Signature:</b>	
<b>Date: May 24, 2019</b>	<b>Printed Name: Gregg Morris</b>

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

<b>A. Brief description of Decisions:</b>	<b>Decision D.19-04-040</b> adopting preferred system portfolio and plan for 2017-2018 integrated resource plan cycle.
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**B. Intervenor must satisfy intervenor compensation requirements set forth in Pub. Util. Code §§ 1801-1812:**

	Intervenor	CPUC Verified
<b>Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):</b>		
1. Date of Prehearing Conference (PHC):	February 25, 2014	
2. Other specified date for NOI:		
3. Date NOI filed:	March 27, 2014	
4. Was the NOI timely filed?		
<b>Showing of customer or customer-related status (§ 1802(b)):</b>		
5. Based on ALJ ruling issued in proceeding number:		
6. Date of ALJ ruling:		
7. Based on another CPUC determination (specify):	D.18-07-019	
8. Has the Intervenor demonstrated customer or customer-related status?		
<b>Showing of “significant financial hardship” (§ 1802(g)):</b>		
9. Based on ALJ ruling issued in proceeding number:		
10. Date of ALJ ruling:		
11. Based on another CPUC determination (specify):	D.18-07-019	
12. Has the Intervenor demonstrated significant financial hardship?		
<b>Timely request for compensation (§ 1804(c)):</b>		
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:	May 24, 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
1-4	The OIR for this proceeding states, on pgs. 34-35: “Parties who were previously found eligible to request compensation in R.13-12-010 shall	

	<p>remain eligible in this proceeding and do not need to file an NOI within 30 days, provided there are no material changes in their by-laws or financial status.” GPI was found eligible in R.13-12-010, and so per the OIR remains eligible in this proceeding. Indeed, D.18-07-019 in this proceeding accepts this finding, and affirms our standing.</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(i), § 1803(a), and D.98-04-059). (For each contribution, support with specific reference to the record.)**

Intervenor’s Claimed Contribution(s)	Specific References to Intervenor’s Claimed Contribution(s)	CPUC Discussion
	(Please note that Attachment 2 includes a list issue areas, and of GPI Pleadings relevant to this Claim.)	
<p><b>1. Preferred System Portfolio and Plan.</b></p> <p>The GPI made substantial contributions to D.19-04-040 in the area of determining the Preferred System Plan (PSP) by actively participating in workshops, and providing commentary and critique in multiple filings following the issuance of the first major Decision in this proceeding, D.18-02-018. From the beginning of the IRP process we warned that creating a credible PSP, especially in the</p>	<p><b>Decision</b></p> <p>In particular, in these first IRP filings, in many cases we were unable to distinguish between resources within an LSE’s portfolio that represented existing contracts and resources that were generic aspirational choices for the future that may or may not be developed. [D.19-04-040, pgs. 102-103.]</p> <p>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. [D.19-04-040, pg. 107.]</p>	

<p>initial IRP run, might very well require more than simply aggregating the submitted individual IRPs of the LSEs. In fact, when the hybrid conforming portfolio was proposed as the PSP, the GPI opposed its adoption, a position that was embraced by the Commission. In our opinion, the decision by the Commission to reject the hybrid conforming portfolio as the PSP is the most significant decision that was made during the course of the 2017-2018 IRP. The GPI made multiple substantial contributions to the ultimate determination of the Commission's Preferred System Plan.</p>	<p>As stated above, our two main reasons are the uncertainty associated with the resource choices included in individual LSE IRPs, which may or may not be reflective of reality, and the need for the Commission to adopt an optimized portfolio that balances the environmental, reliability, and cost characteristics across the entire electric system – something that no individual LSE can achieve on its own. [D.19-04-040, pgs. 111-112.]</p> <p>As stated above, but worth reiterating, considering the totality of modeling results presented thus far, the 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. [D.19-04-040, pg. 116.]</p> <p><b>Pleadings</b></p> <p>The method described in Attachment A and the associated calculator tool are designed to help an LSE determine the greenhouse-gas emissions that will be associated with supplying the power called for in its own preferred system plan, or any alternative scenarios of interest. Assuming that the approach and its implementation are sound, then using the method and calculator will provide sufficiently accurate information to the LSE to use for long-term planning purposes. We do not see how providing an LSE with accurate and standardized information can have a negative effect on their procurement activities. [GPI Comments, 4/20/18, pgs. 1-2.]</p> <p>Many of the CCAs are just beginning operations, and their long-term procurement plans are little more than statements of strategy and intention. The</p>	
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	<p>difficulty some of them are likely to encounter is that many have been assessing the marketplace as it exists today, without taking sufficient account for the fact that a slew of other startup CCAs may be targeting the same resources they are. It is impossible to predict what the competition among them will do to overall market prices. It is also impossible to predict what the long-term-procurement strategies will transform into as the CCAs gain experience and the marketplace evolves. [GPI Comments, 9/12/18, pg. 3.]</p> <p>The fact that the procurement that used to be conducted by three entities will soon be conducted by more than two dozen entities, over most of whom the Commission has looser regulatory authority than over the IOUs, can only make the process of long-term integrated resources planning at the Commission exponentially more complicated. For example, splitting the Reference System Portfolio among three IOUs that have relatively distinct climates and geographies in order to construct conforming scenarios is relatively straightforward compared to further splitting it among the IOUs and the numerous CCAs carved out of them, many of whom have competing and/or conflicting objectives, often municipally-directed. [GPI Comments, 9/12/18, pg. 6.]</p> <p>While the objective of comparing the RESOLVE and SERVVM models via the “as found” RSP was to ensure model vetting and allow the proceeding to focus on the SERVVM-derived evaluation of the PSP at the conclusions of the 2018 IRP round, it has raised significant concerns regarding model alignment and agreement. The GPI recommends ongoing RESOLVE and SERVVM model alignment as further outlined herein.</p>	
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	<p>[GPI Comments, 10/10/18, pg. 2.]</p> <p>It is conceivable that over and under procurement, and thus production cost, may be reduced through a different generation-resource mix (e.g. less solar, more wind and baseload renewables). The GPI recommends additional exploration of renewable resource mixes in the next IRP cycle as well as production cost and overall model output sensitivity to a range of resource mixes, following improved alignment of the RESOLVE and SERVVM models, as previously discussed. The GPI also reiterates the importance of including all kinds of DER procured via the DRP, in addition to the BTM PV listed in the RSP and PSP. [GPI Comments, 10/10/18, pg. 8.]</p> <p>Many parties have expressed concern over the lack of model convergence on greenhouse-gas emissions for the RSP. GPI agrees with these concerns, and reiterates that a deeper understanding of the modeling discrepancies between RESOLVE and SERVVM is required to better align these two models such that they result in optimized and progressive portfolios that are capable of achieving greenhouse-gas-emission-reduction targets. Indeed, reducing greenhouse-gas emissions is one of the primary goals of the IRP, yet both key models contain assumptions and flaws that incorrectly estimate CO2 output, and are incomparable despite having the same resource-mix input. [GPI Reply, 10/17/18, pg. 3.]</p> <p>The GPI reiterates that the current IRP cycle should be viewed as a learning exercise and part of the developmental process during which many of the fundamental and inevitable flaws in an effectively new and complex proceeding such as the IRP can be discovered and</p>	
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	<p>adequately addressed prior to full reliance on the process. [GPI Reply, 10/17/18, pg. 4.]</p> <p>In the opinion of the GPI the California electricity marketplace is reasonably set from a reliability perspective for the present and at least the next couple of years. The medium-term reliability outlook is less clear. This is a result of the fact that not only is the state in the midst of a long-term transition to decarbonize its electricity system, the business structure of the industry is also in flux, with an explosion of new CCAs suddenly entering the energy-procurement marketplace, and the IOUs losing their customer base and finding themselves with excess energy under contract. How this will affect grid reliability depends in no small part on decisions that will be made by the Commission, both in this, the IRP proceeding, in the RA proceeding, and in other proceedings under the general umbrella of procurement. [GPI Comments, 12/20/18, pg. 2.]</p> <p>We are particularly troubled that a planning exercise like the IRP, which inevitably relies on a long list of assumptions and projections, virtually ignores the role of uncertainty in the analytical process. The GPI has consistently argued throughout this proceeding that the new-build portfolios in the RSP and the PSP should be expressed in terms of ranges of values, rather than as a singular portfolio. [GPI Comments, 1/31/19, pg. 2.]</p> <p>As we discussed in our comments on the individual LSE IRPs, many of the IRPs of the new CCAs are more statements of intent when it comes to future procurement plans, rather than well informed blueprints backed by standing contracts. Aggregating these wish lists is</p>	
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	<p>a useful exercise, but it can hardly be counted on, in-and-of itself, as the preferred portfolio for the PSP, even with the adjustments made by Commission staff. [GPI Comments, 1/31/19, pgs. 2-3.]</p> <p>The hybrid conforming portfolio as defined in the staff document implies far greater precision than is justified by the data, not to mention the fact that much of the proposed buildout in the individual IRPs of the CCAs is based on little more than statements of intent by newly formed, inexperienced entities, not plans based on past performance and forward extending contracts. The final preferred portfolio that is adopted by the Commission should reflect, in addition to the information that is contained in the hybrid conforming portfolio, the results of some of the modeling that has been performed over the course of this proceeding, including both the two reference system portfolios, as well as the results of some of the sensitivity analyses that have been carried out. All of these sources of information could be reflected in a preferred system portfolio that is defined in terms of ranges. [GPI Comments, 1/31/19, pg. 5.]</p> <p>The GPI has consistently expressed our concern about the possibility of WECC-wide resource shuffling occurring in connection with the procurement of energy from existing, often out-of-state carbon-free generators. TURN and NRDC have expressed similar concerns through the course of this proceeding. The issue is straightforward. Many of the new procurement entities express an intention to procure energy from out-of-state existing, operating, carbon-free generators, in many cases large hydroelectric generators. The problem is that the energy from these generators is already being used, and the current</p>	
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	<p>users, if they lose access to these generators, will procure their energy from other sources, which may well not be carbon-free. note that overall demand for electricity is not affected by shifts in procurement entities or sources. If the net result of the contract shuffling is that the same set of generators is operating WECC-wide, then there has been no net benefit in terms of greenhouse-gas emissions, even if the California LSEs collectively appear to have lowered the carbon intensity of their energy supply. Greenhouse gases are a global problem, not a local problem. [GPI Comments, 1/31/19, pg. 13.]</p> <p>In addition to the issues surrounding the future availability of northwest hydro for import into California, an increased dependence on imports generally heightens the risk of loss of power availability associated with the stochastic failure of major transmission lines. More in-state generation distributed around the state, including DG, mitigates this risk. [GPI Reply, 2/11/19, pg. 3.]</p> <p>The GPI certainly does not oppose short-term resource procurements. We simply oppose using the results of the 2017-2018 round of the IRP as the sole or primary basis for such procurements. Conventional methods of resource procurement should continue to be used until the IRP process has been fully vetted. [GPI Reply, 2/11/19, pg. 4.]</p> <p>One of the key steps in the final phase of the two-year IRP cycle is the adoption of a Preferred System Plan (PSP). Initial expectation was that the PSP would largely represent the composite future portfolios of the jurisdictional LSEs, as described in their individual IRPs. ED staff constructed a feasible composite plan, which is called</p>	
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	<p>the hybrid conforming plan (HCP), which they analyzed and proposed for adoption as the PSP. Many parties, including the GPI, objected to the adopting the HCP as the PSP, for a variety of reasons. The PD endorses our position and arguments, and rejects the proposal to adopt the HCP as the PSP. We applaud this decision, for the reasons articulated in the PD. [GPI Comments, 4/8/19, pg. 1.]</p> <p>In declining to adopt the HCP as the PSP, the PD acknowledges that many of the CCA IRPs are more aspirational than rooted in real contracts or solicitations for resources. The GPI pointed this out in our Sept. 12, 2018, comments on the individual IRPs. With time, and as the major rule change requiring long-term procurement contracts for RPS resources goes into effect in 2020, the energy marketplace will adapt to the new market structure and reach a new equilibrium. At that point the aggregate portfolios of the LSEs should have a better chance of becoming the PSP than was the case in the inaugural round of the IRP that is coming to a close with the adoption of this decision. [GPI Comments, 4/8/19, pg. 3.]</p> <p>The IRP modeling studies that have been conducted to-date are equivalent to assuming that the IOUs will continue to be responsible for RPS procurement for the entire load that is carried by their wires, or alternatively to assuming that CCAs will procure RPS energy in roughly the same patterns as the IOUs they are breaking away from. Modeling in future cycles of the IRP should take the changing structure of the retail-electric marketplace into account, in order to be able to provide meaningful results to the Commission. [GPI Comments, 4/8/19, pg. 4.]</p>	
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	<p>In addition to emerging technologies that can provide carbon-free integration and reliability services, like batteries, there are additional approaches available to handling the problem of renewables integration. In particular, the development of a more diverse RPS portfolio, which has long been a major goal of the RPS program, would mitigate the worst impacts of the “duck curve,” in the process decreasing the need for integration services in the first place. During the early years of the RPS program, as renewable energy production increased in the state, so did the diversity of the RPS portfolio. Unfortunately that trend ended around 2012 or 2013, when PV costs dropped dramatically, and virtually all new RPS PPAs in the solicitations of the three large IOUs were going to solar-PV projects. That trend is continuing to this day, with the result that the state’s renewable energy portfolio is increasingly becoming significantly less diverse, not more diverse. [GPI Comments, 4/8/19, pgs. 4-5.]</p>	
<p><b>2. Portfolios for CAISO’s TPP Studies.</b></p> <p>The GPI made substantial contributions to D.19-04-040 in the area of developing portfolios for use in the 2019 CAISO’s TPP studies. We advocated for taking maximum advantage of the TPP process by submitting distinct portfolios for each category of portfolio that was previously designated for submittal, and for the use of the PSP as the reliability base-case scenario. The Decision chose to submit the PSP as both the reliability</p>	<p><b>Decision</b></p> <p>We agree with the majority of parties who argued that the reliability base case and policy-driven base case should be the same and should also reflect the Commission’s adoption of the PSP. Thus, we 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. [D.19-04-040, pg. 119.]</p> <p>For purposes of the policy-driven sensitivity cases, we agree with the staff recommendation that it will be wise to study a heavily in-state renewable development future, as well as one</p>	

<p>base-case and the policy-driven base-case scenarios. While our recommendation to submit distinct scenarios for these two base cases was not ultimately adopted, we made a substantial contribution by enriching the record upon which the decision was made. We also supported the staff recommendation to transmit the two proposed policy-driven sensitivities, which are designed to compare scenarios with greater or lesser amounts of out-of-state, mostly wind resources. This recommendation was adopted in the Decision. The GPI made multiple substantial contributions to the Decision in the area of developing portfolios for use in the 2019 CAISO's TPP studies.</p>	<p>based on reliance on out-of-state wind, primarily in Wyoming and New Mexico. This should help us to understand the total cost tradeoffs inherent in these resource choices. [D.19-04-040, pg. 120.]</p> <p><b>Pleadings</b></p> <p>Ensuring grid reliability was a key component in the CAISO's TPP process, and it continues to be an important component of the IRP. We agree with PG&amp;E and the Union of Concerned Scientists that a thorough investigation of reliability as it relates to both the individual IRPs and the aggregated Preferred System Plan (PSP) is warranted. [GPI Comments, 9/26/18, pg. 2.]</p> <p>The GPI opposes the staff recommendation to transmit the hybrid conforming portfolio to the CAISO as both the reliability base case and the policy-driven base case for their analysis of transmission needs for the 2019-2020 TPP. In our opinion, doing so would transmit only a sliver of the information that should be embodied in these portfolios. ... Moreover, it would be a substantial lost opportunity if the Commission were to submit the same portfolio as both the reliability and the policy-driven base cases. The whole purpose of having two different base cases is in order to be able to study two different portfolios. [GPI Comments, 1/31/19, pgs. 3-4.]</p> <p>The two scenarios recommended by staff as the policy-driven sensitivity cases, Case B and Case C in attachment B to the January 11, Ruling, are more promising candidates for analysis, as they promote the analysis of two fundamentally different approaches to the future development of the California energy system, one emphasizing in-state</p>	
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	<p>development of new clean generation, the other emphasizing out-of-state development of new clean generation. These are not the only scenarios worthy of TPP study, but they are certainly worthy ones. [GPI Comments, 1/31/19, pg. 4.]</p> <p>No matter what portfolio is adopted as the reliability base case, the policy-driven base case should be a different and distinct portfolio, in order to ensure that the TPP process can benefit from the widest possible consideration of future possibilities. Indeed, the whole point of having two different base cases, as well as sensitivities, is to allow the TPP to consider a range of alternative futures. [GPI Comments, 1/31/19, pg. 19.]</p> <p>It should be understood by all parties that there is a strong possibility that the aggregate resource procurement by the LSEs between now and 2030 will be significantly different than the hybrid conforming portfolio, or whatever portfolio the Commission transmits to the CAISO as the base case for TPP analysis. As we stated in the answer to question no. 3 above, the portfolio transmitted to the CAISO is only a representation of what a future resource buildout might look like. It should not be depended on as the sole basis for future transmission planning. The CAISO should always do their due diligence before recommending funding for any capital projects. [GPI Comments, 1/31/19, pg. 19.]</p>	
<p><b>3. Near Term Actions Including New Procurement Track.</b></p> <p>The GPI made substantial contributions to D.19-04-040</p>	<p><b>Decision</b></p> <p>We do agree that we should be concerned about the dynamics related to reliance on imports, including Northwest hydro. There are a host of</p>	

<p>by consistently maintaining, since the beginning of the proceeding, that the initial round of the IRP should be considered as, in effect, a trial run, and should not be used as the primary basis for the authorization of new procurements. Rather, we argued that if the results of the initial IRP analysis suggested the possibility of a need for near-to-medium term new procurement, then conventional procurement tools should be applied. The Decision acknowledges a possible need for near-to-medium term new procurement for the California grid, but rather than authorizing new procurement on the basis of the 2017-2018 IRP, in order to pursue the possibility the Decision opens a new procurement track for the next, 2019-2020 cycle of the IRP, to focus on new procurement. The GPI supported the creation of the new procurement track, and urged its use for the procurement of preferred resources to the maximum extent possible. We made substantial contributions to the Decision by advocating for the need to go beyond the initial running of the IRP in terms of authorizing near-to-medium term new procurement, which has culminated in the opening by this Decision of a new procurement track for the next IRP cycle.</p>	<p>issues associated with imports, and thus the next cycle of IRP will consider different ways to test additional assumptions about import availability. There are also potential resource shuffling concerns, as noted earlier in this decision. [D.19-04-040, pg. 133.]</p> <p>In addition, in the course of this analysis, it has become clear how important the RPS program will be in helping to achieve the optimal electric system portfolio by 2030. While all LSEs have an RPS obligation, and presumably are planning to comply with the RPS requirements, it will become increasingly important to ensure alignment between the RPS obligations and the optimal portfolio analysis emerging from the IRP process, designed to reach the GHG goals for the electricity sector. To date, much of the RPS procurement has been for wind and solar resources, but to the extent that renewable resource diversity is found to help achieve the optimal IRP portfolio (the PSP) at lower cost and in a more reliable manner, the RPS program may need to be adapted to take these considerations into account, or to effectively utilize the “least-cost, best-fit” requirements of RPS for purposes of the IRP goals. Beginning with this decision, we will undertake an even closer coordination with the RPS program to ensure that RPS requirements and compliance are aligned with achieving the optimal PSP identified in this decision. [D.19-04-040, pgs. 134-135.]</p> <p>For all of these reasons, we conclude that the appropriate way to make more progress, beyond just utilizing more appropriate planning assumptions, is to begin to conduct procurement processes for various types of resources. This will allow us to test our assumptions and</p>	
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	<p>begin the acquisition process for the types of resources that we need and want to support the transition to 2030. Thus, we will open a “procurement track” in the IRP proceeding. [D.19-04-040, pg. 139.]</p> <p>The second aspect of procurement that we will address is procurement that may require collective action. That is, we will focus on procurement mechanisms to develop resources that one or a small number of LSEs may not be able to bring to fruition on their own. [D.19-04-040, pg. 140.]</p> <p><b>Pleadings</b></p> <p>In future rounds of the IRP, the next step after the development and approval of the Preferred System Plan is to decide whether to authorize procurement based on the approved Preferred System Plan. [GPI Comments, 9/12/18, pg. 12.]</p> <p>The GPI has consistently supported the original staff position that the initial round of the IRP should be considered as a proof-of-concept only, and should not be used as the basis for authorizing any new procurement. Instead, if the results of the analyses show an indication that new near-term procurement may be needed, we recommended that conventional procurement methods and oversight be applied. That appears to be what is being proposed in the PD, which proposes to open a new procurement track in the IRP. We support the proposal to open a new procurement track in the IRP, which will run concurrently with the beginning of the 2019-2020 round of the IRP. [GPI Comments, 4/8/19, pg. 7.]</p> <p>The GPI joins a number of the intervenor parties in requesting that if indeed a new procurement track is</p>	
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	<p>opened in the 2019-2020 round of the IRP, as proposed in the PD, at the very least it should include several clean energy issues in its defined scope of work, including replacement procurement for Diablo Canyon, procurement issues related to CCAs as the primary procurers of new preferred resources, an analysis of the implications of imminent closures of existing RPS generators, and the near- and medium-term procurement of clean energy resources. [GPI Reply, 4/15/19, pg. 3.]</p>	
<p><b>4. Diablo Canyon.</b></p> <p>PG&amp;E's Application to early retire the Diablo Canyon power plant included a commitment to retire Diablo Canyon without causing an increase in system-wide, greenhouse-gas emissions. The Decision settling the Application deferred replacement procurement decisions to this, the IRP proceeding. The GPI coordinated and led a joint effort by some of the environmental parties to the proceeding to open a new track in the IRP proceeding to consider replacement procurement for Diablo Canyon that could help to avoid having the facility's retirement cause a bump in greenhouse-gas emissions, and continued to advocate for replacement procurement through the adoption of D.19-04-040. Although the Decision does not adopt our position on this matter in its entirety, it does describe how it</p>	<p><b>Decision</b></p> <p>In particular, the Joint Responders suggest that the Commission give explicit direction to all LSEs to plan for the retirement of Diablo Canyon in their individual IRPs. They point to the modeling conclusions leading to D.18-02-018 that show a system-wide GHG emissions increase coinciding with the closure of Diablo Canyon. [D.19-04-040, pg. 145.]</p> <p>In this decision, we confirm our approach to this legislative requirement, as well as responding to the Joint PFM. We acknowledge that D.18-02-018 was not as clear as it could have been about the disposition of issues related to Diablo Canyon, largely because the resolution of Application 16-08-006 was being resolved in parallel with our consideration of the RSP in this proceeding. [D.19-04-040, pg. 147.]</p> <p>In addition, to ensure that there is explicit attention to this issue, since Diablo Canyon is a large resource, we will require each LSE that serves load in PG&amp;E distribution territory to include a section in its next IRP filing explicitly addressing its plans to address the</p>	



<p>accomplishes our goals, including by ordering the LSEs to address replacement procurement in the next round of their IRPs, and in any case we added valuable information to the record on this issue, which represents a substantial contribution to the Decision.</p>	<p>Diablo Canyon retirement. In addition, due to the baseload nature of Diablo Canyon, we will require each LSE serving load in PG&amp;E's territory to address how it will replace the characteristics of the Diablo Canyon output with either flexible baseload and/or firm low-emissions energy. [D.19-04-040, pgs. 149-150.]</p> <p><b>Pleadings</b></p> <p>To consider replacement procurement for Diablo Canyon in the IRP proceeding, the Commission must affirmatively and formally identify this topic as one that needs to be addressed in this proceeding. The Environmental Responders believe that consideration of replacement procurement for Diablo Canyon is well within the scope of this proceeding, but should be explicitly identified in an amendment to that scope. Further, the Commission should open a new track in the IRP proceeding to explicitly consider replacement procurement for the planned closure of Diablo Canyon nuclear power plant, in accordance with D. 18-01-022 in A.16-08-006. [GPI et. al. Comments, 3/26/18, pg. 2.]</p> <p>The Environmental Responders are concerned that the IRP proceeding is not explicitly considering how to make up for the gap in capacity that will be caused by the retirement of Diablo Canyon. Below, we propose the steps necessary to start considering replacement procurement consistent with D.18-01-022. [GPI et. al. Comments, 3/26/18, pg. 3.]</p> <p>The Decision settling the Diablo Canyon Application also defers to the IRP proceeding responsibility for ensuring that the retirement of Diablo Canyon be accomplished without causing an increase in system-wide</p>	
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	greenhouse-gas emissions. The most straightforward means to ensure a greenhouse-gas free transition for Diablo Canyon in the IRP proceeding is to add a constraint to that effect to the modeling conducted for future rounds of the IRP cycle. [GPI Comments, 9/12/18, pg. 11.]	
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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>1</sup></b>	<b>Yes</b>	
<b>b. Were there other parties to the proceeding with positions similar to yours?</b>	<b>Yes</b>	
<b>c. If so, provide name of other parties:</b> : TURN, EDF, Clean Coalition, NRDC, CEERT, CalSEIA, LSSA, CalWEA, AWEA, CAISO, CLECA, UCS, ARm.		
<b>d. Intervenor's claim of non-duplication:</b> This proceeding covers a wide variety of topics related to the state's distributed energy programs. The Green Power Institute has been an active participant in the Commission's RPS and LTPP proceedings, and is continuing these efforts in the present proceeding (R.16-02-007). The Green Power Institute coordinated its efforts in this proceeding with other parties in order to avoid duplication of effort, organized and filed a joint pleading, and added significantly to the outcome of the Commission's deliberations through our own unique perspective. Some amount of duplication has occurred in this proceeding on all sides of contentious issues, but Green Power avoided duplication to the extent possible, and tried to minimize it where it was unavoidable.		

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<sup>1</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.

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

#	Intervenor's Comment	CPUC Discussion

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

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

a. Intervenor's claim of cost reasonableness:	CPUC Discussion
<p>The GPI is providing, in Attachment 2, a listing of all of the pleadings we provided in this Proceeding, R.16-02-007, that are relevant to matters covered by this Claim, and a detailed breakdown of GPI staff time spent for work performed that was directly related to our substantial contributions to Decision D.19-04-040. As noted on page 4 of the Decision, other topics received comment over the same timeframe covered by this request, but will be handled in a later decision. We have not included hours that we have expended on these other topics in this Request, but expect to include these hours in a subsequent Request when the referenced later decision is rendered.</p> <p>The hours claimed herein in support of Decision D.19-04-040 are reasonable given the scope of the Proceeding, and the strong participation by the GPI. GPI staff maintained detailed contemporaneous time records indicating the number of hours devoted to the matters settled by this Decision in this case. In preparing Attachment 2, Dr. Morris reviewed all of the recorded hours devoted to this proceeding, and included only those that were reasonable and contributory to the underlying tasks. As a result, the GPI submits that all of the hours included in the attachment are reasonable, and should be compensated in full.</p> <p>Dr. Morris is a renewable energy analyst and consultant with more than 35 years of diversified experience and accomplishments in the energy and environmental fields. He is a nationally recognized expert on biomass and renewable energy, climate change and greenhouse-gas emissions analysis, integrated resources planning, and analysis of the environmental impacts of electric power generation. Dr. Morris holds a BA in Natural Science from the University of Pennsylvania, an MSc in Biochemistry from the University of Toronto, and a PhD in Energy and Resources from the University of California, Berkeley.</p> <p>Dr. Morris has been actively involved in electric utility restructuring in California throughout the past two decades. He served as editor and facilitator for the Renewables Working Group to the California Public Utilities Commission in 1996 during the original restructuring effort, consultant to the CEC Renewables Program Committee, consultant to the Governor's Office of Planning and Research on renewable energy policy during the energy crisis years, and has provided expert testimony in a variety of regulatory and legislative proceedings, as well as in civil litigation.</p>	

Mr. Hunt is a renewable energy law and policy expert with substantial experience in California, in local energy planning and in state energy-policy development. He has worked with local governments throughout Southern California, in his current role with Community Renewable Solutions LLC and in his previous role as Energy Program Director for the Community Environmental Council, a well-known non-profit organization based in Santa Barbara. Mr. Hunt was the lead author of the Community Environmental Council's A New Energy Direction, a blueprint for Santa Barbara County to wean itself from fossil fuels by 2030. Mr. Hunt also contributes substantially to state policy, in Sacramento at the Legislature, and in San Francisco at the California Public Utilities Commission, in various proceedings related to renewable energy, energy efficiency, community-scale energy projects, and climate change policy. Mr. Hunt is also a Lecturer in Climate Change Law and Policy at UC Santa Barbara's Bren School of Environmental Science & Management (a graduate-level program) from 2007-2014. He received his law degree from the UCLA School of Law in 2001, where he was chief managing director of the Journal for International Law and Foreign Affairs. Mr. Hunt is a regular columnist at GreenTechMedia.com.

Dr. Harrold has worked for the Green Power Institute (GPI) for a total of more than 6 years, as a Research Assistant from 2006 to 2008, and again as a Scientist from 2015 to present. Through her work with the GPI she has been engaged with the development of the Renewable Portfolio Standard (RPS), and the distribution resources planning framework. Her work with the RPS included crosschecking renewable resource procurement within RPS Compliance Report spreadsheets, reviewing and summarizing RPS proceedings, identifying loopholes, and assisting in the preparation of pleadings. Her work with the DRP proceeding includes preparing comments and recommendations on behalf of the GPI based on critical reviews of the IOUs' DRPs and subsequent Proposed Decisions, working group reports, workshop materials, demonstration proposals and final reports, and third-party comments.

Dr. Harrold earned a Ph.D. in geomicrobiology from the University of Washington, Department of Earth and Space Science in 2014. In addition to working for the GPI, Dr. Harrold is a Postdoctoral researcher at the University of Nevada, Reno, where she investigates microbe-mineral interactions using microbiological, geochemical, and synchrotron techniques in both field and laboratory-based research. Her work on modeling networks in the environment has strong ties to her work on the analytical work in the IRP proceeding.

Decision D.98-04-059 states, on pgs. 33-34, "Participation must be productive in the sense that the costs of participation should bear a reasonable relationship to the benefits realized through such participation. ... At a minimum, when the benefits are intangible, the customer should present information sufficient to justify a Commission finding that the overall benefits of a customer's participation will exceed a customer's costs." This proceeding is concerned with long-term planning for the California electricity system. It is the initial implementation of the IRP paradigm, as directed by legislation (SB 350). The cost reductions and environmental benefits of the integrated resources planning process overwhelm the cost of our participation in this proceeding.

<p><b>b. Reasonableness of hours claimed:</b></p> <p>The GPI made Significant Contributions to Decision D.19-04-040, by participating in workshops and working groups, and providing a series of Commission filings on the various topics that were under consideration in the Proceeding, and are covered by this Claim. Attachment 2 provides a detailed breakdown of the hours that were expended in making our Contributions. The hourly rates and costs claimed are reasonable and consistent with awards to other intervenors with comparable experience and expertise. The Commission should grant the GPI's claim in its entirety.</p>									
<p><b>c. Allocation of hours by issue:</b></p> <table> <tr> <td>1. Preferred System Portfolio and Plan</td><td>50%</td></tr> <tr> <td>2. Portfolios for CAISO's TPP Studies</td><td>20%</td></tr> <tr> <td>3. Near Term Actions Including New Procurement Task</td><td>10%</td></tr> <tr> <td>4. Diablo Canyon</td><td>20%</td></tr> </table>	1. Preferred System Portfolio and Plan	50%	2. Portfolios for CAISO's TPP Studies	20%	3. Near Term Actions Including New Procurement Task	10%	4. Diablo Canyon	20%	
1. Preferred System Portfolio and Plan	50%								
2. Portfolios for CAISO's TPP Studies	20%								
3. Near Term Actions Including New Procurement Task	10%								
4. Diablo Canyon	20%								

**B. Specific Claim:\***

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
G. Morris	2018	277	285	D.18-05-035	78,945			
G. Morris	2019	132	325	**	42,900			
T. Hunt	2018	2	395	D.18-05-035	790			
Z. Harrold	2018	122¼	200	D.19-03-021	24,450			
Z. Harrold	2019	52	215	**	11,180			
Subtotal: \$ 158,265						Subtotal: \$		
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate	Total \$
G. Morris	2019	24	162.50	½ rate for 2019	3,900			
Subtotal: \$ 3,900						Subtotal: \$		
TOTAL REQUEST: \$ 162,165						TOTAL AWARD: \$		

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

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

<b>ATTORNEY INFORMATION</b>			
<b>Attorney</b>	<b>Date Admitted to CA BAR<sup>2</sup></b>	<b>Member Number</b>	<b>Actions Affecting Eligibility (Yes/No?)</b>
Tamlyn Hunt	November 2001	218673	No

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

<b>Attachment or Comment #</b>	<b>Description/Comment</b>
Attachment 1	<b>Certificate of Service</b>
Attachment 2	<b>Allocation of effort by issue, list of pleadings, breakdown of hourly efforts</b>
Comment 1	<p>Dr. Morris' approved rate for 2018 is \$285/hr (D.18-05-035). Dr. Morris has been actively practicing before the Commission since 2003. Based on his more than 16 years of practice before the Commission, we are asking for a transition into the highest-experience category for Dr. Morris, resulting in a 2019 rate of \$325/hr. Dr. Morris received one step-increase in each of the first two experience categories, and no category-promotion between them. This request is consistent with D.07-01-009 and D.08-04-010.</p> <p>Dr. Morris has been representing the GPI before the Commission since the beginning of 2003, and thus has accumulated more than 16 years of experience. He was already a senior-level renewable-energy expert before beginning his work at the Commission. During his more than 16 years of practice before the Commission, Dr. Morris has received two step increases in rate from PUC, in 2009 and 2014. During his years of practice before the Commission Dr. Morris has become a respected authority on matters relating to renewable-energy policy issues and greenhouse-gas emissions and climate-change policy issues, and has made many important contributions to the Commission's deliberations. Dr. Morris deserves to transition into the highest-experience category for experts (13+ years) in his approved PUC rate. The requested rate of \$325 for 2019 leaves Dr. Morris well within the mid-range approved for his experience level (\$185-455, per Resolution ALJ-357, April 8, 2019). We use this rate in this Request for Award. Please note that we are making this same rate request for Dr. Morris for 2019 in an intervenor claim in R.17-07-007 also being filed on 5/24/19.</p>
Comment 2	Dr. Harrold has been a member of the GPI team since 2015, and has assumed increasingly responsible roles in the proceedings she has participated in. Dr. Harrold's approved rate for

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

	2018 is \$200 per hour, per D.19-03-021. In this, her fourth year of the initial six-year tier for Experts per Res. ALJ -357, Table 2, we are requesting a step increase of five percent for 2019, which is in addition to the authorized COLA of 2.35 percent, which with rounding brings her 2019 rate to \$215 per hour ( $200 \times (1.0235 + 0.05) = 214.7$ , rounds to 215). This rate is near the high end of the range for Experts in Dr. Harrold's category, \$155-220, a position a person with her credentials and experience deserves. We use this rate in this Request for Award.
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**D. CPUC Disallowances and Adjustments (CPUC completes):**

Item	Reason

**PART IV: OPPOSITIONS AND COMMENTS**

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

(CPUC completes the remainder of this form)

<b>A. Opposition: Did any party oppose the Claim?</b>	
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If so:

Party	Reason for Opposition	CPUC Discussion
<b>B. Comment Period: Was the 30-day comment period waived (see Rule 14.6(c)(6))?</b>		

If not:

Party	Comment	CPUC Discussion

### **FINDINGS OF FACT**

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

### **CONCLUSION OF LAW**

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

### **ORDER**

1. Intervenor is awarded \$ \_\_\_\_\_.
2. Within 30 days of the effective date of this decision, \_\_\_\_\_ shall pay Intervenor the total award. [for multiple utilities: "Within 30 days of the effective date of this decision, ^, ^, and ^ shall pay Intervenor their respective shares of the award, based on their California-jurisdictional [industry type, for example, electric] revenues for the ^ calendar year, to reflect the year in which the proceeding was primarily litigated."] Payment of the award shall include compound interest at the rate earned on prime, three-month non-financial commercial paper as reported in Federal Reserve Statistical Release H.15, beginning [date], the 75<sup>th</sup> day after the filing of Intervenor's request, and continuing until full payment is made.
3. The comment period for today's decision [is/is not] waived.
4. This decision is effective today.

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