



Decision _____

FILED02/08/21
08:00 AM

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

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| Application of Pacific Gas and Electric Company for Authority, Among Other Things, to Increase Rates and Charges for Electric and Gas Service Effective on January 1, 2020. (U39M) | Application 18-12-009 (Filed December 13, 2018) |
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**INTERVENOR COMPENSATION CLAIM OF L. JAN REID
AND DECISION ON INTERVENOR COMPENSATION CLAIM OF
L. JAN REID**

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| 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 lcompcoordinator@cpuc.ca.gov . |
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| Intervenor: L. Jan Reid | For contribution to Decision (D.) 20-12-005 |
| Claimed: \$70,676.50 | Awarded: \$ |
| Assigned Commissioner: Liane Randolph | Assigned ALJs: Elaine Lau and Rafael Lirag |
| 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/ L. Jan Reid |
| Date: February 6, 2021 | Printed Name: L. Jan Reid |

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

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| A. Brief description of Decision: | D.20-12-005 addressed the Test Year (TY) 2020 General Rate Case (GRC) application of Pacific Gas and Electric Company (PG&E). |
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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: | February 11, 2019 | |
| 2. Other specified date for NOI: | | |
| 3. Date NOI filed: | March 13, 2019 | |
| 4. Was the NOI timely filed? Yes | | |
| 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: | | |
| 6. Date of ALJ ruling: | | |
| 7. Based on another CPUC determination (specify): | See D.18-09-043, Section I.B.8, p. 2 | |
| 8. Has the Intervenor demonstrated customer status or eligible government entity status? Yes. | | |
| Showing of “significant financial hardship” (§1802(h) or §1803.1(b)): | | |
| 9. Based on ALJ ruling issued in proceeding number: | | |
| 10. Date of ALJ ruling: | | |
| 11. Based on another CPUC determination (specify): | The Commission has found that “L. Jan Reid has demonstrated significant financial hardship as set forth in Part I (C)(1).” (D.18-09-043, p. 19, Finding of Fact 1) | |
| 12. Has the Intervenor demonstrated significant financial hardship? Yes | | |

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

| Timely request for compensation (§ 1804(c)): | | |
|---|-------------------|--|
| 13. Identify Final Decision: | D.20-12-005 | |
| 14. Date of issuance of Final Order or Decision: | December 11, 2020 | |
| 15. File date of compensation request: | February 6, 2021 | |
| 16. Was the request for compensation timely? Yes | | |

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

| # | Intervenor's Comment(s) | CPUC Discussion |
|---|-------------------------|-----------------|
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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 |
|--------------------------------------|--|-----------------|
| 1. Motion to Strike | <p>The Commission stated that “On July 29, 2019, PG&E filed a motion to strike the prepared testimony of A4NR. Responses opposing PG&E’s motion were filed by WEM on August 6, 2019, Reid on August 7, 2019, and by both TURN, and A4NR on August 13, 2019. A Response was also filed by CUE on August 13, 2019 supporting PG&E’s motion. The assigned ALJs issued a ruling on September 6, 2019 denying PG&E’s motion to strike.” (D.20-12-005, slip op. at 9)</p> <p>Reid argued that “The issue before the Commission is whether A4NR’s testimony is consistent with the scope of this proceeding, and not whether the Commission agrees with A4NR’s proposals. If the Commission strikes</p> | |

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| | <p>A4NR’s testimony, they will have effectively rejected A4NR’s proposals without the benefit of hearing cross-examination of A4NR witness John Geesman, or of reading rebuttal testimony, opening briefs, or reply briefs. Therefore, the Commission should not prejudge ANR’s proposals based solely on PG&E’s motion” (Reid Response to PG&E Motion, p. 2)</p> <p>The Commission effectively agreed with Reid when it rejected PG&E’s motion. Thus, Reid made a substantial contribution to the Commission’s Resolution of the Motion to Strike issue.</p> | |
| <p>2. Customer Service Offices (CSOs)</p> | <p>The Commission stated that “In the settlement agreement, TURN, Cal Advocates, and CUE agree to have PG&E close only 10 of the 17 CSOs it originally proposed to close.” . . . “L. Jan Reid opposes the settling parties’ proposal, noting that the settlement did not indicate which CSOs PG&E would close and whether and how PG&E would consider the demographic characteristics of the people using the CSOs when selecting the CSOs to close.” (D.20-12-005, slip op. at 178)</p> <p>Reid pointed out that “the closure of the CSOs disproportionately affects low-income, elderly, and Hispanic/Latino customers. L. Jan Reid noted that 62 percent of customers using the targeted CSOs have annual incomes lower than \$50,000, 38 percent are Hispanic/Latino, 30 percent are 65 years of age and older, and 22 percent have a disability.” (D.20-12-005, slip op. at 179)</p> <p>The Proposed Decision (PD) agreed with some of Reid’s comments on this issue.</p> | |

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| | <p>The PD stated that “We share L. Jan Reid’s concerns that the proposal set forth by the settlement parties did not indicate the CSOs PG&E will close and the criteria PG&E will consider in selecting the CSO for closure. Even though PG&E indicates that 95 percent of the people it surveyed has the capability to conduct utility transactions with a method other than in person, we are concerned with the impact a CSO closure may have on the 5 percent of people who cannot perform utility transactions other than in person. In particular, we are concerned that these people may be part of the more vulnerable portion of the population, since a majority of the surveyed CSO users are low income customers.</p> <p>...</p> <p>Thus, we modify the settling parties’ proposal and direct PG&E to file a Tier 3 Advice Letter with Energy Division to specify the CSOs PG&E proposes to close and the amount of savings PG&E will achieve through the CSO closures.” (PD, p. 181)</p> <p>Thus, Reid made a substantial contribution to the Commission’s resolution of the CSO issue.</p> | |
| <p>3. Overall Revenue Requirement</p> | <p>The Commission has stated that “The above changes result in the adoption of a TY2020 revenue requirement of \$9.102 billion which is equal to the settlement amount and \$474 million less than PG&E’s initial request in its application.” (D.20-12-005, slip op. at 2)</p> <p>The Commission also stated that “We also considered the state of the economy and the economic outlook described in the parties’ exhibits.” (D.20-12-005, slip op. at 21)</p> | |

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| | <p>Reid argued that “PG&E is a single company, not a series of different companies. Therefore, it would be prudent for the Commission to consider all relevant facts concerning PG&E. The Commission should pay close attention to the total rate increases that may occur in 2020, not just the rate increase that PG&E requests in this GRC.” (Reid Opening Brief, p. 2)</p> <p>Reid recommended two changes to PG&E’s proposed revenue requirement. Reid stated that “I propose that PG&E’s budget for the Community Wildfire Safety Program (CWSP) be reduced by \$500 million; (Exh. 56 13:23-30, 14:1-14), and that PG&E’s budget for Customer Service Offices (CSOs) be increased by \$3.3 million. (Exh. 56 2:1-9), which yields a decrease of approximately \$496.7 million.” Reid Opening Brief, p. 4)</p> <p>Reid’s pleadings presented data that supported reductions in PG&E’s initial request. This data concerned:</p> <ul style="list-style-type: none"> • Billing Impacts (Reid Opening Testimony, pp. 3-7) • Reasonableness of Proposed Costs (Reid Opening Testimony, pp. 13-14) • Safety Performance (Reid Opening Testimony, pp. 15-16, and Reid Rebuttal Testimony, p. 2) • Community Wildfire Safety Program (Reid Opening Brief, pp. 4-5, 14-15; Reid PD Comments, p. 9; and Reid Comments on the Settlement Agreement, p. 9) • Economic Conditions (Reid PD Comments, p. 8) | |
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| | <ul style="list-style-type: none"> Balancing Accounts (Reid Comments on the Settlement Agreement, p. 5) <p>Thus, Reid made a substantial contribution to the Commission's resolution of the Overall Revenue Requirement issue.</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: There were 28 parties (including Reid) in A.18-12-009. (See https://ia.cpuc.ca.gov/servicelists/A1812009_86236.htm) The Commission identified 5 parties (18% of the total number of parties) who agreed with Reid on at least one issue. These parties were A4NR, Cal Advocates, CUE, TURN, and WEM. Of the three issues listed in Section A by Reid, only one part (TURN) agreed with Reid on more than one issue. | | |
| d. Intervenor's claim of non-duplication: Reid collaborated with a number of parties during the course of this proceeding. Although Reid does not seek compensation for all of these communications, they indicate reasonable collaboration with other parties. See Section C, Item B.d below. | | |

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.

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

| # | Intervenor's Comment | CPUC Discussion |
|-----|--|-----------------|
| B.d | <p>Reid's compensation in this proceeding should not be reduced for any duplication with respect to the showings of other parties. In a proceeding with subject matter as complex as in this one and with multiple parties, it is virtually impossible for Reid or any party to fully anticipate where showings of other parties may duplicate some of Reid's showing, especially in view of the need to make a coherent and sufficient showing on the issues Reid emphasizes and on the ultimate issues.</p> <p>In evaluating Reid's claim and the issue of duplication, the Commission should be guided by the standards established in D. 03-03-031. In this decision, the Commission stated that: (Westlaw 2003 WL 1715098, Cal P.U.C., D.03-03-031, slip op. at 1)</p> <p>"We have concluded that the application of a duplication penalty to reduce awards to participants that make a substantial contribution is not permissible under the statutes governing compensation of participating customers in commission proceedings."</p> <p>Given these circumstances, no reduction to Reid's requested compensation due to duplication is warranted, pursuant to the standards adopted by the Commission in D.03-03-031.</p> | |

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>Reid contributed to the proceeding in a manner that was productive and that will result in benefits to ratepayers that exceed the cost of Reid’s participation.</p> <p>In consolidated Rulemaking 97-01-009 and Investigation 97-01-010, the Commission required intervenors seeking compensation to show that they represent interests that would otherwise be underrepresented and to present information sufficient to justify a finding that the overall benefits of a customer's participation will exceed the customer's costs. (D.98-04-059, 79 CPUC2d 628, Finding of Fact 13 at 674, Finding of Fact 42 at 676) The Commission noted that assigning a dollar value to intangible benefits may be difficult.</p> <p>Reid made a substantial contribution to the proceeding. It is reasonable to assume that the resolution of the issues raised by Reid in this proceeding will benefit ratepayers in the future.</p> <p>As mentioned previously, Reid recommended that PG&E’s initial revenue requirement be reduced by \$496.7 million. PG&E’s revenue requirement was reduced by \$474 million or over 6,000 times the compensation sought by Reid.</p> <p>The Commission can safely find that the participation of Reid in this proceeding was productive. Overall, the benefits of Reid’s participation justify compensation in the amount requested.</p> | |
| <p>b. Reasonableness of hours claimed:</p> <p>In this pleading, Reid requests compensation in the total amount of \$70,676.50 for time reasonably devoted to A.18-12-009. A more detailed breakdown of the time devoted to this proceeding by Reid is provided in Attachment A to this pleading.</p> <p>Reid’s work was performed efficiently. L. Jan Reid is a former Commission employee who has testified on many occasions on issues such as long-term procurement plans, renewables procurement, cost-of-capital, utility finance, and electricity and natural gas procurement issues.</p> <p>Daily listings of the specific tasks performed by Reid in connection with this proceeding are available in Attachment A to this pleading. The cost listings demonstrate that the hours claimed are reasonable given the scope and timeframe of the proceeding.</p> | |

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| No compensation for administrative time is requested, in accordance with Commission practice. (D.99-06-002, discussion, slip op. at 8-10). I understand that the Commission may audit my books and records to the extent necessary to verify the basis for any award, pursuant to PU Code §1804(d). | | | | | | | | | | | | |
| c. Allocation of hours by issue: <table><tr><td>Issue</td><td>Percent</td></tr><tr><td>Customer Service Offices</td><td>7.79%</td></tr><tr><td>Motion to Strike</td><td>1.90%</td></tr><tr><td>Revenue Requirement</td><td>52.68%</td></tr><tr><td>General</td><td>37.62%</td></tr></table> | | Issue | Percent | Customer Service Offices | 7.79% | Motion to Strike | 1.90% | Revenue Requirement | 52.68% | General | 37.62% | |
| Issue | Percent | | | | | | | | | | | |
| Customer Service Offices | 7.79% | | | | | | | | | | | |
| Motion to Strike | 1.90% | | | | | | | | | | | |
| Revenue Requirement | 52.68% | | | | | | | | | | | |
| General | 37.62% | | | | | | | | | | | |

B. Specific Claim:*

| CLAIMED | | | | | | CPUC AWARD | | |
|---|------|-------|---------|--------------------|-----------|--------------|---------|----------|
| ATTORNEY, EXPERT, AND ADVOCATE FEES | | | | | | | | |
| Item | Year | Hours | Rate \$ | Basis for Rate* | Total \$ | Hours | Rate \$ | Total \$ |
| L. Jan Reid, Expert and Advocate | 2019 | 173.1 | 240 | Resolution ALJ-357 | 41,544.00 | | | |
| L. Jan Reid, Expert and Advocate | 2020 | 110.5 | 245 | Resolution ALJ-387 | 27,072.50 | | | |
| Subtotal: \$68,616.50 | | | | | | 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 \$ |
| L. Jan Reid (preparation of NOI) | 2019 | 3.6 | 120 | Resolution ALJ-357 | 432.00 | | | |
| [Person 2] | | | | | | | | |
| Subtotal: \$432.00 | | | | | | Subtotal: \$ | | |

| INTERVENOR COMPENSATION CLAIM PREPARATION ** | | | | | | | | |
|--|------|--------|---------|---|----------|------------------------|------|----------|
| Item | Year | Hours | Rate \$ | Basis for Rate* | Total \$ | Hours | Rate | Total \$ |
| L. Jan Reid | 2021 | 8.8 | 185 | Resolution ALJ-393. See Comment in Section III.C. | 1,628.00 | | | |
| Subtotal: \$1,628.00 | | | | | | Subtotal: \$ | | |
| COSTS | | | | | | | | |
| # | Item | Detail | | Amount | Amount | | | |
| 1. | | | | | | | | |
| 2. | | | | | | | | |
| Subtotal: \$ | | | | | | Subtotal: \$ | | |
| TOTAL REQUEST: \$70,676.50 | | | | | | 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 |
| NA | | | |
| | | | |

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

| Attachment or Comment # | Description/Comment |
|-------------------------|--|
| 1 | Certificate of Service |
| 2 | Attachment A, Hours of L. Jan Reid |
| 3 | Attachment B, Resume of L. Jan Reid |
| Comment | <p>I request a rate of \$370 for L. Jan Reid. This is based on the Intervenor Compensation Market Rate Study Final Report and CPUC 2021 Hourly Rate Chart guidelines for an Economist. Reid’s resume is provided as Attachment 3.</p> <p>Reid is an Economist with 22 years of experience and is in the top tier of experts. Reid should receive the top rate for economists of \$370/hr. for professional work and \$185/hr. for compensation work.</p> |

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

| Item | Reason |
|------|--------|
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| | |

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

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))

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

| Party | Reason for Opposition | CPUC Discussion |
|-------|-----------------------|-----------------|
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| B. Comment Period: Was the 30-day comment period waived (<i>see</i> 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. **L. Jan Reid** [has/has not] made a substantial contribution to D.19-04-040.
2. The requested hourly rates for L. Jan Reid'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. L. Jan Reid shall be awarded \$_____.
2. Within 30 days of the effective date of this decision, _____ shall pay L. Jan Reid the total award. [for multiple utilities: “Within 30 days of the effective date of this decision, ^, ^, and ^ shall pay L. Jan Reid 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 L. Jan Reid’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.20-12-005 | | |
| Proceeding(s): | A.18-12-009 | | |
| Author: | | | |
| Payer(s): | | | |

Intervenor Information

| Intervenor | Date Claim Filed | Amount Requested | Amount Awarded | Multiplier? | Reason Change/Disallowance |
|-------------|------------------|------------------|----------------|-------------|----------------------------|
| L. Jan Reid | February 6, 2021 | \$70,676.50 | | N/A | |

Hourly Fee Information

| First Name | Last Name | Attorney, Expert, or Advocate | Hourly Fee Requested | Year Hourly Fee Requested | Hourly Fee Adopted |
|------------|-----------|-------------------------------|----------------------|---------------------------|--------------------|
| L. Jan | Reid | Expert and Advocate | \$240 | 2019 | |
| L. Jan | Reid | Expert and Advocate | \$245 | 2020 | |
| L. Jan | Reid | Expert and Advocate | \$370 | 2021 | |

(END OF APPENDIX)