



**FORM A: NOTICE OF INTENT TO CLAIM
INTERVENOR COMPENSATION**

FILED

11-25-15

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, 2017. (U 39 M) | Application No. 15-09-001 (Filed September 01, 2015) |
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**NOTICE OF INTENT TO CLAIM INTERVENOR COMPENSATION
AND, IF REQUESTED (and [X]¹ checked), ADMINISTRATIVE LAW JUDGE'S
RULING ON [NATIONAL ASIAN AMERICAN COALITION]'S SHOWING OF
SIGNIFICANT FINANCIAL HARDSHIP**

NOTE: After electronically filing a PDF copy of this Notice of Intent (NOI), please email the document in an MS WORD format to the Intervenor Compensation Program Coordinator at lcompcoordinator@cpuc.ca.gov.

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| Customer (party intending to claim intervenor compensation): National Asian American Coalition | |
| Assigned Commissioner: Michael Picker | Assigned ALJ: Stephen C. Roscow |
| I hereby certify that the information I have set forth in Parts I, II, III and IV of this Notice of Intent (NOI) is true to my best knowledge, information and belief. | |
| Signature: /s/ Tadashi Gondai | |
| Date: November 25, 2015 | Printed Name: Tadashi Gondai |

PART I: PROCEDURAL ISSUES
(To be completed by the party ("customer") intending to claim intervenor compensation)

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| A. Status as "customer" (see Pub. Util. Code § 1802(b)): The party claims "customer" status because the party is (check one): | Applies (check) |
| 1. A Category 1 customer is an actual customer whose self-interest in the proceeding arises primarily from his/her role as a customer of the utility and, | <input type="checkbox"/> |

¹ DO NOT CHECK THIS BOX if a finding of significant financial hardship is not needed (in cases where there is a valid rebuttable presumption of eligibility (Part III(A)(3)) or significant financial hardship showing has been deferred to the intervenor compensation claim).

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| <p>at the same time, the customer must represent the broader interests of at least some other customers.</p> <p>In addition to describing your own interest in the proceeding you must show how your participation goes beyond just your own self-interest and will benefit other customers.</p> | |
| <p>2. A Category 2 customer is a representative who has been authorized by actual customers to represent them. Category 2 involves a more formal arrangement where a customer or a group of customers selects a more skilled person to represent the customer's views in a proceeding. A customer or group of customers may also form or authorize a group to represent them, and the group, in turn, may authorize a representative such as an attorney to represent the group.</p> <p>A representative authorized by a customer must identify the residential customer(s) being represented and provide authorization from at least one customer. <i>See</i> D.98-04-059 at 30.</p> | <input type="checkbox"/> |
| <p>3. A Category 3 customer is a formally organized group authorized, by its articles of incorporation or bylaws to represent the interests of residential customers or small commercial customers receiving bundled electric service from an electrical corporation.² Certain environmental groups that represent residential customers with concerns for the environment may also qualify as Category 3 customers, even if the above requirement is not specifically met in the articles or bylaws. <i>See</i> D.98-04-059, footnote at 3.</p> | <input checked="" type="checkbox"/> |
| <p>The party's explanation of its customer status must include the percentage of the intervenors members who are residential ratepayers or the percentage of the intervenors members who are customers receiving bundled electric service from an electrical corporation, and must include supporting documentation: (i.e., articles of incorporation or bylaws).</p> <p>The National Asian American Coalition is a non-profit, U.S. Housing and Urban Development-approved home counseling agency. It is also a grassroots organization which has been granted intervenor status in numerous cases before the California Public Utilities Commission, including A.10-12-005, A.11-05-017 et al., A.12-11-009, A.13-11-003, and A.14-11-0003 among many others.</p> <p>It is difficult to assign percentages to the members of the organization who are residential ratepayers or otherwise. The NAAC does not have traditional membership. The NAAC provides direct services to the community (the NAAC has counseled more than 6,000 California homeowners), and advocates for residential families and minority-owned businesses alike before</p> | |

² Intervenors representing either a group of residential customers or small commercial customers who receive bundled electric service from an electrical corporation, must indicate in Part I, Section A, Item #4 of this form, the percentage of their members who are residential customers or the percentage of their members who receive bundled electric service from an electrical corporation. The NOI may be rejected if this information is omitted.

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| <p>the CPUC and other state and federal regulatory entities. The NAAC partners with and represents the interests of National Diversity Coalition members including the African American Economic Justice Organization, Asian Journal, Chinese American Institute for Empowerment, Christ Our Redeemer AME Church, COR Community Development Corporation, Ecumenical Center for Black Church Studies, Jesse Miranda Center for Hispanic Leadership, Los Angeles Latino Chamber of Commerce, Latino Coalition for Community Leadership, Macedonia Community Development Corporation, MAAC Project, National Hispanic Christian Leadership Conference, OASIS Center International, Orange County Interdenominational Alliance, and Templo Calvario CDC.</p> <p>The NAAC's bylaws (on file with the CPUC) reflect its "customer" status, as found by Administrative Law Judge Kevin Dudney in A.13-11-003 in a Ruling dated April 18, 2014.</p> <p><u>Bylaws of the National Asian American Coalition</u></p> <p>The NAAC is authorized and urged to actively participate and intervene before the CPUC, or any other state or federal regulatory body, on all matters that it deems appropriate that will affect directly or indirectly Asian American consumer interests, Asian American rate payer interests and Asian American small business interests.</p> <p>This authorization is intended to include all manner of impact that a CPUC proceeding could have on consumers, from bill impacts to customer interaction. This is consistent with the NAAC's authorizations, presently in the bylaws, to advocate for the Asian American community before any government agency, including the FCC, FTC, Department of Justice, the California Attorney General and the State Department of Insurance.</p> | |
| <p>Identify all attached documents in Part IV.</p> | |
| <p>Do you have any direct economic interest in outcomes of the proceeding? ³</p> <p>Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/></p> <p>If "Yes", explain:</p> | |

| B. Conflict of Interest (§ 1802.3) | Check |
|--|--|
| 1. Is the customer a representative of a group representing the interests of small commercial customers who receive bundled electric service from an electrical corporation? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |

³ See Rule 17.1(e).

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| 2. If the answer to the above question is “Yes”, does the customer have a conflict arising from prior representation before the Commission? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
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| C. Timely Filing of Notice of Intent (NOI) (§ 1804(a)(1)): | Check |
|---|--|
| 1. Is the party’s NOI filed within 30 days after a Prehearing Conference? Date of Prehearing Conference: October 29, 2015 | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 2. Is the party’s NOI filed at another time (for example, because no Prehearing Conference was held, the proceeding will take less than 30 days, the schedule did not reasonably allow parties to identify issues within the timeframe normally permitted, or new issues have emerged)? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 2a. The party’s description of the reasons for filing its NOI at this other time: N/A | |
| 2b. The party’s information on the proceeding number, date, and decision number for any Commission decision, Commissioner ruling, Administrative Law Judge’s ruling, or other document authorizing the filing of NOI at that other time: N/A | |

PART II: SCOPE OF ANTICIPATED PARTICIPATION
(To be completed by the party (“customer”) intending to claim intervenor compensation)

| A. Planned Participation (§ 1804(a)(2)(A)(i)): |
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| <p>The party’s statement of the issues on which it plans to participate:</p> <p>As an advocacy, direct services, and grassroots organization which is particularly interested in issues facing low-income and minority consumers, the National Asian American Coalition (NAAC) and its partner community-based organizations in the National Diversity Coalition (NDC) intend to address the following issues:</p> <ul style="list-style-type: none"> (1) Supplier and employment diversity; (2) Safe and efficient operation of utility facilities and services; (3) Executive and employee compensation; (4) Independent auditing practices; (5) Customer service and outreach, particularly to non-English speaking customers; (6) Other procedural and public interest issues. <p>The party’s explanation of how it plans to avoid duplication of effort with other parties:</p> <p>The NAAC represents constituencies that are not adequately represented in these proceedings or at this Commission, and has a grassroots perspective, distinct from other consumer advocates. The NAAC will also strive to coordinate with other party consumer advocacy organizations with regard to submissions to the CPUC, utilizing joint comments when appropriate, and will meet and confer when possible.</p> |

The party's description of the nature and extent of the party's planned participation in this proceeding (to the extent that it is possible to describe on the date this NOI is filed).

The NAAC plans to file briefs, prepare comments, conduct discovery, and offer testimony as necessary, and participate in all hearings, conferences, meetings etc. to the extent possible.

B. The party's itemized estimate of the compensation that the party expects to request, based on the anticipated duration of the proceeding (§ 1804(a)(2)(A)(ii)):

| Item | Hours | Rate \$ | Total \$ | # |
|--|-------|---------|-----------|---|
| ATTORNEY, EXPERT, AND ADVOCATE FEES | | | | |
| Robert Gnaizda | 250 | \$570 | \$142,500 | 1 |
| Tadashi Gondai | 250 | \$240 | \$60,000 | 2 |
| Faith Bautista | 100 | \$170 | \$17,000 | 3 |
| | | | | |

Subtotal: \$219,500

| | | | | |
|---|-----|-----|---------|---|
| COSTS | | | | |
| Estimated Expenses (travel, office supplies etc.) | N/A | N/A | \$2,500 | 4 |
| | | | | |

Subtotal: \$ 2,500

TOTAL ESTIMATE: \$ 222,000

Estimated Budget by Issues:

At this point, the NAAC is unable to estimate with any certainty what it will cost to participate in this proceeding per issue. However, the NAAC will make every effort to diligently track and document all hours and expenses. The NAAC's estimated budget consists of the following:

- (1) Supplier and employment diversity – 20%;
- (2) Safe and efficient operation of utility facilities and services – 15%;
- (3) Executive and employee compensation – 20%;
- (4) Independent auditing practices – 15%;
- (5) Customer service and outreach, particularly to non-English speaking customers – 20%;
- (6) Other procedural and public interest issues – 10%.

When entering items, type over bracketed text; add additional rows to table as necessary. Estimate may (but does not need to) include estimated Claim preparation time. Claim preparation time is typically compensated at 1/2 professional hourly rate.

**PART III: SHOWING OF SIGNIFICANT FINANCIAL HARDSHIP
(To be completed by party ("customer") intending to claim intervenor
compensation; see Instructions for options for providing this
information)**

| A. The party claims “significant financial hardship” for its Intervenor Compensation Claim in this proceeding on the following basis: | Applies (check) |
|--|-------------------------------------|
| 1. “[T]he customer cannot afford, without undue hardship, to pay the costs of effective participation, including advocate’s fees, expert witness fees, and other reasonable costs of participation” (§ 1802(g)); or | <input type="checkbox"/> |
| 2. “[I]n the case of a group or organization, the economic interest of the Individual members of the group or organization is small in comparison to the costs of effective participation in the proceeding” (§ 1802(g)). | <input checked="" type="checkbox"/> |
| 3. A § 1802(g) finding of significant financial hardship in another proceeding, made within one year prior to the commencement of this proceeding, created a rebuttable presumption in this proceeding (§ 1804(b)(1)). Commission’s finding of significant financial hardship made in proceeding number: Date of Administrative Law Judge’s Ruling (or CPUC Decision) in which the finding of significant financial hardship was made: | <input type="checkbox"/> |

| B. The party’s explanation of the factual basis for its claim of “significant financial hardship” (§ 1802(g)) (necessary documentation, if warranted, is attached to the NOI: |
|--|
| <p>The NAAC is a 501(c)(3) nonprofit organization that is committed to providing technical assistance and capacity building services to small minority owned businesses, and offering foreclosure prevention counseling, credit counseling, teaching financial literacy, and providing first-time home buyer education to minority communities. The NAAC also conducts regulatory advocacy at the state and federal level, and partners with numerous other minority and community-based organizations.</p> <p>As a Category 3 customer, the NAAC must demonstrate that it meets the comparison test to establish “significant financial hardship.” The comparison test requires that the economic interest of the individual members of the organization must be small in comparison to the cost of effective participation in the proceedings. The cost of the NAAC’s participation in this CPUC proceedings, which is estimated to be \$222,500, substantially outweighs the benefits to the individual members and small businesses that the NAAC represents. The NAAC’s constituents are minority low-income ratepayers and small business owners in communities of color. Accordingly, these economic interests are small relative to the costs of participation. It is unlikely that the NAAC’s members will see financial benefits that exceed the costs of participation.</p> <p>The Commission has previously ruled that the NAAC qualifies for significant financial hardship pursuant to §1802(g) in A.13-11-003 in the ALJ’s Ruling on National Asian American Coalition’s Showing of Significant Financial Hardship issued on April 18, 2014.</p> <p>The NAAC is awaiting a determination on our showing of significant financial hardship in our NOI filed 10/28/2015 for the ongoing proceeding A.15-07-009.</p> |

**PART IV: ATTACHMENTS DOCUMENTING SPECIFIC
ASSERTIONS MADE IN THIS NOTICE**
(The party (“customer”) intending to claim intervenor compensation
identifies and attaches documents; add rows as necessary)

| Attachment No. | Description |
|----------------|------------------------|
| 1 | Certificate of Service |

ADMINISTRATIVE LAW JUDGE RULING⁴
(Administrative Law Judge completes)

| | Check all that apply |
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| 1. The Notice of Intent (NOI) is rejected for the following reasons: | <input type="checkbox"/> |
| a. The NOI has not demonstrated the party’s status as a “customer” for the following reason(s): | <input type="checkbox"/> |
| b. The NOI has not demonstrated that the NOI was timely filed (Part I(B)) for the following reason(s): | <input type="checkbox"/> |
| c. The NOI has not adequately described the scope of anticipated participation (Part II, above) for the following reason(s): | <input type="checkbox"/> |
| 2. The NOI has demonstrated significant financial hardship for the reasons set forth in Part III of the NOI (above). | <input type="checkbox"/> |
| 3. The NOI has not demonstrated significant financial hardship for the following reason(s): | <input type="checkbox"/> |
| 4. The Administrative Law Judge provides the following additional guidance (see § 1804(b)(2)): | <input type="checkbox"/> |

IT IS RULED that:

| | |
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| 1. The Notice of Intent is rejected. | <input type="checkbox"/> |
| 2. The customer has satisfied the eligibility requirements of Pub. Util. Code § 1804(a). | <input type="checkbox"/> |
| 3. The customer has shown significant financial hardship. | <input type="checkbox"/> |

⁴ A Ruling needs not be issued unless: (a) the NOI is deficient; (b) the Administrative Law Judge desires to address specific issues raised by the NOI (to point out similar positions, areas of potential duplication in showings, unrealistic expectations for compensation, or other matters that may affect the customer’s Intervenor Compensation Claim); or (c) the NOI has included a claim of “significant financial hardship” that requires a finding under § 1802(g).

Revised September 2014

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| 4. The customer is preliminarily determined to be eligible for intervenor compensation in this proceeding. However, a finding of significant financial hardship in no way ensures compensation. | <input type="checkbox"/> |
| 5. Additional guidance is provided to the customer as set forth above. | <input type="checkbox"/> |

Dated _____, at San Francisco, California.

Administrative Law Judge