

**FILED**7-17-17  
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Decision \_\_\_\_\_

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

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. (U39M)	Application 15-09-001 (Filed September 1, 2015)
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**INTERVENOR COMPENSATION CLAIM OF CENTER FOR ACCESSIBLE  
TECHNOLOGY AND DECISION ON INTERVENOR COMPENSATION CLAIM  
OF CENTER FOR ACCESSIBLE TECHNOLOGY**

**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 [compcoordinator@cpuc.ca.gov](mailto:compcoordinator@cpuc.ca.gov).

<b>Intervenor: Center for Accessible Technology (CforAT)</b>	<b>For contribution to Decision (D.)</b> <b>D.17-05-013</b>
<b>Claimed: \$14,940.25</b>	<b>Awarded: \$</b>
<b>Assigned Commissioner:</b> Michael Picker	<b>Assigned ALJ:</b> Stephen C. Roscow
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>	/S/ Melissa W. Kasnitz
<b>Date: 7/17/17</b>	<b>Printed Name:</b> Melissa W. Kasnitz

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

<b>A. Brief description of Decision:</b>	The Decision sets PG&E's revenue requirement, adopts a comprehensive Settlement Agreement between all active parties in this proceeding, and resolves the limited issues that were not part of the settlement. The settlement incorporates a Memorandum of Understanding between CforAT and PG&E addressing disability access issues.
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**B. Intervenor must satisfy intervenor compensation requirements set forth in Pub. Util. Code §§ 1801-1812:**

	<b>Intervenor</b>	<b>CPUC Verified</b>
<b>Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):</b>		
1. Date of Prehearing Conference:	October 29, 2015	
2. Other specified date for NOI:	N/A	
3. Date NOI filed:	November 23, 2015	
4. Was the NOI timely filed?		
<b>Showing of eligible customer status (§ 1802(b) or eligible local government entity status (§§ 1802(d), 1802.4):</b>		
5. Based on ALJ ruling issued in proceeding number:	A.14-11-007 et al.	
6. Date of ALJ ruling:	D.17-05-009	
7. Based on another CPUC determination (specify):	No ruling was issued in response to CforAT's NOI in this proceeding. The Commission's most recent determination of eligible customer status for CforAT is in the decision noted above.	
8. Has the Intervenor demonstrated customer status or eligible government entity status?		
<b>Showing of "significant financial hardship" (§1802(h) or §1803.1(b))</b>		
9. Based on ALJ ruling issued in proceeding number:	A.14-11-007 et al.	
10. Date of ALJ ruling:	D.17-05-009	
11. Based on another CPUC determination (specify):	No ruling was issued in response to CforAT's NOI in this proceeding. The Commission's most recent determination of significant financial hardship for CforAT is in the	

	decision noted above.	
12. Has the Intervenor demonstrated significant financial hardship?		
<b>Timely request for compensation (§ 1804(c)):</b>		
13. Identify Final Decision:	D.17-05-013	
14. Date of issuance of Final Order or Decision:	5/11/2017	
15. File date of compensation request:	7/17/17	
16. Was the request for compensation timely?		

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

#	Intervenor's Comment(s)	CPUC Discussion

**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. Before PG&E filed its 2017 GRC Application, CforAT negotiated with PG&E to reach an agreement that builds on previous Memoranda of Understanding (MOUs) adopted in prior GRC cycles. The prior MOUs, negotiated between PG&E and CforAT and/or our predecessor, Disability Rights Advocates, were approved in the final decisions in each GRC. The parties have continued to work on institutionalizing accessibility improvements and ongoing commitments to serving customers with disabilities. No party opposed	<p>In this GRC, CforAT negotiated a Memorandum of Understanding with PG&amp;E regarding various commitments to continuously improve and effectively serve utility customers with disabilities. The MOU was incorporated into the Application (at PG&amp;E-6, Chapter 5, Attachment A) and included in the comprehensive settlement agreement at Section 3.2.4.6. It was subsequently adopted in the Final Decision as part of the Settlement Agreement.</p> <p>The MOU reflects CforAT's continuing efforts to work collaboratively with PG&amp;E to support effective service for customers with disabilities. It covers four specific issue areas: (1) PG&amp;E's continued staffing of a Disability Access</p>	

the accessibility proposals (including funding for ongoing accessibility commitments) at any time.	Coordinator position to oversee accessibility activities company-wide; (2) website accessibility (continued implementation of WCAG 2.0 standards, training, testing); (3) communication access issues (customer disability database, tracking preferred communications, large print and alternative communication methods); and (4) access to PG&E's local offices and neighborhood payment centers, as well as access around construction sites and pole locations. The agreement also sets forth funding obligations and procedural requirements, including an annual reporting process.	
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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 Office of Ratepayer Advocates (ORA) a party to the proceeding?<sup>1</sup></b>	Yes	
<b>b. Were there other parties to the proceeding with positions similar to yours?</b>	No	
<b>c. If so, provide name of other parties:</b>  While other parties advocated for the interests of consumers generally, and while no party opposed the positions advocated by CforAT, no other party had a focus on accessibility concerns for customers with disabilities.		
<b>d. Intervenor's claim of non-duplication:</b>  As stated above, there were multiple parties representing the interests of consumers in this proceeding, but there were no other parties addressing disability access issues or examining how PG&E ensures that its services and communications are accessible. This was the focus of CforAT's participation. Because no other party addressed this issue, there was no duplication of effort.  In addition to our direct work on accessibility, CforAT engaged in the proceeding in a limited manner to monitor its process and ensure that the interests of our constituency were protected, as well as to provide limited input on select issues of interest to our constituency. In response to direct		

<sup>1</sup> The Division of Ratepayer Advocates was renamed the Office of Ratepayer Advocates effective September 26, 2013, pursuant to Senate Bill No. 96 (Budget Act of 2013: public resources), which was approved by the Governor on September 26, 2013.

requests from PG&E, CforAT also participated in various aspects of the overall settlement process and defense of the settlement upon release of a Proposed Decision and Alternate Proposed Decision, even when the issues under review did not relate to the accessibility agreement.	
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**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):**

<p><b>a. Intervenor's claim of cost reasonableness:</b></p> <p>The only substantive issues addressed by CforAT were those focused on the unique needs of people with disabilities, including ongoing efforts to institutionalize PG&amp;E's commitment to effectively serving customers with disabilities via improved physical access to its services and facilities and communication access for disabled customers who cannot access information presented in standard formats. These issues were within the scope of the proceeding and built on agreements reached in prior GRC cycles.</p> <p>The joint proposal developed by PG&amp;E and CforAT was not contested by any party and was adopted in the comprehensive settlement agreement and in the final decision. In addition to the work to develop the joint proposal, CforAT monitored the overall proceeding to ensure that the interests of its constituency was protected, and worked to oversee continuing implementation of the prior accessibility agreement that was in effect while this proceeding was pending. We also provided limited input on select issues of interest to our constituency, including service at local offices and hours of availability for the customer call center.</p> <p>Given the results obtained for CforAT's constituency and the fact that these results were part of an extended GRC proceeding, CforAT's costs were modest and reasonable. Overall, CforAT obtained valuable commitments on behalf of PG&amp;E's customers with disabilities, while requesting less than \$15,000 in compensation for merits work.</p>	<p><b>CPUC Discussion</b></p>
<p><b>b. Reasonableness of hours claimed:</b></p> <p>The total amount of time claimed by CforAT is very modest, and is reasonable given the scope and length of this proceeding. CforAT's time records reflect CforAT's focused attention on those limited issues where</p>	

<p>we are uniquely placed to address the needs of our constituency. In keeping with the narrow focus on accessibility and the interests of PG&amp;E customers with disabilities, the total amount of time spent on this effort was constrained, notwithstanding the extensive overall scope and length of the proceeding.</p> <p>While the time spent on “General Participation” as described below, makes up almost half of the time recorded, the total number of hour is low, and much of the time spent on procedural matters, including participation in the broader settlement process and the submission of comments by the settling parties on the Proposed Decision and the Alternate Proposed Decision was at the direct request of PG&amp;E.</p>	
<p><b>c. Allocation of hours by issue:</b></p> <p>CforAT allocated by counsel among various issues as described below. Time spent by other staff is identified separately</p> <p><b>Accessibility: 17.5 hours of 34.5 Total (50.73%)</b></p> <p>The issue area designated “Accessibility includes all work negotiating the MOU addressing PG&amp;E’s commitments to provide accessible service to its customers with disabilities as well as time spent monitoring its implementation of accessibility commitments. In addition to the time spent by CforAT’s counsel, this issue area also includes 6.5 hours by CforAT employee John Reardon, described below. This time was also spent reviewing implementation of accessibility commitments.</p> <p><b>General Participation: 17.0 hours of 34.5 Total (49.27%)</b></p> <p>The issue area designated “General Participation” includes all time not spent on Accessibility. This includes time spent on following the progress of this large, complex proceeding before the Commission. It also includes time spent, at the direct request of PG&amp;E, participating in the broader settlement discussions and the settling parties’ comment process on the Proposed Decision and the Alternate Proposed Decision. Finally, includes limited time communicating with PG&amp;E on issues of concern to CforAT’s constituency, including proposed changes to operation of local offices and proposed changes to hours of operation for PG&amp;E’s customer call center.</p>	

**B. Specific Claim:\***

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
Melissa W. Kasnitz	2015	11.5	\$450	D.14-12-046	\$5,175			
Melissa W. Kasnitz	2016	9.9	\$455	D.16-09-033	\$4,504.50			
Johno Reardon	2016	6.5	\$120	See below.	\$780.00			
Melissa W. Kasnitz	2017	6.6	\$465	Res. ALJ-345 (establishing a 2.14% COLA to be applied to 2016 rates)	\$3,069.00			
<b>Subtotal: \$ 13,528.50</b>						<b>Subtotal: \$</b>		
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 \$
[Person 1]								
[Person 2]								
<b>Subtotal: \$</b>						<b>Subtotal: \$</b>		
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate	Total \$
Melissa W. Kasnitz	2015	1.3	\$225	½ approved rate	\$292.50			
Melissa W. Kasnitz	2017	3.7	\$232.50	½ anticipated rate for 2017 (2016 rate adjusted by COLA)	\$860.25			
Kate Woodford	2017	4.7	\$70.00	½ anticipated rate for 2017	\$259.00			

(Analyst)				(2016 rate, authorized in D.17-03-011) adjusted by COLA)				
<b>Subtotal: \$1,411.75</b>						<b>Subtotal: \$</b>		
<b>COSTS</b>								
#	Item	Detail			Amount	Amount		
<b>TOTAL REQUEST: \$14,940.25</b>						<b>TOTAL AWARD: \$</b>		
<p>*We remind all intervenors that Commission staff may audit the records and books of the intervenors to the extent necessary to verify the basis for the award (§1804(d)). Intervenors must make and retain adequate accounting and other documentation to support all claims for intervenor compensation. Intervenors' records should identify specific issues for which it seeks compensation, the actual time spent by each employee or consultant, the applicable hourly rates, fees paid to consultants and any other costs for which compensation was claimed. The records pertaining to an award of compensation shall be retained for at least three years from the date of the final decision making the award.</p> <p>**Travel and Reasonable Claim preparation time are typically compensated at ½ of preparer's normal hourly rate</p>								
<b>ATTORNEY INFORMATION</b>								
Attorney		Date Admitted to CA BAR <sup>2</sup>		Member Number		Actions Affecting Eligibility (Yes/No?) If "Yes", attach explanation		
Melissa W. Kasnitz		December, 1992		162679		No, but includes periods of "inactive" status prior to 1997		

**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	CforAT Time Records (including merits work for 2015-2017 and time spent on compensation)
Comment	<b>2016 Rate for Johnno Reardon:</b> Johnno Reardon is an employee of CforAT with knowledge and experience on issues of access for persons with disabilities. In this

<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>.



	proceeding, he assisted CforAT's counsel by participating in reviews of the ongoing accessibility work being conducted by PG&E, including review of annual reports and participation in planning meetings. No rate has previously been set for work by Mr. Reardon on Commission matters. At this time, CforAT is seeking a rate of \$120/hour, which is consistent with rates that have been awarded to multiple organizations for work by paralegals, and below the rate of \$140 approved by the Commission in 2016 for work by Kathryn Woodford, CforAT's Analyst who regularly participates in Commission proceedings (see D.17-03-011).
Comment	Time records for CforAT's counsel, Melissa Kasnitz, include references to consultation with CforAT's Executive Director, Dmitri Belser. Because the time spent by Mr. Belser was limited, CforAT is not seeking compensation for his input.

**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 (<i>see</i> Rule 14.6(c)(6))?</b>	
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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.