



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.

A.18-12-009
(Filed December 13, 2018)
03/12/19 08:28 AM

(U 39 M)

**NOTICE OF INTENT TO CLAIM INTERVENOR COMPENSATION
AND, IF REQUESTED (and ☒ ¹ checked), ADMINISTRATIVE LAW JUDGE'S
RULING ON **ALLIANCE FOR NUCLEAR RESPONSIBILITY'S** SHOWING OF
SIGNIFICANT FINANCIAL HARDSHIP**

NOTE: AFTER ELECTRONICALLY FILING A PDF COPY OF THIS NOTICE OF INTENT, PLEASE EMAIL THE DOCUMENT IN AN MS WORD FORMAT TO THE INTERVENOR COMPENSATION PROGRAM COORDINATOR AT Icompcoordinator@cpuc.ca.gov.

Customer or Eligible Local Government Entity (party intending to claim intervenor compensation): Alliance for Nuclear Responsibility

Assigned Commissioner: Michael Picker

Administrative Law Judges: Rafael Lirag and Elaine Lau

I hereby certify that the information I have set forth in Parts I, II, III and IV of this Notice of Intent is true to my best knowledge, information and belief.

Signature:

/s/ Rochelle Becker

Date: March 12, 2019

Printed Name:

Rochelle Becker, Executive Director

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

A. Status as "customer" (see Pub. Util. Code § 1802(b))² 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, at the same time, the customer must represent the broader interests of at least some other customers. See, for example, D.08-07-019 at 5-10).		<input type="checkbox"/>
2. A Category 2 customer is a representative who has been authorized by actual		

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).

² All statutory references are to California Public Utilities Code unless indicated otherwise.

<p>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>	<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 (§1802(b)(1)(C)). 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 30.</p>	<input checked="" type="checkbox"/>
<p>4. The party's detailed explanation of the selected customer category.</p> <p><u>The party's explanation of its status as a Category 1 customer.</u> A party seeking status as a Category 1 customer must describe the party's own interest in the proceeding and show how the customer's participation goes beyond just his/her own self-interest and will benefit other customers. Supporting documents must include a copy of the utility's bill.</p> <p><u>The party's explanation of its status as a Category 2 customer.</u> A party seeking status as a Category 2 customer must identify the residential customer(s) being represented and provide authorization from at least one customer.</p> <p><u>The party's explanation of its status as a Category 3 customer.</u> If the party represents residential and small commercial customers receiving bundled electric service from an electrical corporation, it must include in the Notice of Intent either the percentage of group members that are residential ratepayers or the percentage of the members who are receiving bundled electric service from an electrical corporation. Supporting documentation for this customer category must include current copies of the articles of incorporation or bylaws. If current copies of the articles and bylaws have already been filed with the Commission, only a specific reference (the proceeding's docket number and the date of filing) to such filings needs to be made.</p> <p>The Alliance for Nuclear Responsibility ("A4NR") most recently filed its current articles of incorporation with the Commission on November 16, 2015 in A.15-09-001 and its current bylaws on October 31, 2016 in A.16-08-006. A4NR represents both residential and small business customers on nuclear energy issues before California and Federal regulatory agencies, the Legislature, and Congress. A4NR estimates that more than 90% of its members are residential customers receiving bundled electricity service from PG&E, SCE or SDG&E. A4NR believes that both its residential and small business customer constituents share identical interests in this proceeding.</p>	

Do you have any direct economic interest in outcomes of the proceeding? ³ If “Yes”, explain:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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 checked="" type="checkbox"/> No
C. Status as an Eligible Local Government Entity (§§1802(d), 1802.4, 1803.1)	
The party claims “eligible local government entity” status because the party is a city, county, or city and county that is not a publicly owned public utility that intervenes or participates in a Commission proceeding for the purpose of protecting the health and safety of the residents within the entity’s jurisdiction following a catastrophic material loss suffered by its residents either in significant damage to infrastructure or loss of life and property, or both, as a direct result of public utility infrastructure.	<input type="checkbox"/> Yes <input type="checkbox"/> No
The party’s explanation of its status as an eligible local government entity must include a description of (1) The relevant triggering catastrophic event; (2) The impacts of the triggering catastrophic event on the residents within the entity’s jurisdiction as a result of public utility infrastructure; and (3) The entity’s reason(s) to participate in this proceeding.	
D. Timely Filing of Notice of Intent to Claim Intervenor Compensation (NOI) (§ 1804(a)(1)):	
1. Is the party’s NOI filed within 30 days after a Prehearing Conference? Date of Prehearing Conference: 2/11/2019	<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:	
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	

³ See Rule 17.1(e).

document authorizing the filing of NOI at that other time:

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

A. Planned Participation (§ 1804(a)(2)(A)):

The party's statement of the issues on which it plans to participate:

Circumstances have changed considerably since the Commission adopted D.18-01-021 approving the retirement of the two nuclear units at Diablo Canyon in 2024 and 2025, respectively. PG&E now forecasts that Community Choice Aggregators and Direct Access providers in 2019 will supply 53% of its service territory load – a stark contrast with its projection at the time of the Joint Proposal, that lost customers wouldn't approach this level until 2025 under even the most pessimistic assumptions. Moreover, PG&E's application of the Commission-approved PCIA methodology attributes massive "above market" costs to Diablo Canyon: \$410 million in 2018 and \$523 million in 2019. A4NR intends to focus on the Diablo Canyon-related portions of PG&E's Application and to challenge whether the proposed revenue requirements and recovery mechanisms for TY 2020 are just and reasonable, and whether these should be adopted by the Commission.

The party's explanation of how it plans to avoid duplication of effort with other parties:

A4NR expects to coordinate its issue focus with TURN and California Advocates in order to minimize any potential duplication or overlap. A4NR is in the midst of its discovery efforts and is carefully reviewing PG&E's responses to other parties' data requests. A4NR's experience in prior GRC proceedings has been that its perspective and issue selection have been sufficiently unique and nuanced so that redundancy with the efforts of other parties is easily avoided.

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).

A4NR has already conducted significant discovery, and intends to submit testimony, participate in evidentiary hearings, and file briefs.

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)):

Item	Hours	Rate \$	Total \$	#
ATTORNEY, EXPERT, AND ADVOCATE FEES				
John Geesman	200	600	120,000	
Al Pak	150	600	90,000	
[Expert 1]				
[Expert 2]				
Rochelle Becker	125	145	18,125	
David Weisman	125	130	16,250	

Subtotal: \$244,375				
OTHER FEES				
[Person 1]				
[Person 2]				
Subtotal:				
COSTS				
Travel/lodging			6,000	
[Item 2]				
Subtotal: \$6,000				
TOTAL ESTIMATE: \$250,375				
Estimated Budget by Issues: Reasonableness of proposed O&M expenditures, 40%; reasonableness of proposed capital expenditures, 40%; sufficiency of corporate risk evaluation process, 20%.				
<i>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 ½ professional hourly rate.</i>				

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

A. The party claims that participation or intervention in this proceeding without an award of fees or costs imposes a significant financial hardship, on the following basis:	Applies (check)
1. The 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(h))	<input type="checkbox"/>
2. In 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(h))	<input checked="" type="checkbox"/>
3. The eligible local government entities' participation or intervention without an award of fees or costs imposes a significant financial hardship. (§ 1803.1(b).)	<input type="checkbox"/>
4. A § 1802(h) or § 1803.1(b) 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)).	<input checked="" type="checkbox"/>
Commission's finding of significant financial hardship made in proceeding number: D.18-10-050	
Date of Administrative Law Judge's Ruling (or CPUC Decision) in which the finding of significant financial hardship was made:	

B. The party's explanation of the factual basis for its claim of "significant financial hardship" (§ 1802(h) or § 1803.1(b)) (necessary documentation, if warranted, is attached to the NOI:	
A4NR will be challenging the reasonableness of the Diablo Canyon-related portions of PG&E's Application. If A4NR is successful, substantial savings will accrue to all PG&E ratepayers (including departed load responsible for paying the PCIA) and not solely to A4NR members. The amounts of such savings allocable to A4NR members will be a small fraction of the costs of A4NR's effective participation in this proceeding.	

**PART IV: ATTACHMENTS DOCUMENTING SPECIFIC
ASSERTIONS MADE IN THIS NOTICE**

(The party 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
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" or an "eligible local government entity" 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 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 or eligible local government entity's Intervenor Compensation Claim); or (c) the NOI has included a claim of "significant financial hardship" that requires a finding under § 1802(h).

4. The Administrative Law Judge provides the following additional guidance (see § 1804(b)(2)):	<input type="checkbox"/>

IT IS RULED that:

1. The Notice of Intent is rejected.	<input type="checkbox"/>
2. The customer or eligible local government entity has satisfied the eligibility requirements of Pub. Util. Code § 1804(a).	<input type="checkbox"/>
3. The customer or eligible local government entity has shown significant financial hardship.	<input type="checkbox"/>
4. The customer or eligible local government entity 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 or eligible local government entity as set forth above.	<input type="checkbox"/>

Dated _____, at San Francisco, California.

Administrative Law Judge

Attachment 1:

Certificate of Service by Customer

(Filed electronically as a separate document pursuant to Rule 1.13(b)(iii))

(Served electronically as a separate document pursuant to Rule 1.10(c))