



FILED

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

Application 15-09-001
(Filed September 1, 2015)

**AMENDMENT TO THE NOTICE OF INTENT TO CLAIM INTERVENOR
COMPENSATION
BY COLLABORATIVE APPROACHES TO UTILITY SAFETY ENFORCEMENT
(CAUSE)**

SCOTT RAFFERTY
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Walnut Creek CA 94596 (202)-380-5525
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Attorney for CAUSE

Dated: October 20, 2016

Judge Roscow has instructed CAUSE to file its amended Notice of Intent to Claim Intervenor Compensation (“NOI”) without a cover motion. Following the example of the proper format provided by the Judge, the following document, which restates the NOI, has been styled “Amendment to the NOI” and will be characterized as a “Notice” when e-filed. There has been no other change to the content of the document, as it was filed on August 10, 2016.

This Amendment responds to the order of July 25, 2016, rejecting CAUSE’s notice of intent to file intervenor compensation.

- (1) CAUSE’s bylaws now track the statutory formula in Section 1802(b)(1)(C) required to establish eligibility to claim compensation.
- (2) CAUSE has more than 20 members. Each is residential ratepayers of PG&E with the exception of one, who is a customer of Marin Clean Energy. It is the intention of CAUSE to recruit members who are residential customers of other electrical corporations. CAUSE is not a fee-based organization.
- (3) The directors are:

Scott Rafferty, Executive Director

Linda Rafferty, Director

Marvin B. Ellenberg, Director
- (4) The directors have amended the bylaws to eliminate a provision authorizing the executive director to open a bank account in his own name. The former

provision reflected guidance from an experienced individual who operated a similar unincorporated association that applied and received intervenor compensation over many years. It was my understanding, which he shared, that unincorporated associations could not obtain employer identification numbers until they had employees (as opposed to contractors). Without an EIN, it can be difficult to open a bank account to receive funds made payable to the association. Since my last experience, however, the IRS has implemented an online application that instantly issues EINs. CAUSE was able to obtain an employer identification number without representing that it had any employees. It is not clear that this application has been reviewed by the IRS, but CAUSE is hopeful that it will be able to open a bank account with an independent identity.

CAUSE has not revised forecasts of its claims, given the uncertain status of the settlement proposal. If the Commission accepts the settlement, the claim will be significantly smaller.

Respectfully submitted,

A handwritten signature in black ink that reads "Scott Rafferty". The signature is written in a cursive, flowing style.

SCOTT RAFFERTY

1913 Whitecliff Court

Walnut Creek CA 94596 (202)-380-5525

rafferty@gmail.com

Attorney for CAUSE

Dated: October 20, 2016


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

Application 15-09-001 (Filed September 1, 2015)

[AMENDED]
NOTICE OF INTENT TO CLAIM INTERVENOR COMPENSATION
AND, IF REQUESTED (and []¹ checked), ADMINISTRATIVE LAW JUDGE'S
RULING ON [Intervenor's Name]'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 Icompcoordinator@cpuc.ca.gov.

Customer (party intending to claim intervenor compensation): Collective Approaches to Utility Safety Enforcement	
Assigned Commissioner: Michael Picker	Administrative Law Judge: Steven 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:	
Date: Amended 8/10/16	Printed Name: Scott J. Rafferty

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

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, at the same time, the customer must represent the broader interests of at least some other customers.	<input type="checkbox"/>
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	

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).

customers.	
<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>Identify all attached documents in Part IV.</p> <p>Certificate of Service; Bylaws of Collective Approaches to Utility Safety Enforcement (Amended 8/1/16); EIN acknowledgment</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	<input checked="" type="checkbox"/> Yes

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.

³ See Rule 17.1(e).

small commercial customers who receive bundled electric service from an electrical corporation?	<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. 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: 10/29/2015	<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 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 document authorizing the filing of NOI at that other time:	

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)):
<p>The party’s statement of the issues on which it plans to participate:</p> <ol style="list-style-type: none"> 1. CAUSE intends to advocate for PG&E to implement cost-effective management systems to provide continuous improvement in driving toward zero incidence of industrial accidents caused by PG&E or its contractors. 2. CAUSE will assess the proposed prescription of design standards or other measures designed to improve safety, with regard to their cost-effectiveness and financial impact on rates. 3. CAUSE will examine the cost and incidence of industrial accidents at PG&E) including settlements and judgments 4. CAUSE will examine the extent to which the revenue requirement includes these costs, and they are allocated within PG&E and among services and classes of ratepayers. 5. Only to the extent that the issues are not adequately addressed by other parties, CAUSE will advocate for the lowest rates for its members, including revenue requirement issues not directly related to safety, <p>The party’s explanation of how it plans to avoid duplication of effort with other parties: CAUSE will consult with any party that intend) to provide evidence or argument with regard to safety measures in order to avoid duplication.</p> <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).</p> <p>A. CAUSE plans to take discovery as to the incidence and cost of industrial accidents at PG&E and as to measures that are in place to mitigate these risk,. These accidents include any adverse incidents or conditions affecting (1) the safety of individual</p>

ratepayers in their homes, including the consequences of outages, (2) worker health and safety, (3) public safety, including physical injuries, property damage, and disruption of transportation infrastructure resulting from explosions, leaks, contaminations, or downed power lines, (4) the effectiveness of responses to external disasters and threats, including the ability to coordinate with law enforcement, first responders, and other government agencies, utilities and transit carriers, and other critical parties, (5) environmental degradation, including foreseeable impacts and unanticipated events, (6) the extent to which PG&E employees and ratepayers actually identify (and PG&E effectively responds to) actions that mitigate risk, and (7) the readiness of PG&E to provide and to receive mutual aid from other utilities to address large-scale incidents.

B. CAUSE plans to confer regularly with parties willing to consider consolidating proposals and witnesses, in order to avoid duplication and to strengthen the support for the proposals.

C. CAUSE intends to work with PG&E to narrow the scope of disagreements and to explore possible areas of common ground.

D. CAUSE intends to retain experts from each discipline necessary to evaluate PG&E's risks and actions to mitigate and to propose additional cost-effective measures.

E. CAUSE expects to present these experts as witnesses, to pre-file written testimony, and to defend any live examination.

F. CAUSE expects to examine witnesses, particularly those who testify regarding safety.

G. CAUSE expects to evaluate the rate impact of its own proposals, and of the proposals related to safety made by any party, as well as the tangible benefits of each proposal.

H. CAUSE expects to file briefs and reply briefs in support of its positions, and such other motions as may be appropriate.

I. CAUSE intends to identify the extent to which other Commission proceedings affect the consideration of safety measures in this rate case, and to consider the possible need to propose proceedings.

CAUSE has filed testimony and participated in settlement discussions. In the course of these discussions, CAUSE comprehensively evaluated the economic benefits of the settlement.

CAUSE intends to support the settlement, but (in the event that the settlement is not accepted) will participate in further proceedings prescribed by the Commission.

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				
Scott J. Rafferty (as attorney)	1250	\$570	\$142,500	
Scott J. Rafferty (claim preparation)	10	\$285	\$ 2,850	
Scott J. Rafferty (as witness)	100	\$500	\$ 50,000	
Risk management expert (TBD)	50	\$500	\$ 25,000	
Organizational expert (TBD)	50	\$500	\$ 25,000	
Additional experts	120	\$500	\$60,000	
Subtotal: \$305,000				
OTHER FEES				
Secretarial fees	1200	\$25	\$5000	

[Person 2]				
Subtotal: \$5,000				
COSTS				
Postage, Supplies			\$500	
Travel			\$4000	
Subtotal: \$4500				
TOTAL ESTIMATE: \$314,850				
Estimated Budget by Issues: (keyed to issues identified above 60% to 1; 10% to 2; 20% to 3; 10% to 4; issue 5 contingent				

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:
The members of the association are all residential ratepayers. The association does not expect to seek rate reductions that would result in a monetary benefit to these ratepayers. The only economic interests are indirect - (1) reducing the remote possibility that a member could be personally affected by an industrial accident, (2) a share of the public benefit of avoiding environmental impacts associated with accidents, and (3) avoiding

the possible future rate effects from settlements and judgments resulting from accidents. These benefits may be offset by expenses and investments that PG&E would need to undertake to implement the safety measures that the association will propose.

To the extent that these interests are tangible and can be quantified, they are insignificant compared to the costs of participation detailed above

**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
2	Bylaws
3	Acknowledgement of EIN application

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” 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"/>

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).

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IT IS RULED that:

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. 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

BYLAWS OF COLLECTIVE APPROACHES TO UTILITY SAFETY ENFORCEMENT
A CALIFORNIA UNINCORPORATED ASSOCIATION

Section 1.

The name of the organization shall be Coll. Approaches to Utility Safety Enforcement, but it may also be known as CAUSE, Collective Approaches to Utility Safety Enforcement, or Collaborative Approaches to Utility Safety Enforcement.

Section 2.

The principal office of the association for the transaction of its business is located in Contra Costa County, California. Within Contra Costa County, the directors may change the address of the principal office by noting it below, which shall not require an amendment to these bylaws.

Section 3.

The objectives and purposes of this association shall be:

To represent the interests of residential customers or small commercial customers receiving bundled electric service from an electrical corporation; to study utility safety; to advocate for effective systems to achieve and maintain utility safety; to provide expert testimony and advice to utilities and to governmental decision-makers; and to take any additional actions reasonably believed to promote utility safety.

Section 4.

The association shall have up to five directors, collectively known as the board of directors. They shall serve without compensation, except in consideration for research, testimony, and other services rendered outside the activities of organizational governance.

Section 5.

The directors by majority vote, or the members by majority vote, by grant membership to any residential ratepayer of a California utility. Any nonprofit corporation, the organization of which has been authorized by the directors and which has similar purposes, shall also be a member, provided that the directors and shareholders of such corporation shall be residential ratepayers of a California utility.

Section 6.

The annual meeting of the board of directors shall be held on November 24 at 1 p.m. Directors shall be elected by any members present. Candidates receiving the highest number of votes up to the number to be elected shall be elected. Subject to Section 4, the number to be elected and the rules for voting may be determined by the incumbent directors. The directors shall elect a chair, who shall serve as president of the association. The president will act as secretary if no secretary is elected. The president may vote on all matters. Meetings shall be governed by Roberts Rules of Order, Newly Revised, the most current edition, except to the extent that this authority is inconsistent with these bylaws or local law. In lieu of a meeting, the directors may act by unanimous written consent, provided that any director may orally instruct another director to make such written consent on his behalf. A majority of directors may call a meeting at any other time by notifying the other directors, provided that any director may require 72 hours' notice. A meeting may be conducted telephonically or through other electronic means, including serial communications that do not permit the directors to deliberate contemporaneously or to see or hear each other. Any series of recorded or memorialized communications that permits all directors to vote on a motion, including the ability to propose amendments thereto, shall constitute a meeting for purposes of adopting the motion, which may include a motion to amend to these bylaws. Directors may vote on a motion that is pending or has been noticed by means of a written instruction, but there shall be no other form of proxy voting or delegation.

Section 7.

As a matter of construction, in these bylaws, the singular shall include the plural and the plural the singular.

Section 8.

The fiscal year of the association shall be the calendar year, unless the directors alter this period by noting the new fiscal year below, which shall not require an amendment to these bylaws.

Section 9.

The association expects to receive compensation for intervening in regulatory proceedings or other payments made in connection with legal and expert witness services. The association is authorized to open a bank account. No profits not associated with payment for services shall inure to the benefit of any individual. On dissolution, any funds in excess of the association's obligations shall be dedicated to a nonprofit or spent for purposes that qualify for tax exemption, as authorized by the directors.


Section 10.

The association will shield members and directors from individual liability for any obligations of the association to the full extent authorized by California law.

Section 11.

These bylaws may be amended by a majority of the directors at any meeting without prior notice.


The undersigned are all the persons acting as the original directors of CAUSE, a California unincorporated association, and by unanimous consent, adopt these

 SCOTT RAPER

CERTIFICATE

bylaws as the bylaws of the association.

This is to certify that this is a true and correct copy of the unincorporated association names in the title thereto and that these bylaws were duly adopted by the board of directors on November 29, 2015.



SCOTT RAFFERTY

Dated: November

29, 2015

Notations:

Amendments: Section 9 amended August 1, 2016 by vote of directors to omit provisions related to bank account

Directors in favor: Scott Rafferty, Linda Rafferty, Marvin Ellenberg

Directors opposed: none



DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
CINCINNATI OH 35999-0023

SCOTT RAFFERTY
COLL APPROACHES TO UTILITY SAFETY

Date of this notice:
Employer Identification Number: 81-3513321

08-10-2016

Form:
Number of this notice:

SS-4
CP 575 G

1913 WHITECLIFF CT
WALNUT CREEK, CA 94596

For assistance you may call us at:
1-800-829-4933

IF YOU WRITE, ATTACH THE
STUB AT THE END OF THIS NOTICE.

WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER

Thank you for applying for an Employer Identification Number (EIN). We assigned you EIN 81-3513321.
This EIN will identify you, your business accounts, tax returns, and documents, even if you have no employees.
Please keep this notice in your permanent records.

When filing tax documents, payments, and related correspondence, it is very important that you use your EIN and complete name and address exactly as shown above.

Any variation may cause

a delay in processing, result in incorrect information in your account, or even cause you to be assigned more than one EIN. If the information is not correct as shown above, please make the correction using the attached tear off stub and return it to us.

A limited liability company (LLC) may file Form 8832, Entity Classification Election, and elect to be classified as an association taxable as a corporation. If the LLC is eligible to be treated as a corporation that meets certain tests and it will be electing S corporation status, it must timely file Form 2553, Election by a Small Business Corporation. The LLC will be treated as a corporation as of the effective date of the S corporation election and does not need to file Form 8832.

To obtain tax forms and publications, including those referenced in this notice, visit our Web site at www.irs.gov.

If you do not have access to the Internet, call 1-800-829-3676 (TTY/TDD 1-800-829-4059)
or visit your local IRS office.

IMPORTANT REMINDERS:

*Keep a copy of this notice in your permanent records. This notice is issued only one time and the IRS will not be able to generate a duplicate copy for you. You may give a copy of this document to anyone asking for proof of your EIN.

*Use this EIN and your name exactly as they appear at the top of this notice on all your federal tax forms.

*Refer to this EIN on your tax-related correspondence and documents.

If you have questions about your EIN, you can call us at the phone number or write to us at the address shown at the top of this notice. If you write, please tear off the stub at the bottom of this notice and send it along with your letter.

If you do not need to write us, do not complete and return the stub.

Your name control associated with this EIN is RAFF. You will need to provide this information, along with your EIN, if you file your returns electronically.

Thank you for your cooperation.