Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of San Diego Gas & Electric Company (U 902-E) for an Order Implementing Assembly Bill 265.	Application 00-10-045 (Filed October 24, 2000)
Application of San Diego Gas & Electric Company (U 902-E) for Authority to Implement an Electric Rate Surcharge to Manage the Balance in the Energy Rate Ceiling Revenue Shortfall Account.	Application 01-01-044 (Filed January 24, 2001)

OPINION ON REQUEST FOR INTERVENOR COMPENSATION

1. Summary

Pursuant to §1804(c),[1] Aglet Consumer Alliance (Aglet), The Utility Reform Network (TURN) and Utility Consumers Action Network (UCAN) (collectively, Joint Intervenors) request awards of compensation in the aggregate amount of $57,812.24 for their substantial contributions to: (1) the Commission's vote of January 2002 to reject a settlement proposal made by applicant San Diego Gas & Electric Company (SDG&E); and (2) Decision (D.) 02-12-064, in which the Commission approved a later settlement proposal made by SDG&E. This decision finds that Joint Intervenors contributed substantially to D.02-12-064, and approves their requested awards of compensation.

[1] Statutory citations herein are to the Public Utilities Code.

2. Discussion

2.1 Overview of Proceeding

In Application (A.) 00-10-045, SDG&E sought approval for various proposals for implementing Assembly Bill (AB) 265 (Stats. 2000, Ch. 328). In A.01-01-040, SDG&E sought authority to assess a surcharge on the electric bills of residential, small commercial and streetlighting customers. The surcharge was proposed to amortize a balancing account undercollection that resulted from extraordinarily high wholesale electric prices and the retail energy rate ceiling established pursuant to AB 265. The Administrative Law Judge (ALJ) consolidated the applications into a single proceeding that has since become the procedural vehicle for several issues affecting SDG&E's electric rates.

D.01-05-060 dated May 14, 2001 implemented a portion of AB X1 43 (Stats. 2001, Ch. 6) by establishing a frozen energy rate component applicable to SDG&E's large commercial, industrial, and agricultural customers. D.01-09-059 established an interim electric rate increase to cover costs incurred on behalf of SDG&E's retail end use customers by the California Department of Water Resources (DWR), and adopted revenue allocation and rate design principles.[2] D.01-12-015 addressed a proposal by SDG&E for utility-retained generation cost recovery, made pursuant to the Memorandum of Understanding (MOU) described in the following section. D.02-12-064 addressed various aspects of the relief sought by SDG&E in this proceeding, and adopted a litigation settlement as described below.

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[2] By D.02-03-037 dated March 21, 2002, the Commission awarded Aglet compensation of $15,555.00 for its contributions to D.01-09-059.

2.2 Memorandum of Understanding

On June 18, 2001 SDG&E signed a comprehensive MOU with Sempra Energy (SDG&E's holding company) and DWR. The MOU included many components, including revised ratemaking treatment for San Onofre Nuclear Generating Station Units Nos. 2 and 3 (SONGS 2&3), disposition of balancing account undercollections, and disputed rights to the benefits of certain intermediate term (IT) purchased power contracts. On July 5, 2001, Assigned Commissioner Wood granted a motion by SDG&E for an indefinite continuance of various issues in this proceeding on the grounds that the MOU, if implemented, would moot a majority of those issues.

By its own terms, implementation of the MOU depended upon issuance of several "implementing decisions" by this Commission. SDG&E filed various petitions, motions, and advice letters to implement the MOU, and Joint Intervenors responded to certain of these filings. Included among SDG&E's filings was a motion seeking implementation of the MOU, filed in this proceeding on July 16, 2001 pursuant to direction of the Commission's General Counsel. Joint Intervenors filed a response to the motion on July 27, 2001, contending that the MOU was not shown to be in the public interest. The Commission convened an oral argument and public participation hearing before Commissioners Bilas, Lynch, and Wood in San Diego on August 16, 2001, and TURN and UCAN (among others) participated therein.

2.3 SONGS Ratemaking

On July 16, 2001 SDG&E filed a petition for modification of D.96-04-059, which established incentive ratemaking for SONGS 2&3 for both Southern

California Edison Company (SCE) and SDG&E.[3] The requested action represented one of the MOU's implementing decisions. In the petition for modification, SDG&E sought to commit its share of SONGS 2&3 generation to the benefit of bundled customers, return SONGS to cost-based ratemaking, and create a $133 million regulatory asset to reduce the AB 265 undercollection. In D.02-01-063 the Commission resolved certain provisions of the petition, specifically, the assignment of SONGS output to bundled service customers and the termination of a sharing mechanism.

2.4 Joint Proposal

On October 10, 2001 the Office of Ratepayer Advocates (ORA), Federal Executive Agencies, California Farm Bureau Federation, and Joint Intervenors (collectively, Consumers) filed a joint motion for adoption of a stipulation that would have resolved several issues in this proceeding. The proposed stipulation was, in effect, a comprehensive alternative to the various MOU proposals. By ruling issued on November 16, 2001, Assigned Commissioner Wood deemed the stipulation to be a Joint Proposal of Consumers, and provided for the submission of comments thereon.

2.5 First Proposed Settlement of Appellate Litigation

During the executive session of its meeting on January 23, 2002, the Commission rejected a major component of the MOU. Specifically, the Commission rejected a proposal by SDG&E (First Proposed Settlement) to settle a pending case in the California Court of Appeals in which SDG&E sought to overturn the Commission's determinations in D.01-01-061 and D.01-05-035 with

[3] SDG&E owns 20% of the SONGS units. SDG&E filed the petition for modification in A.93-12-025 and Investigation (I.) 94-02-002, SCE's test year 1995 general rate case.

respect to the treatment of certain SDG&E IT power procurement contracts.[4] In those decisions, the Commission held that utility-retained generation, including the IT contracts, should be used to serve the utility's customers at cost-based rates.

2.6 Further Proceedings Leading to D.02-12-064

Following the Commission's rejection of the First Proposed Settlement, Assigned Commissioner Wood issued a ruling on March 28, 2002 vacating the suspension of the procedural schedule that had been ordered in July 2001. Among other things, the ruling directed that evidentiary hearings be held to address the remaining issues in this proceeding, including the allocation of the IT contract benefits. On May 10, 2002, before the hearings began, Sempra Energy transmitted to the Commission a proposed Settlement Agreement. According to the Sempra letter, this Settlement Agreement would "resolve fully and completely the federal court litigation" in SDG&E v. Loretta Lynch, *et al*. On June 14, 2002 Sempra Energy submitted a modified proposed Settlement Agreement, and by ruling dated June 18, 2002 the Assigned Commissioner established a schedule for comments on the Settlement Agreement. UCAN (among other parties) filed comments on the June 14 Settlement Agreement.

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[4] SDG&E filed for a petition for writ of review of the decisions on June 5, 2001 in San Diego Gas and Electric Company v. Public Utilities Commission of the State of California, Case No. D.038064, California Court of Appeal, Fourth Appellate District, Division One. On February 25, 2002, SDG&E filed a related federal complaint against the Commissioners regarding the power procurement contracts in SDG&E v. Loretta Lynch, *et al*., Case No. 02 CV 339 BTM, U.S. District Court, Southern District of California. The underlying decisions, D.01-01-061 and D.01-05-035, had been issued in A.00-11-038, *et al*. By ruling issued on April 8, 2002, a review of the IT power procurement contracts that is discussed at p. 10 of D.01-05-035 was transferred to this proceeding.

The Commission convened a prehearing conference on June 19, 2002, and evidentiary hearings were held before ALJ Wong from June 24, 2002 through July 2, 2002. The Commission signed out D.02-12-064 on December 19, 2002. Among other things, it approved the June 14, 2002 Settlement Agreement.

2.7 First Compensation Request

On March 25, 2002, Joint Intervenors filed a consolidated request for an award of compensation covering both SONGS-related issues in SCE's 1995 general rate case and the MOU-related issues raised in this proceeding. The total amount requested on behalf of the three intervenors was $69,652.49.

On May 24, 2002, in response to a ruling by ALJ Prestidge, Aglet submitted a letter on behalf of Joint Intervenors that separated the requested total into $13,430.72 for SCE's general rate case and $56,221.77 for this proceeding. On October 24, 2002, the Commission issued D.02-10-051, granting TURN $13,430.72 in compensation for substantial contributions to D.02-01-063 in SCE's 1995 general rate case. (Among the Joint Intervenors, TURN focused on SONGS-related issues, and Joint Intervenors only sought compensation for TURN's efforts related to D.02-01-063.) Finding the request for work performed in the instant proceeding to be premature, the Commission denied without prejudice the request of Joint Intervenors for compensation in this proceeding.

2.8 Second Compensation Request

D.02-12-064 was mailed to parties of record on December 30, 2002. Joint Intervenors timely filed the second (current) request on February 27, 2003. Joint Intervenors seek a unified compensation decision because their interests are similar in that they all represent small consumers, they have cooperated with each other and with other consumer parties, and they have analyzed the MOU comprehensively. We concur with Joint Intervenors that piecemeal

consideration of their efforts regarding the MOU and ratemaking elements within it would be both inefficient and unnecessary.

3. Requirements for Awards of Compensation

Intervenors who seek compensation for their contributions in Commission proceedings must file requests for compensation pursuant to §§ 1801-1812. Section 1804(a) requires an intervenor to file a Notice of Intent (NOI) within 30 days of the prehearing conference or by a date established by the Commission. Other code sections address requests for compensation filed after a Commission decision is issued. Section 1804(c) requires an intervenor requesting compensation to provide "a detailed description of services and expenditures and a description of the customer's substantial contribution to the hearing or proceeding." Section 1802(h) states that "substantial contribution" means that,

> "in the judgment of the commission, the customer's presentation has substantially assisted the commission in the making of its order or decision because the order or decision has adopted in whole or in part one or more factual contentions, legal contentions, or specific policy or procedural recommendations presented by the customer. Where the customer's participation has resulted in a substantial contribution, even if the decision adopts that customer's contention or recommendations only in part, the commission may award the customer compensation for all reasonable advocate's fees, reasonable expert fees, and other reasonable costs incurred by the customer in preparing or presenting that contention or recommendation."

Section 1804(e) requires the Commission to issue a decision that determines whether or not the customer has made a substantial contribution and the amount of compensation to be paid.

4. Eligibility to Claim Compensation

Each of the Joint Intervenors filed a timely NOI to claim compensation. On April 30, 2001, assigned Commissioner Wood issued a ruling finding that Aglet made an adequate showing of significant financial hardship, established a rebuttable presumption of eligibility, and is eligible for an award of intervenor compensation. While Aglet's initial participation led to an award of compensation for work performed in the first phase of this proceeding, Rule 76.76 of the Rules of Practice and Procedure provides that a customer found eligible for an award of compensation in one phase of a proceeding remains eligible in later phases. Accordingly, Aglet remains eligible to claim compensation here.

On October 30, 2001 ALJ Wetzell issued a ruling addressing UCAN's NOI. Although determining that UCAN is eligible for an award of intervenor compensation, the ruling stated that UCAN must include a showing of financial hardship in any compensation request that it submits in the proceeding. On February 4, 2002, ALJ Wetzell issued a ruling that TURN had established a rebuttable presumption of financial hardship and determined that TURN is eligible for an award of intervenor compensation.

5. Significant Financial Hardship

As noted above, the Assigned Commissioner and ALJ rulings addressing the NOIs submitted by Aglet and TURN determined that those intervenors had made adequate showings of financial hardship or established a rebuttable presumption thereof. Pursuant to the ALJ's ruling addressing its NOI, UCAN made a showing of significant financial hardship with the compensation request.

UCAN's has approximately 32,000 paid, subscribing members, while SDG&E has roughly three million customers. UCAN believes that despite the

magnitude of SDG&E revenue requirements at stake, this proceeding does not present an opportunity for substantial direct savings to individual customers. UCAN finds it unlikely that its members will see financial benefits that exceed its costs of intervention. The economic interests of UCAN's individual members are therefore small compared to the cost of effective participation in this proceeding. This showing by UCAN satisfies the second of the two hardship tests set forth in § 1802(g).

6. Interests Represented by Joint Intervenors

Each of the Joint Intervenors represents customer interests that would otherwise be underrepresented in these proceedings. They were the only active parties that represented solely residential and small commercial customers. While ORA was an active party in this proceeding, it represents the interests of all customers, not only residential and small commercial customers. The work of Joint Intervenors complemented and supplemented the work of ORA, but did not materially duplicate it.

Joint Intervenors have cooperated with each other throughout this proceeding, with each group taking the lead on different tasks in order to avoid duplication of effort. They worked as an informal coalition of small customer interests and joined large customer representatives when it made sense to do so. We agree with Joint Intervenors that it would be inappropriate for the Commission to disallow any of their reasonable costs of participation due to any redundancy or duplication of effort.

7. Substantial Contributions to Resolution of Issues

Joint Intervenors maintain that ratepayers benefited from the January 2002 rejection of SDG&E's First Proposed Settlement offer regarding the value of the IT contracts, and from the subsequent issuance of D.02-12-064. Joint Intervenors

also believe that their analysis of the MOU and their development of the Joint Proposal substantially contributed to the Commission's rejection of the First Proposed Settlement and SDG&E's subsequent decision to amend its settlement offer. Joint Intervenors note that the Joint Proposal and motion for its adoption were the only detailed showings before the Commission that addressed asserted failings of the MOU in general, and of its disposition of IT contract value in particular.

Disposition of the disputed allocation of the IT contract profits was an important element of the MOU, the Joint Proposal, and, ultimately, D.02-12-064. While other parties also made detailed showings in the June 2002 evidentiary hearings, it is our judgment that, by their earlier analysis of the MOU and their leadership roles in developing and presenting the Joint Proposal, Joint Intervenors substantially contributed to an ultimate outcome in D.02-12-064 that is more favorable to ratepayers than the earlier MOU alternative.[5]

Moreover, their participation was productive in that the impact of that participation far exceeded fees and other costs. The rejection of SDG&E's First Proposed Settlement protected $144 million of ratepayer value, equal to the $363 million value of the disputed IT contracts less SDG&E's offer of $219 million

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[5] As previously noted, the executive session vote to reject the First Proposed Settlement pertained to appellate litigation in which the Commission was a party. As we stated in D.02-10-051, this was not an "order or decision" within the meaning of the intervenor compensation statutes because the Commission did not issue a written order or decision within the meaning of §311 or §1731. We therefore decline to rule on Joint Intervenors' contention that they substantially contributed to the rejection vote. Among the Joint Intervenors, only UCAN participated in the June 2002 evidentiary hearings and filed comments on the June 14, 2002 Settlement Agreement. UCAN does not request compensation herein for that participation, but it reserves any right to recover such costs in a subsequent compensation request.

in ratepayer credits. As Joint Intervenors point out, ratepayers did not ultimately gain the full $144 million, but the rejection kept that amount on the ratepayers' side of the table pending further action in the appellate litigation. SDG&E later conceded $24 million of value for ratepayers. As Joint Intervenors further point out, even the slightest contribution on their part to SDG&E's choice to add $24 million in ratepayer value would greatly exceed the instant compensation request.

8. Reasonableness of Requested Compensation

8.1 Analysis of Amount Requested

Joint Intervenors request compensation in the aggregate amount of $57,812.24, as set forth in the following tables. This request represents, in effect, the amount of the First Compensation Request that was denied without prejudice (*i.e.*, deferred) by D.02-10-051, plus certain adjustments. For clarity, we show in the first table the amounts originally requested, the amount granted in D.02-10-051, the amounts deferred, the amounts of the current request, and the adjustments that constitute the differences between the amounts deferred from the first request and the current request. These adjustments reflect (1) 15 additional hours for compensation-related work, including the letter response to the May 17, 2002 ALJ request for information and preparation of the current request; and (2) a reduction in the requested hourly rates for TURN attorney Freedman, from $200 per hour to $190 per hour for professional time and from $100 per hour to $95 per hour for travel time.

Summary of Compensation Requested

Intervenor	First Request	Granted D.02-10-051	Denied w/o Prejudice	Current Request	Adjustments
Aglet	$14,139.45	0	$14,139.45	$15,859.92	$1,720.47 for comp. request
TURN	$19,449.74	$13,430.72	$ 6,019.02	$ 5,889.02	($130) for hourly rate

					adjustment
UCAN	$36,063.30	0	$36,063.30	$36,063.30	0
Totals	$69,652.49	$13,430.72	$56,221.77	$57,812.24	$1,590.47 net adjustment

The following table, drawing on data provided in the current request, including documentation attached to the filing, shows a breakdown of the request by advocate, intervenor, hours, and hourly rates.

Details of Compensation Request

Advocate	Represents	Year	Rate	Hours	Totals
Weil, professional	Aglet	2001	$220.00	44.80	$ 9,856.00
Weil, travel & comp.	Aglet	2001-2003	$110.00	51.60	$ 5,676.00
				Other	$ 327.92
				Subtotal - Aglet	$15,859.92
Finkelstein	TURN	2001	$310.00	7.00	$ 2,170.00
Freedman, professional	TURN	2001	$190.00	10.50	$ 1,995.00
Freedman, travel	TURN	2001	$95.00	5.00	$ 475.00
Florio	TURN	2001	$350.00	1.25	$ 437.50
				Other	$ 811.52
				Subtotal - TURN	$ 5,889.02
Shames, professional	UCAN	2001-2002	$195.00	127.40	$24,843.00
Shames, comp.	UCAN	2002	$ 97.50	2.60	$ 253.50
Marcus	UCAN	2001	$175.00	60.06	$10,510.50
Schilberg	UCAN	2001	$130.00	3.51	$ 456.30
				Other	$ 0.00
				Subtotal - UCAN	$36,063.30
				Grand Total	$57,812.24

8.2 Hours Claimed

Each of the Joint Intervenors maintained detailed records of the time its advocates spent in this proceeding. Because their time is charged at different hourly rates depending on the nature of the work performed, the time for

advocates Weil, Freedman, and Shames is appropriately separated into professional hours and hours for travel and work on compensation requests, as shown in the foregoing table.

Aglet's work was principally drafting of the Consumers' Joint Proposal, the motion for its approval, Consumers' reply to SDG&E's opposition, and the two compensation requests. In addition to 44.8 hours professional time, Aglet claims 51.6 hours for its Director James Weil for work related to the two intervenor compensation requests.

In the First Compensation Request, Aglet requested 36.6 hours for compensation-related work by Weil. From the spreadsheet summaries attached to the first and second requests, it can be seen that the difference of 15 hours largely represents the additional work on compensation requests performed by Weil since May 2002, when Joint Intervenors were directed by ALJ ruling to allocate the amount of the first request that pertained to the SONGS petition in the SCE general rate case and the amount that pertained to work performed in this proceeding. Aglet notes that the instant compensation request draws heavily from the first compensation request, arguably raising a question of the amount of time required for preparation of the second request. In recognition of the complexity of preparing comprehensive requests on behalf of three intervenors, in a complex proceeding that had several unusual procedural aspects (*see* pp. 2-6, *supra*), we are persuaded that the time spent on the two compensation requests was reasonable, and that no disallowance is required.

TURN has recorded professional hours in these proceedings for attorneys Robert Finkelstein, Michel Peter Florio and Matthew Freedman, as well as direct office and travel expenses. Freedman incurred travel costs to attend a hearing in San Diego. TURN waives recovery of its costs of review and editing

of this compensation request, and the costs of TURN's work on SONGS ratemaking and related pleadings have been removed from this request.

UCAN's costs include professional and compensation request time incurred by Executive Director Michael Shames, and consulting costs billed by JBS Energy. UCAN excludes from this compensation request all hours and costs incurred after Joint Intervenors filed their first compensation request on March 25, 2002. UCAN's work was principally analysis of the MOU and technical work on the Consumers' Joint Proposal. UCAN engaged JBS Energy to do much of the analytical work.

Joint Intervenors allocated the charges for professional time based on time and expense records for each respective intervenor. Of the total charges for professional time of $50,268.30, Joint Intervenors determined that $2,587.50 was required for general work (initial review of the MOU, preparation of comments on that agreement, and participation in workshops and oral argument) and that $47,680.80 was required for work on the Joint Proposal

We find hours claimed for each of the advocates to be fully supported, and to be reasonable for purposes of computing an award of compensation.

8.3 Hourly Rates

Section 1806 requires the Commission to compensate eligible parties at a rate that reflects the "market rates paid to persons of comparable training and experience who offer similar services." For each advocate included in the current request, the Commission has previously considered and adopted such a market-based rate.

For its Director James Weil, Aglet requests Commission approval of: (1) an hourly rate of $220 for professional work performed during 2001, and (2) one half of that rate for travel time associated with professional work in 2001

and preparation of compensation requests in 2002 and 2003. The Commission has previously awarded Aglet compensation for Weil's time at those rates for work in 2000, 2001 and 2002. (*See, e.g.*, D.00-07-015 and D.03-02-017.) We will use these rates here. We note that Aglet does not waive its right to seek compensation at higher rates for work in other proceedings during 2003.

TURN requests approval of an hourly rate of $310 for work that Finkelstein performed in 2001, the same rate approved in D.02-06-070 for his work in 2001. We find that rate is appropriate for Finkelstein's 2001 work in this proceeding. TURN requests an hourly rate of $350 for work that Florio performed in 2001. D.02-06-070 approved that rate for Florio's work in 2001, and it is appropriate for Florio's 2001 work in this proceeding. Finally, TURN requests an hourly rate of $190 for work that Freedman performed in this proceeding in 2001. This is higher than the rate approved in D.02-06-070 for Freedman's work in the early months of 2001. However, in D.02-10-056 the Commission approved an hourly rate of $190 for Freedman's work in 2001. Considering the previous approval of the higher rate, and that Freedman's work in this proceeding was performed in latter half of 2001, we find that $190 is an appropriate hourly rate for Freedman's 2001 work in this proceeding.

UCAN requests Commission approval of: (1) an hourly rate of $195 for professional work performed by Executive Director Michael Shames during 2001 and 2002, and (2) one half of that rate for assistance in preparation of this compensation request in 2002, consistent with Commission practice. The Commission has previously awarded UCAN compensation for his time at a professional rate of $195 per hour for work in 1999 and 2000. (*See, e.g.*, D.00-01-045 and D.02-01-025. We will apply the rate here.

UCAN's consultant costs include professional time incurred by William Marcus and Gayatri Schilberg of JBS Energy. Invoices from JBS Energy to UCAN include hourly rates of $175 for Marcus and $130 for Schilberg. The Commission has previously approved a compensation awards based on hourly rate of $175 for Marcus for work performed in 2001. (D.02-11-020.) D.02-11-017 approved an hourly rate of $130 for Schilberg's work in 2001, and we find that the rate is appropriate for her 2001 work in this proceeding.

8.4 Other Costs

Joint Intervenors request a total of $1,139.44 ($327.92 for Aglet plus $811.52 for TURN) in compensation for such expenses as vehicle mileage costs, air travel, and costs for photocopying, postage, and facsimile reproduction. The request includes detailed supporting documentation for these expenses. We note that these expenses represent less than 2% of the total request of $57,812.24. We find them to be reasonable.

9. Award

We award Joint Intervenors total compensation of $57,812.24 for their contributions to D.02-12-064 as follows: $15,859.92 is payable to Aglet, $5,889.02 is payable to TURN, and $36,063.30 is payable to UCAN. Consistent with previous Commission decisions, we will order that interest be paid on the award amount (calculated at the three-month commercial paper rate) commencing the 75th day after February 27, 2003, when Joint Intervenors filed this compensation request, and continuing until the utility makes full payment.

SDG&E should pay the award of compensation, as required by §1807. We direct SDG&E to pay the awarded amounts to Aglet, TURN and UCAN separately.

10. Waiver of Comment Period

This is a compensation matter. Accordingly, pursuant to § 311(g)(3) and Rule 77.7(f)(6) of the Rules of Practice and Procedure, the otherwise applicable 30-day review and comment period is being waived.

11. Assignment of Proceeding

This proceeding is assigned to Commissioner Wood and ALJ Wetzell and ALJ Wong. ALJ Wetzell is assigned to the intervenor compensation request.

Findings of Fact

1. Joint Intervenors timely requested compensation for their contributions to D.02-12-064, as set forth herein.

2. Joint Intervenors contributed substantially to D.02-12-064 through their work in response to the MOU, and, in particular, their work on development and presentation of the Joint Proposal.

3. For each of Joint Intervenors' attorneys and expert witnesses, the hours for which they request compensation are reasonable.

4. Joint Intervenors requests hourly rates for professional work, travel and compensation-related work for advocates Weil, Finkelstein, Florio, Freedman, Shames, Marcus and Schilberg that have already been approved by the Commission for 2001 and 2002. It is reasonable to apply the previously approved market rates for these advocates in this proceeding.

5. The miscellaneous costs incurred by Joint Intervenors in this proceeding are reasonable.

Conclusions of Law

1. Joint Intervenors have fulfilled the requirements of §§ 1801-1812, which govern awards of intervenor compensation.

2. Joint Intervenors should be awarded $57,812.24 for their contributions to D.01-09-059 in this proceeding, payable as follows: Aglet - $15,859.92; TURN - $5,889.02, and UCAN - $36,063.30.

3. This order should be effective today.

O R D E R

IT IS ORDERED that:

1. Aglet Consumer Alliance (Aglet) is awarded $15,859.92 for its substantial contributions to Decision (D.) 02-12-064.

2. The Utility Reform Network (TURN) is awarded $5,889.02 for its substantial contributions to D.02-12-064.

3. Utility Consumers Action Network (UCAN) is awarded $36,063.30 for its substantial contributions to D.02-12-064.

4. San Diego Gas & Electric Company shall, within 30 days of this order, pay Aglet, TURN, and UCAN the respective awards granted herein, plus interest at the rate earned on prime, three-month commercial paper as reported in the Federal Reserve Statistical Release, H.15, with interest beginning on the 75th day after February 27, 2003, and continuing until full payment has been made.

5. The comment period for today's decision is waived.

This order is effective today.

Dated _____, at San Francisco, California.

Compensation Decision Summary Information

Compensation Decision(s):	D03_____
Contribution Decision(s):	D0212064
Proceeding(s):	A0010045/A0101044
Author:	ALJ Wetzell
Payer(s):	San Diego Gas & Electric Company

Intervenor Information

Intervenor	Claim Date	Amount Requested	Amount Awarded	Reason Change/ Disallowance
Aglet Consumer Alliance	2/27/03	$15,859.92	$15,859.92	
The Utility Reform Network	2/27/03	$ 5,889.02	$ 5,889.02	
Utility Consumers Action Network	2/27/03	$36,063.30	$36,063.30	

Advocate Information

First Name	Last Name	Type	Intervenor	Hourly Fee Requested	Year Hourly Fee Requested	Hourly Fee Adopted
James	Weil	Policy Expert	Aglet Consumer Alliance	$220.00 $220.00 $220.00	2001 2002 2003	$220.00 $220.00 $220.00
Robert	Finkelstein	Attorney	The Utility Reform Network	$310.00	2001	$310.00
Michel	Florio	Attorney	The Utility Reform Network	$350.00	2001	$350.00
Matthew	Freedman	Attorney	The Utility Reform Network	$195.00	2001	$195.00
Michael	Shames	Attorney	Utility Consumers Action Network	$195.00	2001	$195.00
Michael	Shames	Attorney	Utility Consumers Action Network	$195.00	2002	$195.00
William	Marcus	Economist	Utility Consumers Action Network	$175.00	2001	$175.00
Gayatri	Schilberg	Economist	Utility Consumers Action Network	$130.00	2001	$130.00