



FILED

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking Regarding Policies,
Procedures and Rules for California Solar
Initiative, the Self-Generation Incentive Program
and Other Distributed Generation Issues.

Rulemaking 06-03-004
(Filed March 2, 2006)

**ADMINISTRATIVE LAW JUDGE'S RULING
ON NOTICE OF INTENT TO CLAIM COMPENSATION BY
A WORLD INSTITUTE FOR A SUSTAINABLE HUMANITY**

As required by Pub. Util. Code § 1804, this ruling addresses the notice of intent to claim compensation (NOI) filed on April 10, 2007, by A World Institute for a Sustainable Humanity (A WISH). All statutory references in this ruling are to the Public Utilities Code. After consultation with the assigned Commissioner, I find that A WISH has met all relevant requirements and is eligible to claim compensation in this proceeding, although it must make a showing of significant financial hardship when it files a request for an award of compensation. In addition, A WISH should ensure that its efforts complement or supplement but do not duplicate the efforts of other parties with similar interests.

NOI by a WISH

Under § 1804(a)(1), "[a] customer who intends to seek an award under this article shall, within 30 days after the prehearing conference (PHC) is held, file and serve on all parties to the proceeding a notice of intent to claim compensation." A prehearing conference was held in this proceeding on March 23, 2006. The assigned Commissioner issued a ruling with a schedule for

Phase Two of the proceeding on February 5, 2007. A WISH intervened on March 28, 2007 and the Administrative Law Judge (ALJ) allowed A WISH 30 days to file its NOI. Thus, the NOI was timely filed on April 20, 2007.

Section 1804(a)(2) sets forth those items that must be addressed in an NOI. Pursuant to Decision (D.) 98-04-059, this ruling must determine whether the intervenor is a customer, as defined in § 1802(b) and identify whether the intervenor is a participant representing consumers, or a representative authorized by a customer, or a representative of a group or organization that is authorized by its bylaws or articles of incorporation to represent the interests of residential customers. A WISH is a 501(c)(3) non-profit corporation founded in 1995, and authorized by its article of incorporation to represent the interests of residential ratepayers before regulatory agencies and in court. A WISH estimates that the constituency it represents is 100% residential.¹ This ruling finds that A WISH meets the definition of customer in § 1802(b).

Section 1804(a)(2)(A)(i) requires NOIs to include a statement of the nature and extent of the customer's planned participation in the proceeding to the extent this can be predicted. A WISH intends to participate fully in Phase Two of this rulemaking on the issue of design of solar incentives for low income and affordable housing, both single family and multi-family. A WISH contends it brings unique perspectives and expertise on low-income programs from its work in low-income, energy efficiency and renewable programs before other public service commissions. A WISH hopes to work with the network of community-

¹ A WISH provided its articles of incorporation to the Commission in R.07-01-042.

based service providers in funding and delivery of solar technologies in innovative ways.

Once the applicable definition of customer is identified, the correct standard of “significant financial hardship” can be applied. Only those customers for whom participation or intervention would impose a significant financial hardship may receive intervenor compensation. A WISH states it will make its showing of financial hardship when it files for an award of compensation, as allowed by § 1804(a)(2)(B).

Section 1804(a)(2)(A)(ii) requires that NOIs include an itemized estimate of the compensation the customer expects to receive. A WISH estimated a total projected budget of \$92,150 for this case, based on hourly rates which will be addressed in any subsequent request for compensation. This estimate includes over \$87,000 in attorney and policy expert fees. A WISH must fully support its ultimate request for compensation, including substantiating it has made a substantial contribution in this proceeding, and it should avoid duplication with other parties.

Therefore, **IT IS RULED** that:

1. A World Institute for Sustainable Humanity (A WISH) is a customer as that term is defined in § 1802(b)(1)(C).
2. A WISH must make a showing of significant financial hardship if it files a request for an award of compensation in this proceeding.

Dated May 14, 2007, at San Francisco, California.

/s/ DOROTHY J. DUDA
Dorothy J. Duda

Administrative Law Judge

INFORMATION REGARDING SERVICE

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Upon confirmation of this document's acceptance for filing, I will cause a copy of the Notice of Availability to be served upon the service list to this proceeding by U.S. mail. The service list I will use to serve the copy of the Notice of Availability is current as of today's date.

Dated May 14, 2007, at San Francisco, California.

/s/ FANNIE SID

Fannie Sid