

**FORM A: BLANK NOTICE OF INTENT TO CLAIM INTERVENOR COMPENSATION**

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

In the Matter of the Joint Application of Sprint Communications Company, L.P. (U-5112) and T-Mobile USA, Inc. a Delaware Corporation, For Approval of Transfer of Control of Sprint Communications Company L.P. Pursuant to California Public Utilities Code Section 854(a)	A.18-07-011 (Filed July 13, 2018)
And Related Matter.	A.18-07-012

**NOTICE OF INTENT TO CLAIM INTERVENOR COMPENSATION AND, IF REQUESTED (and )<sup>1</sup> checked), ADMINISTRATIVE LAW JUDGE’S RULING ON THE GREENLINING INSTITUTE’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](mailto:Icompcoordinator@cpuc.ca.gov).**

<b>Customer or Eligible Local Government Entity (party intending to claim intervenor compensation): The Greenlining Institute</b>	
<b>Assigned Commissioner: Rechtschaffen</b>	<b>Administrative Law Judge: Bemesderfer</b>
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/ Paul Goodman	
Date: October 11, 2018	Printed Name: Paul Goodman

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

<b>A. Status as “customer” (see Pub. Util. Code § 1802(b))<sup>2</sup> The party claims</b>	<b>Applies</b>
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<sup>1</sup> 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).

“customer” status because the party is (check one):	(check)
<p><b>1. A <b>Category 1</b> 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).</b></p>	<input type="checkbox"/>
<p><b>2. A <b>Category 2</b> 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.</b></p>	<input type="checkbox"/>
<p><b>3. A <b>Category 3</b> 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. See D.98-04-059, footnote at 30.</b></p>	<input checked="" type="checkbox"/>
<p><b>4. The party’s detailed explanation of the selected customer category.</b></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>Greenlining’s members and constituents are purchasers of telecommunications and energy services from utilities in California, qualifying Greenlining to file this NOI as</p>	

<sup>2</sup> All statutory references are to California Public Utilities Code unless indicated otherwise.

<p>“customers” pursuant to PU Code § 1802(b). Greenlining will represent low-income and minority residential and business utility customers in this proceeding. In compliance with D.98-04-059, Conclusion of Law 5 and Finding of Fact 12, Greenlining estimates that it represents a constituency that is divided 75% and 25% between residential customers and small business customers, respectively. These percentages represent Greenlining’s best estimates only.</p> <p>Article II, Section 17 of Greenlining’s by-laws authorizes it to represent the “interests of low income communities, minorities, and residential ratepayers” before regulatory agencies and courts. Copies of the by-laws of Greenlining are attached to an NOI filed on March 5, 2010 in R.10-02-005.</p>	
<p><b>Do you have any direct economic interest in outcomes of the proceeding?</b><sup>3</sup></p> <p>If “Yes”, explain:</p>	<p><input type="checkbox"/> Yes  <input checked="" type="checkbox"/> No</p>
<p><b>B. Conflict of Interest (§ 1802.3)</b></p>	<p><b>Check</b></p>
<p>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?</p>	<p><input type="checkbox"/> Yes  <input checked="" type="checkbox"/> No</p>
<p>2. If the answer to the above question is “Yes”, does the customer have a conflict arising from prior representation before the Commission?</p>	<p><input type="checkbox"/> Yes  <input type="checkbox"/> No</p>
<p><b>C. Status as an Eligible Local Government Entity (§§1802(d), 1802.4, 1803.1)</b></p>	
<p>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.</p>	<p><input type="checkbox"/> Yes  <input type="checkbox"/> No</p>
<p>The party’s explanation of its status as an eligible local government entity must include a description of</p> <p>(1) The relevant triggering catastrophic event;</p> <p>(2) The impacts of the triggering catastrophic event on the residents within the entity’s jurisdiction as a result of public utility infrastructure; and</p> <p>(3) The entity’s reason(s) to participate in this proceeding.</p>	
<p><b>D. Timely Filing of Notice of Intent to Claim Intervenor Compensation (NOI) (§ 1804(a)(1)):</b></p>	
<p>1. Is the party’s NOI filed within 30 days after a Prehearing Conference?  Date of Prehearing Conference: 9/13/2018</p>	<p><input checked="" type="checkbox"/> Yes  <input type="checkbox"/> No</p>

<sup>3</sup> See Rule 17.1(e).

<p>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)?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>2a. The party’s description of the reasons for filing its NOI at this other time:</p>	
<p>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:</p>	

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

<p><b>A. Planned Participation (§ 1804(a)(2)(A)):</b></p>
<p>The party’s statement of the issues on which it plans to participate:</p> <p>Greenlining’s primary areas of interest are listed below. It is possible that Greenlining will identify other areas relevant to the interests of its constituencies as the proceeding unfolds. However, at this time Greenlining’s participation is planned to focus on:</p> <ul style="list-style-type: none"> <li>A. The Applicability of Public Utilities Code section 854.</li> <li>B. The Commission’s jurisdiction to investigate the proposed transaction.</li> <li>C. The effect of the proposed transaction on telephone services and the public interest.</li> <li>D. The effect of the proposed transaction on broadband services and the public interest.</li> <li>E. Appropriate mitigation measures to protect the public interest.</li> <li>F. General Matters (Including Discovery).</li> <li>G. Coordination between parties</li> </ul> <p>The party’s explanation of how it plans to avoid duplication of effort with other parties:</p> <p>Greenlining specifically represents the interests of low-income and minority residential and small business telecommunications customers. This focus will elicit unique contributions from Greenlining. Greenlining is coordinating – and will continue to coordinate – with other consumer advocate parties and the Office of Ratepayer Advocates, among others, to avoid duplication of effort and coordinate wherever possible. For example, Greenlining has been participating in a stakeholder collaboration process including all of the protesting parties. When appropriate, this group will identify shared positions in advance of comment writing (as was done to focus the issues for discussion at the first prehearing conference), and to resolve issues in advance of formal record-building.</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>As an intervenor, Greenlining intends to fully participate in all aspects of the</p>

proceeding including, but not limited to: (1) engaging other party representatives, as appropriate, to discuss and potentially collaborate on the issues; (2) reviewing any data responses, modeling, or other data generated in the proceeding; (3) participating in all workshops relevant to Greenlining’s areas of interest, identified below; (4) submitting testimony; (5) participating in evidentiary hearings (6) filing briefs and comments in response to Commission requests for briefing or comment, and on the Proposed and any Alternate Decisions;; and (7) addressing any other matter that arises within the course of the proceeding.

**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 \$	#
<b>ATTORNEY, EXPERT, AND ADVOCATE FEES</b>				
Paul Goodman	100	350	\$35,000	
Haleema Bharoocha	25	150	\$3,750	
<i>Subtotal: \$38,750</i>				
<b>OTHER FEES</b>				
<i>Subtotal: \$</i>				
<b>COSTS</b>				
<i>Subtotal: \$</i>				
<b>TOTAL ESTIMATE: \$38,750</b>				

**Estimated Budget by Issues:**

- A. The Applicability of Public Utilities Code section 854—5%
- B. The Commission’s jurisdiction to investigate the proposed transaction.—5%
- C. The effect of the proposed transaction on telephone services and the public interest.—30%
- D. The effect of the proposed transaction on broadband services and the public interest.—30%
- E. Appropriate mitigation measures to protect the public interest.—20%
- F. General Matters (Including Discovery)—5%
- G. Coordination between parties—5%

*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.*

**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)**

<b>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</b>	<b>Applies (check)</b>
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<b>basis:</b>	
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)).  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(h) or § 1803.1(b)) (necessary documentation, if warranted, is attached to the NOI:**

1. Greenlining is an organization authorized in its Articles of Incorporation to represent the interests of both residential and small telecommunication customers, with particular focus on low-income and of-color communities and customers. A copy of Greenlining’s Articles of Incorporation was previously filed with the Commission in R.10-02-005 (as an attachment to our NOI, filed March 5, 2010). As such, Greenlining is a Category 3 customer as defined in D.98-04-059.
2. As a Category 3 customer, Greenlining must satisfy the “comparison test” by demonstrating that the economic interest of its members and constituencies in the instant proceeding is small relative to the cost of effective participation in the proceeding. Greenlining submits that it satisfies this test.
3. In this proceeding, customers will benefit from Greenlining’s advocacy for robust analysis that specifically includes the impacts of the proposed transaction on communities of color. Customers who lack the technical and procedural experience to effectively participate at the CPUC are unlikely to do so for their own individual interests, as the cost to do so would be significantly higher than the dollars they would save. These are customers who may otherwise go unrepresented but for Greenlining’s participation.
4. It may be difficult to quantify exactly what financial benefits consumers might receive from the Commission’s determination of this matter. However, as a result of Greenlining’s advocacy in this proceeding, consumers should benefit from drastic price increases or reductions in service quality, as well as mitigation measures designed to reduce the impact of any harms resulting from the proposed transaction.. It is safe to assume that the savings experienced by customers as a result of this proceeding will greatly exceed Greenlining’s claim.
5. Because the cost of participation exceeds the financial benefit to be reaped by individual customers, Greenlining satisfies the “comparison test” as described above. In satisfying this test,

Greenlining submits that it has successfully demonstrated significant financial hardship as appropriate for a Category 3 customer.

**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 RULING<sup>4</sup>**  
**(Administrative Law Judge completes)**

	Check all that apply
<b>1. The Notice of Intent (NOI) is rejected for the following reasons:</b>	<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"/>
<b>4. The Administrative Law Judge provides the following additional guidance (see § 1804(b)(2)):</b>	<input type="checkbox"/>

**IT IS RULED that:**

<sup>4</sup> 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).

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