BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA

FILED
03-12-10
04:59 PM

Application of Southern California Edison Company (U 338-E) to End the Monthly Reporting Requirements Under Commission Decision 04-12-016	Application 10-02-011 (Filed February 5, 2010)

RESPONSE OF THE JUST TRANSITION COALITION

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Dated: March 12, 2010

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The Just Transition Coalition[1] (Coalition) respectfully submits this response to Application (A.) 10-02-011, the application of Southern California Edison Company (SCE) seeking Commission approval to end any further requirement to submit monthly reports related to the Mohave Generating Station pursuant to Decision (D.) 04-12-016. This response is timely filed and served pursuant to Rules 1.15 and 2.6 of the Commission's Rules of Practice and Procedure.[2]

BACKGROUND

From 1971 to December 2005, the Mohave Generating Station (MGS) was a two-unit coal power plant with an operating capacity of approximately 1,580 megawatts (MW) in Laughlin, Nevada.[3] Before the MGS's 2005 closure, in D.04-012-016, the Commission predicted that the closure of the MGS "even for a limited time," would have "devastating effects on the Hopi and Navajo people and tribes as a whole, as well as workers at the Mohave facility, at the mines and on the pipeline."[4] Due in part to this predicted impact, the Commission, as part

[1] The Just Transition Coalition is composed of the following organizations: the Indigenous Environmental Network, Black Mesa Water Coalition, To' Nizhoni Ani, Sierra Club, and Grand Canyon Trust.
[2] A.10-02-011 was first noticed in the Commission's Daily Calendar of February 16, 2010. *See* Commission Rule 2.6(a); *see also* Commission Rule 1.15 (computation of time).
[3] *See* D.04-12-016 at 3, 5, 65.
[4] D.04-12-016 at 14.

of the next steps in determining whether MGS should or could remain open, ordered SCE to complete an alternative energy study:

> Edison is hereby directed to undertake a feasibility study of the options for replacing its share of Mohave's output if Mohave closes, or to be used in conjunction with Mohave if it returns to service, from sources that will provide the *fullest benefit* to the Hopi and Navajo while protecting the interests of Edison ratepayers.[5]

To insure that the Commission and interested parties were updated on this study and other information it requested, SCE was ordered to provide "monthly reports with the Commission's Energy Division updating any progress made on the coal and water negotiations, the C-Aquifer studies, the alternatives' investigation, and shortening the Gantt Chart time-line."[6]

An alternatives study, entitled the Mohave Alternatives Study, was completed on February 3, 2006, by the energy and economic consulting team of Sargent & Lundy and Synapse Energy Economics, Inc., retained by SCE.[7] In late 2008, SCE's monthly report stated that it had initiated another alternative study of the Mohave site's potential for renewable energy, which was focused on the "potential for solar thermal power generation (including solar-natural gas hybrid generation)."[8]

Application 06-12-021

Due to the MGS's closure in December 2005, the emission allowances used to offset MGS's sulfur dioxide (SO_2) emissions were no longer needed.[9] On December 20, 2006, SCE filed A.06-12-022 proposing to distribute the net proceeds from SCE's share of the Mohave SO_2 allowances to ratepayers. The JTC and a number of other parties opposed this motion. In

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[5] D.04-012-016 at 53, 70 (emphasis added).
[6] D.04-12-016.
[7] *See* Mohave Alternatives Study, *available at* http://www.grandcanyontrust.org/documents/pl_mohaveAlternatives041306.pdf.
[8] SCE's Monthly Mohave Status Report Pursuant to D-04-12-016 (December 11, 2008).
[9] *See* A.06-12-022.

particular, the JTC is recommending that the best and most appropriate use of the SO_2 allowance proceeds is to promote renewable energy development on Navajo and Hopi lands.[10] Other parties in the proceeding recommend other distributions, including distributing the revenues to develop a solar plant at the Mohave site.[11]

A.06-12-022 is an ongoing proceeding awaiting resolution. The parties have served three rounds of testimony and filed legal briefs on the authority of the Commission to distribute revenues from MGS's allowances.[12] The parties are currently awaiting a decision by the Commission on the legal issues addressed in the parties' legal briefing.[13] After resolution of the legal issues, the case will proceed to another prehearing conference and/or an evidentiary hearing if necessary.

RESPONSE

In its application, SCE states that the "only issue to be considered in the proceeding is whether the Commission should end the Mohave monthly reporting requirement established in D.04-12-016, Ordering Paragraph 4."[14] While the JTC has no comments or objections regarding SCE's proposed category, need for hearing, or proposed schedule for A.10-02-011, the JTC does believe that SCE has stated the issue raised by discontinuing the Mohave monthly reports too narrowly.

Instead, the JTC believes that this application requires consideration of the need for SCE to continue to keep the parties in A.06-12-022 appraised of relevant developments at the Mohave site, including possible reuse of the property and potential renewable generation development.

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[10] *See* JTC Opening and Reply Briefs submitted in November and December 2008 in A.06-12-022.
[11] *See* TURN and CUE Opening and Reply Briefs submitted in November and December 2008 in A.06-12-022.
[12] *See* September 22, 2009 Second Amended Scoping Memo and Assigned Commissioner's Ruling in A.06-12-022.
[13] *See id.*
[14] A.10-02-011 (SCE Mohave Reports), at 6.

Much of the information SCE includes in its current monthly reports, such as studies related to alternative energy, is relevant to A.06-12-022.[15] SCE has already committed to keeping the Commission promptly and fully informed of material developments related to the Mohave site.[16] The JTC requests that parties in A.06-12-022 also be kept promptly and fully informed of any developments related to the Mohave site that are relevant to issues in A.06-12-022. This includes new developments related to the ownership or the use of the Mohave site. Thus, the Commission should grant this application only on the condition that parties and the Assigned Commissioner and Assigned ALJ to A.06-12-022 continue to receive notification from SCE every 60 days of any developments or actions taken by SCE relative to the Mohave site.

Respectfully submitted,

March 12, 2010

/s/ Deborah Behles
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[15] *Id.*
[16] A.10-02-11 at 3.

CERTIFICATE OF SERVICE

I, Deborah Behles am over the age of 18 years and employed in the City and County of San Francisco. My business address is 536 Mission Street, San Francisco, California 94105.

On March 12, 2010, I served the within document **RESPONSE OF THE JUST TRANSITION COALITION**, in A.10-02-011, pursuant to the Commission's Rules of Practice and Procedure, with separate and additional delivery of hard-copies by U.S. Mail to Assigned Commissioner Ryan and the Assigned ALJ MacDonald, at San Francisco, California.

Executed on March 12, 2010, at San Francisco, California.

/s/ Deborah Behles
Deborah Behles

A.10-02-011
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