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07-17-12
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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Integrate
and Refine Procurement Policies and
Consider Long-Term Procurement Plans.

Rulemaking 12-03-014
(Filed March 22, 2012)

**ASSIGNED COMMISSIONER AND ADMINISTRATIVE LAW JUDGE'S
RULING PARTIALLY GRANTING MOTION TO STRIKE TESTIMONY**

On July 6, 2012, Southern California Edison Company (SCE) filed a Motion to Strike Portions of the Testimony Submitted by Women's Energy Matters (Motion). SCE alleges that much of Women's Energy Matters' (WEM) Opening Testimony is beyond the scope of this proceeding.

In particular, SCE moves to strike the following material:

1. WEM's testimony related to how the outage and/or shutdown of the San Onofre Nuclear Generating Stations (SONGS) will affect system reliability; SCE contends this belongs in Track 2 of this proceeding, not Track 1;
2. WEM's testimony related to energy efficiency programs; SCE contends this is outside of the scope of the proceeding;
3. WEM's testimony related to potential alternative resources to replace SONGS; SCE contends this is outside of the scope of Track 1; and
4. WEM's testimony related to the Straw Proposal; SCE contends this belongs in Track 2, not Track 1.

WEM was provided an opportunity to speak to SCE's Motion at the July 9, 2012 prehearing conference. While the time has not yet run for WEM to file a

formal response to SCE's Motion, we will rule on the Motion at this time in order to provide parties with certainty ahead of Reply Testimony.

At the July 9, 2012 prehearing conference, WEM representative Barbara George objected to SCE's Motion, stating: "I think it's a crucial issue for local reliability whether or not the nuclear plants are available."

Reporter's Transcript at 202 - 203.

We will partially grant SCE's Motion. The Scoping Memo at 6 provides that "parties will have the opportunity to present evidence that the California Independent System Operator's (ISO's) studies should be modified, or that the Commission should consider additional factors beyond the ISO's studies, for the purposes of determining local reliability needs." WEM's testimony regarding energy efficiency fits squarely into the category of factors beyond the ISO's studies that could be considered regarding local reliability needs. We will allow this portion of WEM's testimony.

We will strike the portions of WEM's testimony related to SONGS. In an Assigned Commissioner's Ruling dated June 27, 2012, standardized planning assumptions were established for Track 2 of this proceeding, which is the system needs track. As part of the assumptions, three retirement scenarios were established, including scenarios for nuclear power plants including SONGS. Track 2 is the appropriate venue for consideration of issues related to retirement of SONGS. Further, as Track 1 of this proceeding concerns long-term local capacity requirements, this is not the proper venue for considering issues related to the current outage.

IT IS RULED that the July 6, 2012 Southern California Edison Company Motion to Strike Portions of the Testimony Submitted by Women's Energy Matters is partially granted. Pages 3 through 8 of the July 26, 2012 Testimony of Barbara George are hereby stricken.

Dated July 17, 2012, at San Francisco, California.

/s/ MICHEL PETER FLORIO

Michel Peter Florio
Assigned Commissioner

/s/ JANET A. ECONOME for

David M. Gamson
Administrative Law Judge