

RESPONSE

Pursuant to Rule 2.6 of the Rules of Practice and Procedure of the California Public Utilities Commission (“Commission” or “CPUC”), the Alliance for Nuclear Responsibility (“A4NR”) files its Response to the 2015 Nuclear Decommissioning Cost Triennial Proceeding (“NDCTP”) applications filed jointly by Southern California Edison Company (“SCE”) and San Diego Gas & Electric Company (“SDG&E”), and singly by Pacific Gas and Electric Company (“PG&E”). A4NR is deeply troubled by the rote adjustment to 2028 in both applications of an assumed 2024 commencement of federal acceptance of spent nuclear fuel (“SNF”), which appears to be based solely on elapsed time since the 2024 assumption was made. D.14-12-082 characterized the 2024 assumption, which simply relaxed by four years a 2020 assumption originally made in 2008, as supported by *“little more than speculation.”*¹

In determining whether these mechanical adjustments to an assumption of 2008 vintage are reasonable for a primary decommissioning cost driver, A4NR believes it would be useful to the Commission to carefully consider easily accessed information about the status of federal efforts since the Obama Administration’s abandonment of Yucca Mountain in 2009. An informed understanding of the dates used in the 2012 report of the Blue Ribbon Commission on America’s Nuclear Future;² the 2013 Strategy for the Management and Disposal of Used Nuclear Fuel and High-Level Radioactive Waste issued by the Department of Energy;³ and the 2014 Generic Environmental Impact Statement adopted by the Nuclear Regulatory Commission

¹ D.14-12-082, p. 22.

² Accessible at <http://energy.gov/ne/downloads/blue-ribbon-commission-americas-nuclear-future-report-secretary-energy>

³ Accessible at <http://energy.gov/downloads/strategy-management-and-disposal-used-nuclear-fuel-and-high-level-radioactive-waste>

with its Continued Storage rule⁴ would establish a factual context for evaluating the rosy scenario put forward by the three utilities' 2015 NDCTP applications. And, before viewing a consent-based, interim storage facility as a schedule accelerator, review of *National Ass'n of Regulatory Utility Comm'rs v. United States Dep't. of Energy*, 736 F.3d 517, (D.C.Cir.2013) will outline the current statutory proscriptions against any such panacea.

PG&E's application states, "*Since the 2012 NDCTP, PG&E has taken steps to accelerate its transfer of spent fuel from wet to dry storage during Diablo Canyon's operational period.*"⁵ At the Commission's direction, PG&E's application includes a cost comparison between wet and dry storage costs. PG&E acknowledges a \$65.6 million "*difference in annual costs between storing spent fuel in both wet and dry storage and storing spent fuel in dry storage only,*"⁶ but cites the same "*NRC heat loading restrictions*"⁷ as it did in the 2012 NDCTP to rationalize its sluggishness. In evaluating the credibility of PG&E's excuse, the Commission should find useful the NRC's own assessment, "*Staff Evaluation and Recommendation for Japan Lessons-Learned Tier 3 Issue on Expedited Transfer of Spent Fuel,*" COMSECY-13-0030, November 12, 2013.⁸ Revealingly, the NRC characterizes a low-density pool as one containing 312 fuel assemblies while PG&E claims it can go no lower than 772.

A4NR has no objections (or further comments at this time) regarding the applicants' statement on the proposed category, need for hearing, issues to be considered, or proposed

⁴ Accessible at <http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr2157/>

⁵ PG&E Prepared Testimony, p. 3-8, lines 1 – 17.

⁶ *Id.*, p. 2-28, lines 3 – 7.

⁷ *Id.*, p. 3-8, lines 14 – 15.

⁸ Accessible at <http://www.nrc.gov/reading-rm/doc-collections/commission/comm-secy/2013/2013-0030comscy.pdf>

schedule for the 2015 NDCTP. A4NR looks forward to participating as a party and envisions conducting discovery and sponsoring testimony. The undersigned will be A4NR's principal contact in this proceeding, but A4NR also asks that the following two individuals be placed in the "information only" category of the Service List:

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Respectfully submitted,

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