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

Application of Southern California Edison  
Company (U338E) for a Permit to Construct  
Electrical Facilities With Voltages Between 50 kV  
and 200 kV: Moorpark-Newbury 66 kV  
Subtransmission Line Project.

A.13-10-021  
(Filed October 28, 2013)

**CITIZEN INTERVENORS' AND  
CENTER FOR BIOLOGICAL DIVERSITY'S JOINT REPLY FOR MOTION TO SET  
ASIDE SUBMISSION AND REOPEN THE RECORD FOR THE TAKING OF  
ADDITIONAL EVIDENCE**

**Filed On Behalf Of Citizen Intervenor:**

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Dated: August 12, 2016

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Pursuant to Rule 13.14 and Administrative Law Judge Hallie Yacknin's August 16, 2016 order granting the Center for Biological Diversity and Citizen Intervenors (“Intervenors”) right to file a reply, the Intervenors provide the following further argument as to why the submission be set aside and the record reopened for the taking of additional evidence that materially affects the Commission's evaluation of the Application.

**ARGUMENT**

SCE's response demonstrates precisely why the record should be reopened for evidence related to Camgen reconnection and the most recent SCE forecasts. SCE's lengthy argument regarding Camgen is further proof that the impact of the Camgen reconnection alternative is a material issue of fact in this proceeding for which statement of fact and conclusions of law must be made. Without the benefit of the timely and relevant evidence on the Camgen reconnection proffered in this motion, the Commission cannot make findings based upon substantial evidence and thus cannot support any finding of overriding consideration. (See Pub. Utilities Code section 1757.)

SCE has not and cannot explain why it claims that disconnection with Camgen created a

need for a new transmission line, while the reconnection, in a time of documented declining demand, will not solve the problem. SCE continues to repeat its argument that there is an alleged “voltage deviation risk” but SCE's arguments, are just that. The Center's expert provided compelling evidence that there are feasible, no or low cost solutions to any alleged voltage violation “risk”, either with or without the Camgen reconnection.

As explained in the Center's Opening Brief: “ The voltage violations can be resolved by not re-energizing the Pharmacy Substation following an N-1 of the existing Moorpark-Newbury-Pharmacy 66 kV line. If the Commission determines the Pharmacy Substation must be re-energized following an N-1 of the Moorpark-Newbury-Pharmacy 66 kV line, voltage can be maintained within acceptable limits at a fraction of the cost of the Proposed Project by installing more reactive power at the Newbury Substation and transferring some load from the Newbury Substation to adjacent substations.”<sup>1</sup>

SCE continues to present suppositions as fact. Most striking is the continued insistence that there is demonstrated need for this project based on its predictions. The plain fact is that, for over a decade, SCE has proven itself either incapable or unwilling to prepare accurate forecasts.

As it has repeated over and over, SCE states, “SCE's serial projections demonstrate that there is a current, existing need for the Project” and “the Moving Parties point to nothing in the record or otherwise to support their unsubstantiated conjecture.”<sup>2</sup>

The record is replete with examples of why this project is not needed and how there are no or low cost feasible alternative that would solve any alleged need. The only unsubstantiated conjecture in this proceeding has been in regards to SCE's representations regarding their forecasts and predictions of problems that have failed to materialize. These forecasts and predictions have actually, for over a decade, now, been substantiated as wrong.

SCE has justified this project based on unsubstantiated risk based on inflated forecasts that wrongly predicted increase in demand over time. SCE has been relying upon such predictions since 2005 and has been wrong every year since. There has been no actual peak load

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<sup>1</sup> Center for Biological Opening Brief at p. 9.

<sup>2</sup> SCE Response to Motion to Reopen at p. 8.

growth in the ENA, SCE territory, or California over the last ten years<sup>3</sup> and there is also no likelihood of significant peak load growth in the ENA.<sup>4</sup> SCE's 2015-2024 peak demand growth projection for the ENA is unsupported in the record and opposite the decreasing peak demand trend in the ENA, SCE service territory, and California as a whole. SCE has provided no credible evidence that the existing Moorpark-Newbury-Pharmacy 66 kV line is inadequate to meet peak demand in the ENA for the foreseeable future.

For example, SCE's 2013 peak demand forecast was 937 amps while actual peak load that year was 780 amp<sup>5</sup>. This represents an overestimate of more than 20%! At the same time, since 2010, there have been n-1 events on the M-N-P line and SCE's dire predictions of “an excessive voltage deviation risk” has been proven over and over again to be wrong.

This application is predicated upon SCE's predictions and, at the very least, a decision on this application should be based upon the most recent predictions, however inaccurate they may be. Interestingly enough, SCE does not refute that the newest projections will be lower but instead attacks Intervenors for attempting to ensure that the Commission's decision is based upon accurate and timely facts rather than outdated, incorrect predictions: “The Moving Parties' assertion that they “posit” that projections have decreased is baseless and speculative, and notably the Moving Parties point to nothing in the record or otherwise to support their unsubstantiated conjecture.”<sup>6</sup>

Here, the Intervenors prediction is based upon over a decade of facts whereby demand has decreased. This is far stronger evidence than SCE's predictions that have been contrary to the facts for the past 11 years.

Intervenors have ample record evidence upon which is base their contention that newest forecasts will show further decrease in demand. This includes increased use of energy efficiency and demand responses measures, decrease in the usage of the single largest customer in the Moorpark subarea, and no significant population increase or commercial growth in the subarea.

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<sup>3</sup> CBD Opening Testimony, p. 7, line 11 to p. 9, line 20.

<sup>4</sup> CBD Openign Testimony, p. 6, lines 5-10.

<sup>5</sup> CBD Opening Testimony, p. 9.

<sup>6</sup> SCE Response to Motion to Reopen at p. 7.

This is documented in the record in detail in the Center's Opening Testimony.<sup>7</sup> Further, SCE's 2015 forecast (the basis for the Final EIR) should be adjusted downward since we know the effective temperature was actually higher than the mean temperature used by SCE.

Intervenors are not able to state precisely what the most recent forecasts say because we don't know and neither does the Commission. There is nothing in the records regarding the specifics of the most recent forecasts because parties have not been given the opportunity to enter such evidence. That is precisely what Intervenors are asking for in this motion.

Contrary to SCE's contentions that the Commission should be satisfied with the evidence submitted, the Commission, in fulfilling its duty to protect ratepayers, must make its decision based upon the best available information and outdated forecasts fail this standard.

**WHEREFORE**, the Center moves that the Commission consider the issues set forth and set aside the submission and reopen the record for the taking of additional evidence.

Respectfully submitted,

Center for Biological Diversity

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<sup>7</sup> CBD Opening Testimony, pp.13-16.