



FILED

11/24/21
03:52 PM

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

Joint Application of Southern California Edison
Company (U 338-E) and San Diego Gas & Electric
Company (U 902-E) for the 2018 Nuclear
Decommissioning Cost Triennial Proceedings

Application 18-03-009
(Filed March 15, 2018)

**THE UTILITY REFORM NETWORK'S NOTICE
OF EX PARTE COMMUNICATIONS**



Matthew Freedman
The Utility Reform Network
785 Market Street, 14th floor
San Francisco, CA 94103
415-929-8876 x304 Voice
415-929-1132 Fax
matthew@turn.org
November 24, 2021

**THE UTILITY REFORM NETWORK'S NOTICE
OF EX PARTE COMMUNICATIONS**

Pursuant to Rule 8.4 of the California Public Utilities Commission Rules of Practice and Procedure, The Utility Reform Network (TURN) hereby gives notice of three ex parte communications in the above-referenced proceeding. The following ex parte meetings occurred:

November 22, 11:30am-12:00pm (via Webex) – Meeting with Sarah Sharpe and Kerry Fleisher, advisors to Commissioner Martha Guzman-Aceves.

November 23, 1-1:30pm (via Webex) – Meeting with Nora Hawkins, advisor to Commissioner Marybel Batjer.

November 23, 3:30-4pm (via Webex) – Meeting with Yulia Shmidt, advisor to Commissioner Cliff Rechtschaffen.

At all three meetings, participants for TURN were Staff Attorney Matthew Freedman and consultant Bruce Lacy. Each meeting lasted approximately 30 minutes. No written materials were provided.

TURN staff attorney Matthew Freedman urged the Commission to hold and revise the Proposed Decision (PD) of ALJ Haga on Phase 2 and 3 issues. TURN explained that the PD contains a wide array of factual and legal errors that render it fatally flawed. These flaws include misstating, ignoring and effectively reversing applicable legal precedents, failing to accurately represent or reflect the factual record, making fundamental factual errors, and accepting claims made by Southern California Edison and San Diego Gas & Electric that are not supported by record evidence.

With respect to the specific issues in the PD, TURN representatives expressed concerns with the following:

- the reasonableness of \$13.8 million incurred for Decommissioning General Contractor (DGC) selection costs.
- the reasonableness of \$66.3 million in payments for DGC staffing costs in 2017.
- the inclusion of costs within the Decommissioning Cost Estimates (DCEs) for the full removal of the intake and discharge conduits at Units 1, 2 and 3 of the San Onofre Nuclear Generating Station (SONGS).
- the application of significant additional contingency amounts for scopes of work covered by fixed price contracts.
- the misalignment between the schedule assumed in the DCEs and the schedule incorporated into the DGC contract.
- the PD's erroneous attribution of two recommendations to TURN.
- the need to seek clarifications from other state agencies on the in-state burial standards for clean (non-radioactive) materials that are removed as part of decommissioning projects.
- the PD's failure to summarize or address a series of additional recommendations made by TURN in testimony and briefs.

In light of concerns on each of these issues, TURN urged the Commission to revise or reissue the PD.

Respectfully submitted,

By: _____/s/_____
Matthew Freedman, Staff Attorney

785 Market Street, Suite 1400
San Francisco, CA 94103
Phone: (415) 929-8876
Fax: (415) 929-1132
Email: matthew@turn.org

November 24, 2021

cc: All Parties on Service List A.18-03-009
Batjer.Exparte@cpuc.ca.gov
Rechtschaffen.Exparte@cpuc.ca.gov
guzman-aceves.Exparte@cpuc.ca.gov