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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Implementing Senate Bill 846
Concerning Potential Extension of
Diablo Canyon Power Plant
Operations.

Rulemaking 23-01-007

ASSIGNED COMMISSIONER'S SCOPING MEMO AND RULING

This scoping memo and ruling sets forth the issues, need for hearing, schedule, category, and other matters necessary to scope this proceeding pursuant to Public Utilities Code Section 1701.1 and Article 7 of the Commission's Rules of Practice and Procedure (Rules).

1. Procedural Background

The Diablo Canyon Nuclear Power Plant (Diablo Canyon) is located in coastal San Luis Obispo County, and consists of two reactors that have been operating since 1985 (Unit 1) and 1986 (Unit 2) with a combined generation capacity of 2,240 megawatts (MW). The plant is owned and operated by Pacific Gas and Electric Company (PG&E), and the units are currently licensed by the United States Nuclear Regulatory Commission (NRC) to operate until November 2, 2024 (Unit 1) and August 26, 2025 (Unit 2).

On September 2, 2022, Governor Newsom signed Senate Bill (SB) 846¹ which allows for the potential extension of operations at Diablo Canyon beyond

¹ SB 846, (Dodd, 2021-2022 Reg. Sess.) Diablo Canyon powerplant: extension of operations, codified as Public Resources (Pub. Res.) Code Sections 25233, 25233.2, and 25302.7; Public Utilities (Pub. Util.) Code Sections 712.1 and 712.8; and Water Code Section 13193.5.

the current retirement dates, up to five additional years under specific conditions as provided.

In Decision (D.) 22-12-005, the Commission executed the following tasks in accordance with SB 846: (1) ordering PG&E to take any actions that would be necessary to preserve the option of extended operations at Diablo Canyon, (2) establishing cost-tracking mechanisms for actions associated with continued and extended operations of Diablo Canyon, and (3) invalidating Ordering Paragraphs 1 and 14 of D.18-01-022. This decision also closed Application (A.) 16-08-006 and indicated the Commission would open a new rulemaking on an expedited schedule in accordance with the range of time-sensitive SB 846-related issues that will need to be monitored, considered, and addressed.

On January 20, 2023, the Commission issued the instant Order Instituting Rulemaking (OIR) to continue to execute tasks and consider specific criteria related to the potential extension of operations at Diablo Canyon. The OIR contained a preliminary scope and schedule for this proceeding.

Opening comments (OC) on the OIR were filed by the following parties: California Energy Storage Alliance (CESA); Women's Energy Matters (WEM); Diablo Canyon Independent Safety Committee (DCISC); County of San Luis Obispo (SLO County); PG&E; The Utility Reform Network (TURN); California Community Choice Association (CalCCA); Alliance for Nuclear Responsibility (A4NR); Public Advocates Office at the California Public Utilities Commission (Cal Advocates); Northern Chumash Tribal Council (NCTC); San Luis Obispo Mothers for Peace (SLOMFP); Coalition of California Utility Employees (CUE); Californians for Green Nuclear Power (CGNP); and Green Power Institute (GPI).

Reply comments (RC) were filed by the following parties: Californians for Renewable Energy, Inc. (CARE); GPI; WEM; A4NR; SLO County; PG&E;

CalCCA; Cal Advocates; and the Alliance for Retail Energy Markets (AReM) and Direct Access Customer Coalition (DACC), filing jointly.

On March 13, 2023, PG&E filed a Joint Prehearing Conference Statement on behalf of itself and A4NR, AReM, CalCCA, CESA, CGNP, CARE, CUE, SLO County, Cal Advocates, DCISC, DACC, GPI, NCTC, SBUA, SLOMFP, TURN, and WEM.

Small Business Utility Advocates (SBUA) and San Diego Gas & Electric Company (SDG&E) were granted party status via separate email rulings from the assigned Administrative Law Judge (ALJ) on March 14, 2023, and March 16, 2023, respectively.

On March 15, 2023, the assigned ALJ issued a ruling denying the DCISC party status.

On March 16, 2023, the assigned ALJ issued an email ruling regarding the preliminary scope of issues and schedule to be discussed during the prehearing conference (PHC).

A PHC was held on March 17, 2023, to address the scope of issues, categorization, schedule of the proceeding, and other procedural matters. During the PHC, the National Resources Defense Council, Inc. (NRDC), Southern California Edison Company (SCE), and the Union of Concerned Scientists (UCS) requested and were granted party status.

After considering party comments, the joint PHC statement, and the discussion at the PHC, I have determined the issues and initial schedule of the proceeding as set forth in this scoping memo and ruling.

2. Scope

2.1. Phase 1 Issues

Phase 1 of this proceeding is divided into two tracks. Phase 1: Track 1 is narrowly scoped to consider DCISC funding issues, in accordance with Pub. Util. Code Section 712.1. Phase 1: Track 2 will consider whether operations at Diablo Canyon should be extended. In addition, this track will consider the development of extended operations cost recovery mechanisms and processes, whether and how to allocate the associated benefits of extended operations, and other related issues. The Phase 1 issues to be determined or otherwise considered are presented below.

2.1.1. Phase 1: Track 1

Funding for the Diablo Canyon Independent Safety Committee:

1. Whether the DCISC has sufficient funding to implement the duties and responsibilities set forth in Pub. Util. Code Section 712.1, and how to estimate any shortfall.
2. If the DCISC does not have sufficient funding, whether additional actions are required by the Commission, including potential changes to the DCISC's charter.
3. Whether changes are needed to the cost recovery process for DCISC operations.

2.1.2. Phase 1: Track 2

Process for Establishment of New Retirement Dates for Diablo Canyon, and Diablo Canyon Extended Operations and Associated Cost Mechanisms, Recovery, and Approval Process:

1. Whether operations at Diablo Canyon should be extended until October 31, 2029 (Unit 1) and October 31, 2030 (Unit 2), or whether earlier retirement dates should be established. In making this determination the Commission will consider:
 - a. Whether the \$1.4 billion loan provided for by Chapter 6.3 of Division 15 of the Pub. Res. Code is terminated, or whether an extension of operations at Diablo Canyon is found to be not cost-effective, imprudent, or both;
 - b. Whether the NRC has extended the operation dates for Diablo Canyon;
 - c. Whether the costs of any upgrades necessary to address seismic safety, issues of deferred maintenance, or NRC conditions of license renewal are too high to justify;
 - d. Whether new renewable energy and zero-carbon resources that will be constructed and interconnected by the end of 2023 are an adequate substitute for Diablo Canyon, and will meet the state's planning standards for energy reliability; and
 - e. If the Commission establishes earlier retirement dates, the length of time necessary for an orderly shutdown of Diablo Canyon.
2. If the Commission directs and authorizes extended operations at Diablo Canyon, whether one or more processes should be established to continue to monitor the associated utility ratepayer cost from, and reliability need for, continued operations at Diablo Canyon.
3. If the Commission directs and authorizes extended operations at Diablo Canyon, what are the new processes

- to authorize annual recovery of all reasonable Diablo Canyon extended operation costs and expenses on a forecast basis, including allocation of forecast costs among Commission-jurisdictional load-serving entities.
4. Whether additional cost recovery mechanisms, agreements, plans, and/or orders are needed prior to the current retirement dates for Diablo Canyon Units 1 and 2 (*i.e.*, in 2024 and 2025, respectively).
 5. Whether and how the benefits of extended operations, including resource adequacy and greenhouse gas-free attributes, should be allocated among the load-serving entities (LSEs) and customers paying for extended operations.
 6. Whether additional guidance should be provided on the use of any surplus ratepayer funds PG&E receives for Diablo Canyon in 2024.

2.2. Preliminary Phase 2 Issues

Based on party comments, the preliminary issues to be considered in Phase 2 of this proceeding are provided below. These issues will be revisited at the conclusion of Phase 1, and may be the subject of an amended scoping memo.

1. If the Commission directs and authorizes extended operations at Diablo Canyon, whether PG&E should provide upfront reasonable manager showings, structured similarly to its Assembly Bill 57 Bundled Procurement Plan, for Commission review and approval.
2. The process for Diablo Canyon cost review and true-up to actual Diablo Canyon costs and market revenues for the prior year via an expedited Tier 3 advice letter in accordance with Section 712.8(h)(1) of the Pub. Util. Code.
3. The process for submittal and review of an annual compensation report and spending plan in accordance with Section 712.8(t)(1) of the Pub. Util. Code.

2.3. Independent Examination of Diablo Canyon Extended Operation Cost Information

A significant point of disagreement among the parties is the extent to which Diablo Canyon extended operation cost information should be assessed and considered in this proceeding. PG&E and CUE assert this rulemaking is not the appropriate venue to consider cost forecasting, since Pub. Res. Code Section 25233.2(a) charges the California Energy Commission (CEC), and not the Commission, with performing a cost comparison of extended operations at Diablo Canyon. Further, these parties assert that Pub. Util. Code Section 712.1 limits the Commission's consideration of costs to review of the reports and recommendations produced by the DCISC.² PG&E also states it will not be seeking cost recovery in this proceeding, and highlights that expenditures associated with the transition of Diablo Canyon from existing operations into extended operations fall under a process overseen by the Department of Water Resources (DWR).³

In contrast, TURN, A4NR, WEM, Cal Advocates, CARE, and GPI support an independent examination of historical and forecast Diablo Canyon cost data in this proceeding.⁴ TURN asserts this information is critical to the assessment of whether the costs of license renewal are "too high to justify,"⁵ which is a determination expressly delegated to the Commission.⁶ While agreeing the

² PG&E RC at 5-6; Joint PHC Statement at 17-18; and PHC Reporters' Transcript (RT) at 27:8-29:21.

³ PHC RT at 27:22 - 28:2 and 39:14 - 40:7.

⁴ TURN OC at 1-2; A4NR OC at 4; WEM OC at 3-5; Cal Advocates RC at 1-3; PHC RT at 32:18-38:4.

⁵ See Pub. Util. Code Section 712.8(c)(2)(B).

⁶ PHC RT at 33:22-34:24.

CEC's cost-effectiveness evaluation will be useful in this assessment, TURN does not consider the CEC's cost-effectiveness evaluation to be determinative.⁷ A4NR asserts the Commission should fulfill its responsibilities under Pub. Util. Code Section 451 and the California Constitution by assessing cost data.⁸

In addition to considering whether an extension of operations at Diablo Canyon is cost-effective,⁹ Pub. Util. Code Section 712.8(c)(2)(B) requires the Commission to:

[R]eview the reports and recommendations of the Independent Safety Committee for Diablo Canyon described in Section 712.1. If the Independent Safety Committee for Diablo Canyon's reports or recommendations cause the commission to determine, in its discretion, that the costs of any upgrades necessary to address seismic safety or issues of deferred maintenance that may have arisen due to the expectation of the plant closing sooner are too high to justify incurring, or if the United States Nuclear Regulatory Commission's conditions of license renewal require expenditures that are too high to justify incurring, the commission may issue an order that reestablishes the current expiration dates as the retirement date, or that establishes new retirement dates that are earlier than provided in subparagraph (A) of paragraph (1).

In considering the statutory obligations above, I find it reasonable and necessary for this proceeding to include consideration of relevant historical Diablo Canyon costs in comparison with the incremental forecast costs associated with relicensing, in addition to consideration of the CEC's cost-effectiveness evaluation. Specifically, this proceeding will consider cost data associated with any upgrades necessary to address seismic safety, issues of

⁷ *Ibid.*

⁸ *Id.* at 32:23-33:5.

⁹ Pub. Res. Code Section 25548.3(c)(5)(C).

deferred maintenance, or NRC's potential conditions of license renewal, and any incremental operating costs resulting from these upgrades. This conclusion is based on the fact that PG&E has indicated it is unlikely the NRC will issue a renewed license before December 31, 2023.¹⁰ In the absence of a renewed NRC license with conditions or requirements whose costs can be calculated, it is reasonable for PG&E to provide cost estimates associated with likely or potential improvements to address any needed maintenance and/or capital expenditures that were deferred in light of the units' scheduled retirement dates or that might reasonably be required as part of the NRC relicensing process. This interpretation is also supported by Pub. Util. Code Section 451.

Since the source of funding is relevant to the question of whether relicensing expenditures are "too high to justify," per Pub. Util. Code Section 712.8(c)(2)(B), and since costs that are not recovered through government funding streams may be borne by utility ratepayers, PG&E is directed to include in its May 19, 2023 submission (*See* Section 4) information on whether any of the costs associated with upgrades needed to address deferred maintenance or NRC's potential conditions of license renewal are anticipated to be recovered through the loan provided by the DWR and from the United States Department of Energy (DOE) Civil Nuclear Credit program. In addition, and in order to provide timely consideration of the relevant cost information above, PG&E is directed to provide its September 2, 2022 application for certification by the DOE as an eligible bidder in the DOE Civil Nuclear Credit program upon request by any party in this proceeding that has or obtains the appropriate non-disclosure agreement.

¹⁰ PG&E OC at 2-3; Joint PHC Statement at 9; and PHC RT at 40:20-41:12.

2.4. Issues Not in Scope

Unless explicitly stated in Section 2.1 through Section 2.3 above, this proceeding is not currently scoped to consider any other requirement set forth in SB 846. For example, issues concerning disposition of Diablo Canyon and surrounding lands, as well as the treatment of Diablo Canyon non-qualified decommissioning trust fund balances, are not currently under consideration in this proceeding.

In addition, this proceeding will not consider additional activities concerning the requirement in SB 846 for the California Natural Resources Agency (CNRA), in coordination with the Commission and other California agencies, to consider public input on the environmental impacts and mitigation of Diablo Canyon extended operations at least 30 days before issuing any decision.¹¹ On February 10, 2023, the CNRA, along with representatives from the Commission, the Governor's Office of Business and Economic Development, California State Lands Commission, California Coastal Commission, and the State Water Resources Control Board, held a public meeting to consider input on the environmental impacts and mitigation of extended operations at Diablo Canyon.¹² The meeting included opportunities for both oral and written public comments, and therefore satisfies the public input process required by SB 846 prior to the issuance of a decision in this proceeding. During the PHC, WEM and CARE requested additional opportunities for public input.¹³ While

¹¹ See Pub. Res. Code § 25548.2(c).

¹² See SLO County RC at 3; also, Notice of Informational Listening Session Relating to the Diablo Canyon Power Plant Pursuant to SB 846, available here: <https://resources.ca.gov/-/media/CNRA-Website/Files/Initiatives/Transitioning-to-Clean-Energy/NOTICE-FOR-FEBRUARY-10-LISTENING-SESSION---SB-846.pdf> (last accessed March 22, 2023).

¹³ PHC RT at 21:21-22:9 and 22:25-23:10.

this proceeding will not consider additional tasks pertaining to Pub. Res. Code Section 25548.2(c), there is nothing preventing the CNRA from conducting additional public outreach activities, as needed. Further, while not limited to the environmental impacts associated with extended operations at Diablo Canyon, this proceeding will conduct public participation hearings to solicit public input on the potential extension of operations at Diablo Canyon (*See* Section 4).

3. Need for Evidentiary Hearing

The Commission preliminarily determined that hearings are not needed in this proceeding.¹⁴ Based on party comments, the Joint PHC Statement, and discussion at the PHC, I have determined that evidentiary hearings may be needed in Phase 1: Track 2. Therefore, a deadline to request evidentiary hearings for Phase 1: Track 2 issues is provided for in the schedule below.

4. Schedule

The following schedules are adopted, and may be modified by the ALJ as required to promote the efficient and fair resolution of the rulemaking. The Phase 1: Track 1 schedule is intended to address the potential for the DCISC to experience a funding shortfall as early as the third quarter of 2023.¹⁵ The Phase 1: Track 2 schedule is driven by the requirement in Pub. Util. Code Section 712.8(c)(2)(A) to establish new retirement dates for Diablo Canyon by December 31, 2023. Given the expedited schedule and range of activities to be addressed, parties are directed to structure their Phase 1: Track 2 comments and proposals as testimony, which will support efficient evidentiary record development and the potential need for hearings in this proceeding.

¹⁴ OIR at 9.

¹⁵ Joint PHC Statement at 9-10.

Phase 1: Track 1 Schedule

Event	Date
Ruling issued seeking comment on: <ul style="list-style-type: none"> • Whether the DCISC has sufficient funding to implement the duties and responsibilities set forth in Pub. Util. Code Section 712.1, and how to estimate any shortfall; • If the DCISC does not have sufficient funding, whether additional actions are required by the Commission, including potential changes to the DCISC’s charter; and • Whether changes are needed to the cost recovery process for DCISC operations. (Track 1 Ruling). 	April 2023
Comments on Phase 1: Track 1 Ruling	May 2023
Reply Comments on Phase 1: Track 1 Ruling	May 2023
Proposed Decision	July - August 2023

Phase 1: Track 2 Schedule

Event	Date
<p><u>Phase 1: Track 2 April Ruling:</u></p> <p>Ruling issued 1.) noticing Fact Finding Reports approved at the DCISC’s December 6-7, 2022 and February 15-16, 2023 public meetings; 2.) noticing the CEC’s 2024-2030 Electric Reliability Determination; 3.) noticing the February Joint Reliability Planning Assessment; and 4.) requesting comments served as testimony on the following issues:</p> <ul style="list-style-type: none"> • Pub. Util. Code § 712.8(c)(2)(B). • Pub. Util. Code § 712.8(c)(2)(D). Will include proposed definitions of terms for party comment. • If the Commission establishes earlier retirement dates, the length of time necessary for an orderly shutdown of Diablo Canyon. • If the Commission directs and authorizes extended operations at Diablo Canyon, whether one or more processes should be established to continue to monitor the associated utility ratepayer cost from, and reliability need for, continued operations at Diablo Canyon. • Whether additional guidance should be provided on the use of any surplus ratepayer funds PG&E receives for Diablo Canyon in 2024. • Other topics as determined necessary. 	<p>Early - Mid April 2023</p>
<p>PG&E serves testimony on historical and forecast cost data (through 2030) for Diablo Canyon, focusing on costs associated with likely or potential improvements that might reasonably be required as part of the NRC relicensing process. PG&E must also identify whether any of the forecast costs are expected to be recovered through the DWR loan and from the DOE Civil Nuclear Credit program.</p>	<p>May 19, 2023</p>
<p>Comments served as opening testimony on Phase 1: Track 2 April Ruling and PG&E’s historical and forecast cost data</p>	<p>June 7, 2023</p>

Event	Date
<p><u>Phase 1: Track 2 Proposals:</u></p> <p>PG&E and interested intervenors submit proposals served as opening testimony addressing:</p> <ul style="list-style-type: none"> • New cost agreements/mechanisms pursuant to Pub. Util. Code Section 712.8(l)(2), including rate and revenue allocation. • Whether and how the benefits of extended operations should be allocated among the LSEs and customers paying for extended operations. • The Diablo Canyon extended operation cost recovery and approval process pursuant to Pub. Util. Code Section 712.8(h)(1). 	June 9, 2023
<p>PG&E and interested intervenors host a joint workshop to present Phase 1: Track 2 Proposals, and to answer any questions</p>	June 13, 2023
<p>Reply comments served as rebuttal testimony on Phase 1: Track 2 April Ruling and PG&E's historical and forecast cost data</p>	June 30, 2023
<p><u>Phase 1: Track 2 June Ruling:</u></p> <p>Ruling issued noticing next Quarterly Joint Reliability Planning Assessment. In combination with the proposed definitions of terms in the Phase 1: Track 2 April Ruling, this assessment is anticipated to include data/information concerning proposed estimate(s) of the "new renewable energy and zero-carbon resources" that will be constructed and interconnected by the end of 2023. (See Pub. Util. Code Section 712.8(c)(2)(D).)</p>	June 2023
<p>Public Participation Hearings</p>	Late June - July 2023
<p>Ruling issued noticing Fact Finding Report approved at the DCISC's June 28 - 29, 2023 public meeting. Comments served as amended testimony by August 8, 2023 shall be limited to any new or revised recommendations provided by the DCISC.</p>	July 3, 2023
<p>Rebuttal testimony on Phase 1: Track 2 Proposals</p>	July 28, 2023
<p>PG&E serves cost estimates as testimony for any new or revised recommended actions in the DCISC's June 28- 29, 2023 Fact Finding Report (as applicable)</p>	July 31, 2023

Event	Date
Comments served as testimony regarding: ¹⁶ <ul style="list-style-type: none"> • Phase 1: Track 2 June Ruling. • Any new or revised recommendations provided by the DCISC. 	August 8, 2023
Deadline to request evidentiary hearings and/or briefs. Any request for hearings/briefs must: (1) identify the specific facts in the case that are in dispute; (2) summarize prior efforts made to narrow the facts in dispute; and (3) explain whether a meet and confer process, and/or other dispute resolution alternatives, would be able to resolve the facts in dispute.	August 9, 2023
Ruling issued noticing the CEC’s Diablo Canyon Cost-Effectiveness Evaluation	September 1, 2023
Evidentiary Hearings (if needed)	September 5-7, 2023
Opening Briefs (if needed)	September 15, 2023
Comments on the CEC’s Diablo Canyon Cost-Effectiveness Evaluation	September 22, 2023
Reply comments on the CEC’s Diablo Canyon Cost-Effectiveness Evaluation	September 29, 2023
Reply Briefs (if needed)	September 29, 2023
Proposed Decision(s)*	October – November 2023

* Given the statutory deadline in Pub. Util. Code Section 712.8, Phase 1: Track 2 issues may be addressed through two proposed decisions published around the same timeframe.

¹⁶ Parties are also permitted to address previous testimony served, where relevant to issues contained in the Phase 1: Track 2 June Ruling or new/revised recommendations provided by the DCISC.

Phase 2 Schedule

Event	Date
Ruling issued requesting party comment on Phase 2 issues, schedule, and need for hearings	Q1 2024
Remainder of Phase 2 activities	TBD

Phase 1 of this proceeding will stand submitted upon the filing of reply briefs, unless the ALJ requires further evidence or argument. Based on this schedule, Phase 1 of the proceeding will be resolved by December 31, 2023, and Phase 2 of the proceeding is expected to be resolved by July 1, 2025.

5. Category of Proceeding and Ex-Parte Restrictions

This ruling confirms the Commission’s preliminary determination¹⁷ that this is a ratesetting proceeding. Accordingly, *ex parte* communications are restricted and must be reported pursuant to Article 8 of the Rules.

6. Public Outreach

Pursuant to Pub. Util. Code Section 1711(a), I hereby report that the Commission sought the participation of those likely to be affected by this matter by noticing it in the Commission’s monthly newsletter that is served on communities and businesses that subscribe to it and posted on the Commission’s website.

In addition, the Commission served the Order Instituting Rulemaking on the service lists to A.16-08-006, A.21-12-007, and A.22-02-016, as well as the following LSEs:

The electric investor-owned utilities, including: PG&E; SCE; SDG&E; Southwest Gas Corporation (Southwest Gas); Liberty Utilities (CalPeco Electric),

¹⁷ OIR at 8-9.

(Liberty Utilities); Bear Valley Electric Service, Inc. (BVES); and PacifiCorp d/b/a Pacific Power (PacifiCorp).

Certified Community Choice Aggregators, including: Apple Valley Choice Energy; Baldwin Park; Central Coast Community Energy; City of Commerce; City of Palmdale; City of Pomona; Clean Energy Alliance; Clean Power Alliance; CleanPowerSF; Desert Community Energy; East Bay Community Energy; King City Community Power; Lancaster Choice Energy; Marin Clean Energy; Orange County Power Authority; Peninsula Clean Energy; Pico Rivera Municipal Energy; Pioneer Community Energy; Rancho Mirage Energy Authority; Redwood Coast Energy Authority; San Diego Community Power; San Jacinto Power; San Jose Clean Energy; Santa Barbara; Silicon Valley Clean Energy; Sonoma Clean Power; and Valley Clean Energy Alliance.

Certified Electric Service Providers, including: Agera, American Powernet, Brookfield Renewable Energy Marketing, Calpine ES, Calpine Power America, Commercial Energy of CA, Constellation New Energy, Direct Energy Business, EDF, Gexa Energy, Just Energy Solutions, Liberty Power Delaware, Liberty Power Holdings, Palmco Power, Pilot Power Group, Praxair, Shell Energy, Tenaska Power, UC Regents, Tiger Natural Gas, YEP Energy, and 3PR.

7. Intervenor Compensation

Pursuant to Pub. Util. Code Section 1804(a)(1), a customer who intends to seek an award of compensation must file and serve a notice of intent to claim compensation by April 17, 2023, 30 days after the prehearing conference.¹⁸

¹⁸ Pursuant to Rule 1.15, since the 30th day falls on a Sunday, the deadline is extended to the first day thereafter.

8. Response to Public Comments

Parties may, but are not required to, respond to written comments received from the public. Parties may do so by posting such response using the “Add Public Comment” button on the “Public Comment” tab of the online docket card for the proceeding.

9. Public Advisor

Any person interested in participating in this proceeding who is unfamiliar with the Commission’s procedures or has questions about the electronic filing procedures is encouraged to obtain more information at <http://consumers.cpuc.ca.gov/pao/> or contact the Commission’s Public Advisor at 866-849-8390 or 866-836-7825 (TTY), or send an e-mail to public.advisor@cpuc.ca.gov.

10. Filing, Service, and Service List

The official service list has been created and is on the Commission’s website. Parties should confirm that their information on the service list is correct and serve notice of any errors on the Commission’s Process office, the service list, and the ALJ. Persons may become a party pursuant to Rule 1.4.¹⁹

When serving any document, each party must ensure that it is using the current official service list on the Commission’s website.

This proceeding will follow the electronic service protocol set forth in Rule 1.10. All parties to this proceeding shall serve documents and pleadings using electronic mail, whenever possible, transmitted no later than 5:00 p.m., on the date scheduled for service to occur.

¹⁹ The form to request additions and changes to the Service list may be found at: <https://www.cpuc.ca.gov/-/media/cpuc-website/divisions/administrative-law-judge-division/documents/additiontoservicelisttranscriptordercompliant.pdf>

Rule 1.10 requires service on the ALJ of both an electronic and a paper copy of filed or served documents; however, in this proceeding the assigned ALJ prefers not to receive paper copies, so electronic-only service is preferred. When serving documents on Commissioners or their personal advisors, whether or not they are on the official service list, parties must only provide electronic service. Parties must not send hard copies of documents to Commissioners or their personal advisors unless specifically instructed to do so.

Persons who are not parties but wish to receive electronic service of documents filed in the proceeding may contact the Process Office at process_office@cpuc.ca.gov to request addition to the “Information Only” category of the official service list pursuant to Rule 1.9(f).

The Commission encourages those who seek information-only status on the service list to consider the Commission’s subscription service as an alternative. The subscription service sends individual notifications to each subscriber of formal e-filings tendered and accepted by the Commission. Notices sent through subscription service are less likely to be flagged by spam or other filters. Notifications can be for a specific proceeding, a range of documents and daily or weekly digests.

11. Receiving Electronic Service from the Commission

Parties and other persons on the service list are advised that it is the responsibility of each person or entity on the service list for Commission proceedings to ensure their ability to receive emails from the Commission. Please add “@cpuc.ca.gov” to your email safe sender list and update your email screening practices, settings and filters to ensure receipt of emails from the Commission.

12. Assignment of Proceeding

Karen Douglas is the assigned commissioner and Ehren D. Seybert is the assigned ALJ and presiding officer for the proceeding.

O R D E R

IT IS RULED that:

1. The scope of this proceeding as set forth in Section 2 is adopted.
2. The schedule of this proceeding as set forth in Section 4 is adopted.
3. Evidentiary hearings may be needed.
4. The presiding officer is Administrative Law Judge Ehren D. Seybert.
5. The category of the proceeding is ratesetting.

This order is effective today.

Dated April 6, 2023, at San Francisco, California.

/s/ KAREN DOUGLAS

Karen Douglas
Assigned Commissioner