BEFORE THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF CALIFORNIA

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Application of Pacific Gas and Electric Company to Recover in Customer Rates the Costs to Support Extended Operation of Diablo Canyon Power Plant from September 1, 2023 through December 31, 2025 and for Approval of Planned Expenditure of 2025 Volumetric Performance Fees. (U39E)	Application 24-03-018 (Filed March 29, 2024)

CALIFORNIANS FOR GREEN NUCLEAR POWER, INCS

REPLY BRIEF

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1. INTRODUCTION

The first issue enumerated in the June 18, 2024 Scoping Memorandum is shown below in italics. Californians for Green Nuclear Power (CGNP) believes it is important to reiterate this information as an introduction to our Reply Brief. (Given the compressed time allotted to this Proceeding, CGNP will be replying to the set of filings in A.24-03-018 that are available to it as of October, 21, 2024.)

1. Whether PG&E's forecast cost of operations and requested revenue requirement of $418 million over the Record Period for DCPP is reasonable, including the following forecasts and their underlying financial assumptions and calculations, subject to PG&E updating these forecasts in the Fall Update:

CGNP observes the Record Period from September 1, 2023 through December 31, 2025 spans 852 days, or 2 years, 3 months, 4 weeks, and 2 days. We have previously noted the Diablo Canyon Power Plant (DCPP) is a California base load generator supplying nominal annual generation of 18 terawatt-hours (TWh.) (A terawatt-hour is one billion kilowatt-hours.) Using the definition of a year as 365.25 days, the record period corresponds to 852 days / 365.25 days or 2.333 years. Thus, during the Record Period, DCPP is expected to produce the product of 2.333 years and 18 TWh or 41.988 TWh. The DCPP cost per TWh during the record period is $ $9,955,225.30 . Using the above definition of TWh, this cost is equal to **$0.010 per kWh**. This low cost approximates the unsubsidized cost of electric power from what is typically the least expensive means of generating electric power, namely large hydroelectric dams.

Here are a pair of PG&E tables showing DCPP's actual and forecasted annual power production are approximately 18 TWh per year in the years 2022, 2023, and 2026-2029. (The 2024-2025 output is reported elsewhere.) The first table is shown in the PG&E Fall Update to Prepared Testimony. [1]

Year	Unit1 Sum of Target /Forecast CAISO	Unit 2 Sum of Target /Forecast CAISO	Total	Total to 2025
2024	1,441,732		**1,441,732**	
2025	8,548,479	2,204,531	**10,753,011**	**12,194,742**
2026	8,600,724	9,582,632	**18,183,356**	
2027	9,617,473	8,650,918	**18,268,391**	
2028	8,708,548	8,596,645	**17,305,193**	
2029	8,029,011	9,582,632	**17,611,643**	
2030		7,068,120	**7,068,120**	
Totals	44,945,966	45,685,478	**90,631,445**	

And the second is located in the supporting Workpapers for Chapter 4.

WORKPAPERS SUPPORTING CHAPTER 4
GENERATION FORECAST AND RESOURCE ADEQUACY SUBSTITUTION CAPACITY COST FORECAST
UNIT 1 AND UNIT 2 GENERATION FORECAST
2022 - 2030

Unit 1

CAISO - Actuals / Forecast										
	Before Period Extended of Operations			Period of Extended Operations						
Unit	2022	2023	2024	2024	2025	2026	2027	2028	2029	2030
Unit 1 Total	**8,915.48**	**8,202.22**				**8,600.72**	**9,617.47**	**8,708.55**	**8,029.01**	

Actual CAISO Generation										
	Before Period Extended of Operations			Period of Extended Operations						
Unit	2022	2023	2024	2024	2025	2026	2027	2028	2029	2030
Unit 1 Total	**3,264.91**	**8,202.22**								

Unit 2

CAISO - Actuals / Forecast										
	Before Period of Extended Operations				Period of Extended Operations					
Unit	2022	2023	2024	2025	2025	2026	2027	2028	2029	2030
Unit 2 Total	**8,737.33**	**9,543.05**	**8,292.88**			**9,582.63**	**8,650.92**	**8,596.64**	**9,582.63**	**7,068.12**

Actual CAISO Generation										
	Before Period of Extended Operations				Period of Extended Operations					
Unit	2022	2023	2024	2025	2025	2026	2027	2028	2029	2030
Unit 2 Total	**2,131.56**	**9,543.05**								

Note: 2022 Actual CAISO Generation provides DCPP generation amounts settled through CAISO (Market Results Interface - Settlements) after the passage of SB 846.

Totals

2022	2023	2024	2025	2025	2026	2027	2028	2029	2030
17,652,816.00	**17,745,275.88**	**8,292,876.46**	**N/A**	**N/A**	**18,183,355.70**	**18,268,391.03**	**17,305,192.80**	**17,611,642.97**	**7,068,120.01**

[1] Pacific Gas and Electric Company October 11, 2024 Update to Prepared Testimony in A.24-03-018 **https://pgera.azurewebsites.net/Regulation/ValidateDocAccess?docID=808836**

2. REVENUE REQUIREMENT IN PG&E's OCTOBER 11, 2024 UPDATE

Here are some relevant excerpts from PG&E's October 11, 2024 Update to Prepared Testimony.

Reflecting increased DCPP generation as a consequence of shortened refueling outages, CAISO Market Revenues are $624,248,000.00 from page 4:

TABLE 11-3
CAISO MARKET REVENUES
(THOUSANDS OF DOLLARS)

Line No.	Year	Generation Revenues
1	2024	$80,044
2	2025	544,205
3	Total	$624,248

PG&E's Total DCPP Revenue Requirements are $1,165,015,292.00 from page 6.

TABLE 11-1
TOTAL REVENUE REQUIREMENTS
(WHOLE DOLLARS)

Line No.	Description	2023	2024	2025	2023-2025 Total
1	Gross Total Revenue Requirements (Excluding Revenue Fees and Uncollectibles (RF&U))	$18,952,960	$125,378,502	$1,020,683,831	$1,165,015,292

Showing the benefit from CAISO Market Revenues, PG&E's net revenue requirements are $761,012,000.00 from page 7.

TABLE 11-4
CONSOLIDATED NET REVENUE REQUIREMENT
(THOUSANDS OF DOLLARS)

Line No.		Chapter Cross Reference	Diablo Canyon Extended Operations[a] 2023-2025 Cost ($1000s)		
			Statewide (A)	PG&E Specific (B)	Total (C)
1	Operational Revenue Requirement				
2	Operation and Maintenance Cost Forecast	Chapters 3 & 6	641,245		641,245
3	Resource Adequacy Substitution Capacity	Chapter 4	210,140		210,140
4					
5	**Subtotal Operational Revenue Requirement**		**851,385**		**851,385**
6					
7	Management, Performance Fees, and Liquidated Damages				
8	Management Fee	Chapters 6 & 7	112,711		112,711
9	Liquidated Damages	Chapters 6 & 7	225,000		225,000
10	Volumetric Performance Fee	Chapters 6 & 7	83,553		83,553
11	***PG&E Specific*** Volumetric Performance Fee	Chapters 6 & 7		83,553	83,553
12	**Subtotal Statutory Fees**		**421,264**	**83,553**	**504,817**
13	**Total Cost Forecast (Line 5 + Line 12)**		**1,272,650**	**83,553**	**1,356,202**
14	Offsetting Market Revenues				
15	CAISO Market Revenues	Chapter 8	(624,248)		(624,248)
16	Balancing Account Amortization				
17	DCEOBA	Chapter 10	18,953		18,953
18	Subtotal Net Cost (Line 13 + Line 15 + Line 17)		667,354	83,553	750,907
19					
20	RF&U (PG&E) + FF&U (SCE) and FF&U (SDG&E)[b]	Chapter 12	9,165	940	10,105
21	**DCEO Revenue Requirement for Ratesetting**		**676,520**	**84,492**	**761,012**

Notes:
(a) Amounts in 2025 dollars ($s)
(b) SDG&E FF&U revenue for its DCNBC will be collected in Distribution Charge

Based on PUC § 712.8 (h) (3), the **net** DCPP cost per TWh is $18,124,511.77 Thus, the net cost per MWh is $18.12 and the net cost per kWh is $0.0181. This is greater than the cost CGNP calculated on October 1, 2024 in their introduction. **The net DCPP cost is still comparable to the cost of electricity from a large hydroelectric dam.**

In order to see the whole picture to 2030, CGNP downloaded pages 22 and 23 from PG&E's Update to Prepared Testimony, converted those pages into a spreadsheet, substituted the average total operations annual net benefit of $583.4 million for the redacted entries on line 19, back-calculated the line 3 average annual nuclear expense and amortization at only $34.4 million per year, showed the six-year total at $240.8 million, added a new line 18 a which totaled lines 1-18 for each year and calculated the 7-year annual total, added the annual totals and divided by 7, and confirmed each line 18 b average entry matched the average annual total operations net benefit of $583.4 million on line 19. When the operations to 2030 are included, the **average annual rebate per DCPP MWh equals $32.41.** This spreadsheet is shown on the next page..

Edited Table 2.3 DCPP 2023-2030 EXTENDED OPERATIONS COSTS, REVENUE CREDITS, AND SOCIETAL BENEFITS

(MILLIONS OF DOLLARS Since this is a cost table, benefits are shown in parentheses.)

Line No.	Forecast Item	2023	2024	2025	2026	2027	2028	2029	2030	2024-2030 Extended Ops Period Annual Average	2024-2030 Six-Year Extended Ops Period Total
1	DCPP Direct Costs (Ch. 3)										
2	Expense O&M and Projects (Excludes Nuclear Fuel Procurement)	$17.0	$63.6	$417.7	$593.1	$564.8	$589.2	$485.5	$316.1		
3	**Average Nuclear Fuel Expense And Amortization (Ch. 3)[a]**	–	34.4	34.4	34.4	34.4	34.4	34.4	34.4	34.4	**$240.8**
4	Spent Nuclear Fuel Management Department of Energy Litigation Balancing Account Proceeds	–	–	–	–	(13.1)	(13.3)	(15.0)	(1.0)		
5	Statutory Fees (Ch. 7)										
6	Fixed Payment	–	8.4	70.7	105.7	106.4	107.6	100.0	46.2		
7	Volumetric Performance Fee	–	19.5	140.1	255.5	263.1	255.7	267.0	110.0		
8	Results of Operations Items										
9	A&G Allocation	–				204.1	209.4	196.9	91.9		
10	Taxes	1.9	8.8	47.6	66.8	67.7	70.1	65.4	37.0		
11	Revenue Fees and Uncollectibles	0.3	0.8	9.0	4.4	4.6	7.0	3.1	5.1		
12	Debt Financing Costs (Non-Nuclear Fuel Debt Financing)	–	0.2	3.0	0.6	1.5	2.2	2.4	1.2		
13	**Nuclear Generation-Related Benefits**										
14	DCPP Generation Market Revenues (Ch. 8)	NA	(80.0)	(544.2)	(1,033.8)	(1,093.6)	(1,042.0)	(1,033.5)	(406.7)		
15	RA Substitution (Ch. 4)	NA	16.3	193.8	145.4	121.1	218.0	48.5	96.9		
16	RA Capacity Benefit (Ch. 2)	NA	(65.3)	(775.9)	(1,163.9)	(1,163.9)	(1,163.9)	(1,066.9)	(485.0)		
17	Other Costs										
18	Liquidated Damages Subaccount (Ch. 7)	–	25.0	200.0	75.0	–	–	–	(300.0)		
18 a	**Subtotal to Line 18**	$19.2	$31.7	$(203.8)	$(916.8)	$(902.9)	$(725.6)	$(912.2)	$(453.9)		**$(4,083.5)**
18 b	Average Annual Subtotal to Line 18		$(583.4)	$(583.4)	$(583.4)	$(583.4)	$(583.4)	$(583.4)	$(583.4)		**$(4,083.5)**
19	Total Extended Operations Net Benefits[b]	$19.2	$(583.4)	$(583.4)	$(583.4)	$(583.4)	$(583.4)	$(583.4)	$(583.4)	$(583.4)	
20	**Societal Benefits**										
21	Avoided GHG Emissions Societal Benefits Estimate (Ch.2)	NA	$(40.5)	$(276.1)	$(497.7)	$(522.2)	$(512.8)	$(525.4)	$(222.0)	$(371.0)	**$(2,927.2)**

2024-2030 Extended Operations average substituted for redacted line 19 entries

($32.41) = Average net benefit (or rebate) per MWh generated @ 18 TWh / Year

(a)The nuclear fuel procurement forecast is confidential market sensitive information. The nuclear fuel procurement unamortized and amortized forecast for 2024-2030 is available to eligible parties subject to execution of a non-disclosure agreement. (b)Totals many not sum precisely due to rounding.

3. DCPP OPPONENT'S COST CLAIMS ARE NOT CREDIBLE

As CGNP's previous testimony established, DCPP opponents continue to inflate the cost of DCPP's power during the extended operations period with a variety of misleading claims. Perhaps they believe that repeatedly asserting DCPP costs in excess of $100.00 to about $50.00 per MWh range will force those high prices to occur. That is not how DCPP's electricity price is established during extended operations.

A4NR distinguished itself by misleadingly asserting per § 712.8 (h) (3) that a DCPP net cost to December 31, 2025 of $428,310,000.00 was burdensome. [2] As shown above in Section 1. DCPP's net generation cost is comparable to a large hydroelectric dam, the least-expensive unsubsidized grid scale means to generate electricity. While DCPP is economical, the plant's owners cannot afford to give away its high-quality reliable power.

4. SOLAR, WIND, AND BATTERIES ARE IBRs UNABLE TO REPLACE DCPP

As CGNP has previously explained, DCPP produces high-quality power with the attribute of large quantities of synchronous grid inertia (SGI) to stabilize California's power grid despite the random and predictable variations of solar and wind generation output that could cause cascading failures leading to a blackout. Solar, wind, and batteries are inverter-based-resources (IBRs) that are unable to contribute significant amounts of SGI. [3] Again, plant opponents repeating the counterfactual claims regarding SGI will not make solar, wind, or

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[2] A4NR's Public Version Opening Brief dated October 1, 2024 first paragraph at page 25
https://pgera.azurewebsites.net/Regulation/ValidateDocAccess?docID=808032

[3] "Why is Grid Inertia Important?" March 4, 2024 GreenNUKE Substack
https://greennuke.substack.com/p/why-is-grid-inertia-important

batteries magically produce the requisite SGI. The laws of physics and engineering do not work that way.

5. COAL-FIRED POWER IS A KILLER

PacifiCorp's coal-fired power, which can produce the required SGI for grid stability is associated with large quantities of toxic air and water pollution. Here's the 2022 CEC Power Content Label information [4] comparing PacifiCorp's emission-laden power to PG&Es.

Retail Suppliers	Retail Sales[1] (MWh)	Greenhouse Gas Emissions Intensity (lbs CO2e/MWh)
Pacific Gas and Electric Company - Base Plan	**33,085,648**	**98**
Pacific Gas and Electric Company - Green Saver	127,705	**95**
PacifiCorp - BlueSky Block	**9,283**	**1410**
PacifiCorp - Standard (Default) Electricity	**788,792**	**1410**

PG&E's power is low in emissions as a consequence of DCPP's safe, abundant, reliable generation. Per the Clean Air Task Force (CATF,) coal kills.

COAL-FIRED POWER PLANT	State	Capacity, MW	Berkshire Hathaway Energy Ownership Percentage	Annual Deaths from Air Pollution
Colstrip Power Plant	MT	2,094	6.8	48
Craig Station	CO	1,304	12.9	21
Cholla Generating Station	AZ	1,027	36.7	12
North Valmy	NV	522	50.0	21
Hunter Power Plant	UT	1,336	84.7	28
Huntington Power Plant	UT	911	100.0	16
Naughton Power Plant	WY	700	100.0	20
Dave Johnston Power Plant (Ret. 2020	WY	762	100.0	34
Wyodak Power Plant	WY	335	80.0	9
Jim Bridger Power Plant	WY	2,118	66.7	60
Hayden Station	CO	446	17.5	7
Total		**11,555**		**276**

Initial map source: https://tinyurl.com/PacifiCorp-1-Coal Generally, the plant power output was higher on this older map.
Please see notes. CATF 2019 Updated map source: https://www.tollfromcoal.org/#/map

[4] 2022 CEC Power Content Label spreadsheet
https://www.energy.ca.gov/sites/default/files/2024-02/2022_Power_Content_Labels_Sortable_Table_ada.xlsx

PacifiCorp, which operates one of the most emission-laden generation fleets in America operated coal-fired power plants that killed 276 people from air pollution in 2019. This 2019 CATF spreadsheet indicated the 762 MW Dave Johnson coal-fired Power Plant would retire in 2020. However, PacifiCorp has been delaying their coal-fired power plant retirements. Here's a July 21, 2024 update showing their Dave Johnson Power Plant remains in operation.

Power Technology Data Insights

Updated July 21, 2024

https://www.power-technology.com/data-insights/power-plant-profile-dave-johnston-power-plant-us/

Power plant profile: Dave Johnston Power Plant, US

Thermal

Dave Johnston Power Plant is a 922.2MW coal fired power project. It is located in Wyoming, the US. According to GlobalData, who tracks and profiles over 170,000 power plants worldwide, the project is currently active. It has been developed in multiple phases. Post completion of construction, the project got commissioned in February 1959. **Description**

The project is currently owned by PacifiCorp with a stake of 100%.

It is a Steam Turbine power plant. The power plant run on dual-fuel. The primary fuel being used to power the plant is subbituminous. In case of shortage of subbituminous the plant can also run on Distillate Fuel Oil. The fuel is procured from Wyoming Powder River Basin.

The project generated 4,713,969MWh of electricity.

Development status

The project got commissioned in February 1959.

Contractors involved

Babcock & Wilcox Enterprises supplied steam boiler for the Dave Johnston Power Plant (Dave Johnston Power Plant Unit I).

Babcock & Wilcox Enterprises supplied steam boiler for the Dave Johnston Power Plant (Dave Johnston Power Plant Unit II).

Babcock & Wilcox Enterprises supplied steam boiler for the Dave Johnston Power Plant (Dave

Johnston Power Plant Unit III).

GE Power supplied steam boiler for the Dave Johnston Power Plant (Dave Johnston Power Plant Unit IV).

In addition, PacifiCorp's coal-fired power plants also release toxic substances such as arsenic from coal ash. [5] PacifiCorp's coal ash heaps are some of the most problematic in the U.S.

In contrast, the total death toll from ionizing radiation at **all** U.S. nuclear power plants since 1958, including DCPP is **zero.**

6. CLOSING COMMENTS

CGNP's Testimony documents that DCPP is a cost-effective generator during extended operations. Thus, DCPP's costs are reasonable. DCPP's extended operations will likely result in rebates unless the controversial CAISO grid regionalization plan backed by PacifiCorp is enacted. If CAISO grid regionalization is enacted, SB 846 will likely be successfully challenged in federal court by PacifiCorp. Following the reasoning in the 2016 case decided by the U.S. Supreme Court, *Hughes v. Talen Energy* [6] and a pair of similar 2016 FERC Decisions 155 FERC ¶ 61,101 and 155 FERC ¶ 61,102 involving state subsidies for two nuclear power plant in Ohio. SB 846 would likely be invalidated under

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[5] Roux Inc. August, 2019 *Ash Pond Newsletter*
https://www.rouxinc.com/wp-content/uploads/2019/12/Ash-Pond-Newsletter-August-2019.pdf
"Toxins in the ground: Inside America's most polluted coal ash site and industry's struggle with federal rules," Catherine Morehouse, May 6, 2019, *Utility Dive*
https://www.utilitydive.com/news/toxins-in-the-ground-inside-americas-most-polluted-coal-ash-site-and-indu/551339/

[6] *Hughes v. Talen Energy Marketing Consolidated with CPV Maryland, LLC v. Talen Energy Marketing*
https://www.scotusblog.com/case-files/cases/nazarian-v-ppl-energyplus-llc/

Docket No.	Op. Below	Argument	Opinion	Vote	Author	Term
14-614	4th Cir. Feb 24, 2016		Apr 19, 2016	8-0	Ginsburg	OT 2015

Holding: Maryland's regulatory program to encourage development of new in-state energy generation is preempted by the Federal Power Act, which vests in the Federal Energy Regulatory Commission exclusive jurisdiction over interstate wholesale electricity rates. Judgment: Affirmed, 8-0, in an opinion by Justice Ginsburg on April 19, 2016. Justice Sotomayor filed a concurring opinion. Justice Thomas filed an opinion concurring in part and concurring in the judgment.

federal preemption, applying the U.S. Constitution's Commerce Clause likely yielding the probable PacifiCorp objective of shutting down the safe, reliable, abundant, local, cost-effective DCPP and largely replacing it with PacifiCorp's mostly coal-fired generation in and near Wyoming - with the associated air and water pollution and transmission risks, just as occurred when SONGS was needlessly closed at the end of January, 2012. The SONGS power substitution has been obscured via the use of "unspecified power" in the power source labeling by IOUs such as SCE and SDG&E. (Unspecified power is mostly out-of-state coal-fired generation.)

DCPP plays an important role in California electric power grid reliability by assuring large amounts of synchronous grid inertia (SGI) [7] which would otherwise be supplied by PacifiCorp's out-of-state mostly coal-fired generation. Assuring California electric power grid reliability and protecting the environment are two of the Commission's responsibilities.

At the WIEB - CREPC "Pathways Initiative" website, there is already an April 10, 2024 letter showing the CPUC's endorsement of CAISO grid regionalization despite consistent opposition since 2016 from the California state legislature and a letter showing general support from the CPUC's Public Advocate's Office. [8] These filings endorsing the WWGPI plan are a likely

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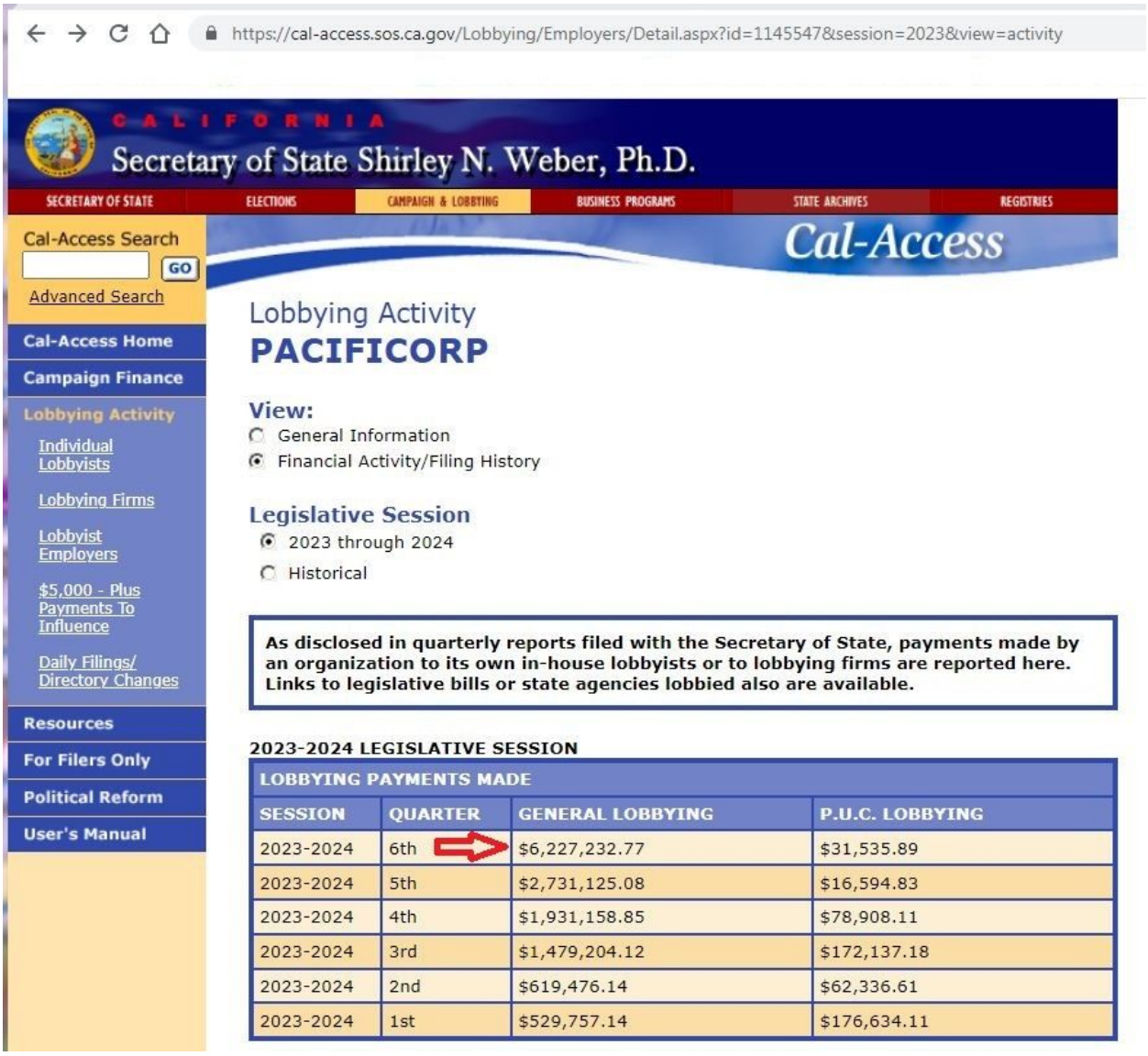
[7] " Why is Grid Inertia Important?" March 4, 2024 GreenNUKE Substack
https://greennuke.substack.com/p/why-is-grid-inertia-important
"Protesting California's Ongoing Nuclear to Coal Transition - Part 1 - CGNP protests PacifiCorp's environmental hypocrisy to their CEO," October 16, 2024. GreenNUKE Substack.
https://greennuke.substack.com/p/protesting-californias-ongoing-nuclear
"Nuclear Armageddon incoming," by Irina Slav, October 21, 2024, Stephen Heins Substack.
https://stephenheins.substack.com/p/nuclear-armageddon-incoming-by-irina

[8] Comments on the April 10, 2024 proposals of the West-Wide Governance Pathways Initiative Launch Committee (Launch Committee)
https://www.westernenergyboard.org/wp-content/uploads/13.-State-Signatories-Comments.pdf
Public Advocates Office Comments on the West-Wide Governance Pathway Initiative Phase 1 Straw Proposal, May 8, 2024

consequence of PacifiCorp's $2,541,794.12 lobbying budget directed towards the CPUC between 2019 and 2023.



PacifiCorp's 2Q 2024 lobbying expenditures likely set a new record.

Another likely consequence of PacifiCorp's lavish direct CPUC lobbying expenditures between 2019 and 2023 is the improper CPUC Decision to completely deny CGNP's A.16-08-006 January 27, 2023 intervenor compensation

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https://www.westernenergyboard.org/wp-content/uploads/Public-Advocates-Office-Comments-on-WWGPI-Phase-1-Straw-Proposal.pdf

request of $153,082.09 in D.24-01-018. CGNP was the lone party of 55 that advocated for DCPP extended operations during the entirety of A.16-08-006, which was the final decision. At the same time, the Commission provided generous intervenor compensation awards to opponents of DCPP extended operations in the final phase of A.16-08-006, contrary to legislative intent and clearly established precedent.

Dated: October 21, 2024

Respectfully submitted,

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