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01/10/25

04:59 PM

A2412003

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA

Joint Application of Southern California
Edison Company (U338E) and San Diego
Gas & Electric Company (U902E) for the
2024 Nuclear Decommissioning Cost
Triennial Proceeding.

Application 24-12-003

PROTEST OF THE PUBLIC ADVOCATES OFFICE

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January 10, 2025

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I. INTRODUCTION

Pursuant to Rule 2.6(a) of the Commission’s Rules of Practice and Procedure, the Public Advocates Office at the California Public Utilities Commission (Cal Advocates) submits this Protest to the Joint Application (Joint Application) of Southern California Edison Company (U 338-E) and San Diego Gas & Electric Company (U 902-E) for the 2024 Nuclear Decommissioning Cost Triennial Proceeding (hereinafter, the NDCTP).¹ The NDCTP historically considers the sufficiency of the Joint Utilities’ Nuclear Decommissioning Trusts (NDTs) for estimated decommissioning costs for San Onofre Nuclear Generating Station (SONGS) decommissioning projects, including the adequacy of customer contribution levels, and the reasonableness of activities and recorded expenditures incurred by the Joint Utilities during active decommissioning. Accordingly, in this proceeding the Joint Utilities are primarily asking the Commission to consider the prudence and reasonableness of the Joint Utilities’ decommissioning cost estimates, activities, and costs as recorded and detailed in Exhibits to the Joint Application.²

II. DISCUSSION

A. Background

In their Joint Application, the Joint Utilities request the Commission approve as reasonable a total of \$523.67 million incurred for SONGS decommissioning projects that were completed during the period January 1, 2021, through December 31, 2023 (the “Review Period”).³ The Joint Application also requests (1) the Commission find the 2024 SONGS decommissioning cost estimates (DCE) for SONGS units 1, 2 & 3 totaling \$4,924.4 million (in 2014 \$) are reasonable,⁴ (2) the Commission find that the Joint

¹ This protest is timely because the Application was noticed on the Commission’s Daily Calendar on December 11, 2024. Southern California Edison Company will hereafter be referred to individually as “SCE”. San Diego Gas & Electric Company will hereinafter be referred to individually as “SDG&E”, and together with SCE, as the “Joint Utilities”.

² Joint Application at 17.

³ Joint Application at 1-2, Summary of Request for Relief, subparagraphs nos. 1 and 2.

⁴ Joint Application at 2, Summary of Request for Relief, subparagraphs nos. 3 and 4.

Utilities are compliant with prior Commission NDCTP decisions,⁵ and (3) the Commission approve the 2024 Reasonableness Framework (a.k.a. the “2024 Milestone Framework”).⁶ Separately, each of the Joint Utilities requests the Commission find reasonable its share of the total decommissioning costs, its separate decommissioning costs, and its contribution to the NDTs.⁷

B. Anticipated Issues

Cal Advocates has commenced its review of the Joint Application and anticipates there will be additional discovery of the Joint Utilities’ supporting testimony and documents. Cal Advocates maintains there may be material issues of fact in dispute regarding the Joint Utilities’ requests in the Joint Application. Based on its initial analysis and review, Cal Advocates anticipates that, at a minimum, the following issues should be within the scope of this proceeding.⁸ Additional issues may arise as Cal Advocates continues its discovery and analysis.

1. Whether the expenses submitted for approval are prudent, reasonable, and appropriate for ratepayer funding.
2. Whether the Joint Utilities’ request that the Commission find reasonable \$4,709.4 million (100% share, 2014\$) for the 2024 SONGS 2 & 3 DCE is justified given that the Joint Utilities’ SONGS 2 & 3 DCE appears to be based solely on an “Operational Scenario” described in the Joint Application.⁹
3. Whether the Commission should approve SCE’s recorded costs associated with the additional excavation of the containment substructure.
4. Whether the Joint Utilities are in compliance with the Commission’s prior decisions applicable to decommissioning of

⁵ Joint Application at 2, Summary of Request for Relief, subparagraph no. 5.

⁶ Joint Application at 2, Summary of Request for Relief, subparagraph no. 5.

⁷ Joint Application at 2-4.

⁸ These issues are not the same as those listed by the Joint Utilities in their Joint Application.

⁹ D.24-08-001 at 34, COL No. 4. The Joint Application refers to a “Settlement Scenario” based on the terms of the Settlement Agreement entered into by the Joint Utilities and certain parties, and adopted by the Commission, but does not clearly describe how or if the SONGS 2 & 3 DCE complies with terms of the Settlement Agreement.

SONGS.

5. Whether the SONGS' U.S. Department of Energy (DOE) litigation proceeds should continue to be deposited into the Joint Utilities' respective Non-Qualified Nuclear Decommissioning Trusts (NQNDTs) or refunded to customers through the Energy Resource Recovery Account.¹⁰
6. Whether the 2023 Palo Verde Nuclear Generating Station (PVNGS) Units 1, 2 & 3 DCE of \$632.1 million (SCE share, 2023\$) is reasonable given that the 2023 PVNGS TLG Cost Study's estimated Post-Shutdown Spent Fuel Management Costs of \$54.2 million and cost contingency of \$29.5 million.

III. CATEGORIZATION

The Joint Utilities propose this Joint Application be categorized as a "ratesetting" proceeding because the NDCTP generally involves rate issues. Cal Advocates agrees that this proceeding should be categorized as ratesetting.

IV. SCHEDULE

The Joint Utilities' proposed schedule detailed in the Joint Application poses a risk that a final decision on the merits in this proceeding, which is the fourth NDCTP, will not be issued by the Commission until mid-2026. A mutually agreed upon schedule should be developed at the PHC. Cal Advocates proposes the following schedule:

¹⁰ D.24-08-001 at 24. In the final decision of the last NDCTP, the Commission ruled that the litigation proceeds should be deposited into the NQNDTs but also that it "...may review the disposition of these funds at any future NDCTP."

Event	Utilities' Proposed Date	Cal Advocates' Date
SCE and SDG&E filed Joint Application	December 6, 2024	-
Application Noticed on CPUC Daily Calendar	December 13, 2024	December 11, 2024 ¹¹
Protests/Responses to Application	January 13, 2025	January 10, 2025
Replies to Protests/Responses	January 23, 2025	January 20, 2025
Prehearing Conference	TBD	TBD
Workshop	TBD	TBD
Cal Advocates and Intervenor Testimony	June 27, 2025	June 27, 2025 ¹²
Rebuttal Testimony	August 11, 2025	July 31, 2025
Parties Meet and Confer per Rule 13.9	August 21, 2025	August 8, 2025
Evidentiary Hearings	September 15-17, 2025	September 8-10, 2025
Opening Briefs	October 20, 2025	October 10, 2025
Reply Briefs	November 22, 2025	October 24, 2025
Proposed Decision	Q1 2026	Q4 2025
Comments on Proposed Decision	TBD	TBD
Reply Comments on Proposed Decision	TBD	TBD
Final Decision	TBD	TBD

¹¹ The Application was placed on the Daily Calendar as a new proceeding (A.24-12-003) on December 11, 2024.

¹² Cal Advocates' proposed dates in this schedule are based on the assumption that the scoping memorandum for this proceeding will be issued no later than February 28, 2025. Cal Advocates would like to note that it needs four months from the issuance date of the scoping memorandum to prepare its written testimony.

V. CONCLUSION

Cal Advocates requests that this proceeding be categorized as ratesetting; that the scope of this proceeding include, but not be limited to, the issues identified in this protest; and that the Commission establish a schedule for this proceeding that provides adequate time for Cal Advocates to complete discovery and effectively participate.

Respectfully submitted,

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