

Decision 20-12-009 December 3, 2020

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Pacific Gas and Electric Company for Authorization to Establish the Diablo Canyon Decommissioning Planning Cost Memorandum Account (U39E).	Application 18-07-013
And Related Matter.	Application 18-12-008

ORDER EXTENDING STATUTORY DEADLINE

Summary

This decision extends the statutory deadline in these proceedings until March 13, 2021.

1. Background

Pub. Util. Code § 1701.5(a) provides that ratesetting cases must be resolved within 18 months after initiation unless the Commission makes a written determination that the deadline cannot be met, including findings as to the reason, and issues an order extending that deadline. In these proceedings, the 18-month deadline for resolution was August 15, 2020. On August 6, 2020, the Commission issued Decision (D.) 20-08-019 which extended the statutory deadline of these proceedings to December 13, 2020.

On July 16, 2018, Pacific Gas and Electric Company (PG&E) filed Application (A.) 18-07-013 to establish the Diablo Canyon Decommissioning

Planning Cost Memorandum Account. On August 15, 2018, The Utility Reform Network filed a protest and on August 27, 2018, PG&E filed its reply.

A Prehearing Conference (PHC) was held on September 7, 2018, to discuss the issues of law and fact, to determine the need for hearing, and to set the schedule to resolve this matter. On October 11, 2018, the assigned Commissioner issued a scoping memo and ruling for this proceeding.

On December 13, 2018, PG&E filed A.18-12-008 in the 2018 Nuclear Decommissioning Cost Triennial Proceeding. On March 7, 2019, PG&E filed a motion to consolidate A.18-07-013 with A.18-12-008. An amended scoping memo was issued on March 7, 2019 consolidating the proceedings, including additional concerns raised by Mothers for Peace and Alex S. Karlin, and modifying the schedule.

Public Participation Hearings were held on August 7-8, 2019. Evidentiary Hearings were held from September 23, 2019 through September 25, 2019.

On January 10, 2020, a Joint Motion for Adoption of a Settlement Agreement (Joint Settlement Agreement) was filed by The Utility Reform Network, Public Advocates Office at the California Public Utilities Commission, Alliance for Nuclear Responsibility, County of San Luis Obispo, Women's Energy Matters, yak tityu tityu yak tilhini Northern Chumash Cultural Preservation Kinship and PG&E.

The assigned Administrative Law Judge (ALJ) is reviewing the terms and conditions of the Joint Settlement Agreement. Therefore, an extension of the statutory deadline until March 13, 2021 is necessary to publish a proposed decision, to review comments on the proposed decision, and to allow the Commission sufficient time to deliberate and to issue its final decision.

2. Waiver of Comment Period

Under Rule 14.6(c)(4) of the Rules of Practice and Procedure, the Commission may waive the otherwise applicable 30-day period for public review and comment on a decision that extends the 18-month deadline set forth in Pub. Util. Code § 1701.5(a). Under the circumstances of this case, it is appropriate to waive the 30-day period for public review and comment.

3. Assignment of Proceeding

Marybel Batjer is the assigned Commissioner and Robert W. Haga is the assigned Administrative Law Judge in these proceedings.

Findings of Fact

1. PG&E filed A.18-07-013 on July 16, 2018 and A.18-12-008 on December 13, 2018.
2. A PHC was held on September 7, 2018.
3. On October 11, 2018, the scoping memo and ruling was issued and on March 7, 2019, an amended scoping memo was issued consolidating the proceedings, including additional concerns raised by Mothers for Peace and Alex S. Karlin, and modifying the schedule.
4. Public Participation Hearings were held on August 7-8, 2019.
5. Evidentiary Hearings were held from September 23, 2019 through September 25, 2019.
6. The statutory deadline for resolving these ratesetting proceedings is December 13, 2020.
7. An extension of the statutory deadline until March 13, 2021, is necessary to allow sufficient time to publish the proposed decision on the Joint Settlement Agreement, review comments received on the proposed decision and allow the Commission enough time to deliberate and to issue its final decision.

Conclusion of Law

Pursuant to the authority granted to the Commission under Pub. Util. Code § 1701.5(a), the statutory deadline should be extended to March 13, 2021.

IT IS ORDERED that the statutory deadline for completion of these proceedings is extended until March 13, 2021.

This order is effective today.

Dated December 3, 2020, at San Francisco, California.

MARYBEL BATJER

President

LIANE M. RANDOLPH

MARTHA GUZMAN ACEVES

CLIFFORD RECHTSCHAFFEN

GENEVIEVE SHIROMA

Commissioners