

## **DRAFT**

**PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**  
**ENERGY DIVISION**  
**I.D. # 8875**  
**RESOLUTION E-4268**  
**October 29, 2009**

### **R E S O L U T I O N**

**Resolution E-4268. Pacific Gas and Electric Company's (PG&E) Nuclear Decommissioning Trust funds for Humboldt Bay Power Plant (HBPP) Unit 3.**

#### **PROPOSED OUTCOME:**

- (1) Approves with modifications PG&E's request for authorization to disburse up to \$57.3 million from the Humboldt Bay Power Plant Unit 3 Nuclear Decommissioning Trusts (Trusts) for specific projects in preparation for decommissioning.**
- (2) The modifications clarify that (1) reasonableness review of PG&E's actual expenditures made using the disbursement shall be performed according to the procedure approved by the Commission in PG&E's 2009 Nuclear Decommissioning Cost Triennial Proceeding (NDCTP) A.09-04-007; and (2) PG&E shall pay costs for decommissioning activities before receiving reimbursement from the Trusts.**
- (3) ESTIMATED COST: The authorized \$57.3 million comes from already collected decommissioning funds. This resolution does not increase PG&E's revenue requirements.**

**By Advice Letter 3483-E filed on June 29, 2009.**

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### **SUMMARY**

This Resolution approves with modifications PG&E's request for authorization to disburse up to \$57.3 million from the Humboldt Bay Power Plant Unit 3 Nuclear Decommissioning Trusts (Trusts) for specific projects to be performed from 2009 through 2010, in preparation for decommissioning HBPP Unit 3 beginning in June 2010. Reasonableness review of PG&E's actual expenditures will be performed according to the procedure approved by the Commission in PG&E's 2009 NDCTP, A.09-04-007. Pursuant to Section 2.01 of the Master Trust Fund

Agreement, PG&E must first incur and pay the costs for decommissioning activities before receiving reimbursement from the Trusts.

## **BACKGROUND**

**PG&E intends to start full final decommissioning of HBPP Unit 3 in June, 2010.**

HBPP Unit 3 is a 65 megawatt boiling water reactor that began commercial operations in 1963, ceased operation in 1976, and was placed in safe storage (SAFSTOR) custodial mode in 1988 to await final decommissioning. Under SAFSTOR the plant is in a 'mothball' condition with adequate assurance for public safety. In Decision (D).03-10-014 the Commission approved a decommissioning plan to commence decommissioning HBPP Unit 3 in 2006, which was later extended to 2009 by D.07-01-003. PG&E states in ALs 3444-E<sup>1</sup> and 3483-E that it intends to start decommissioning of HBPP Unit 3 in June 2010.

**The decommissioning trust funds were established in D.85-12-022 to allow PG&E "to recover from its ratepayers the cost of decommissioning the prudently constructed plant at HBPP Unit 3."**

The liability to decommission HBPP Unit 3 is funded by Trust assets. Funds for the Trusts were established and initially collected from PG&E's ratepayers from 1988 through 1991 pursuant to D.85-12-022. Additional funds were collected from 2003 through 2009 per decisions D.03-10-014 and D.07-01-003, which respectively approved PG&E's 2002 and 2005 NDCTP applications on its forecasts for decommissioning costs and revenue requirements for the decommissioning Trusts. As of March 31, 2009, the Trusts had a market value of \$316 million.<sup>2</sup>

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<sup>1</sup> PG&E filed AL 3444-E in March 2009 requesting among other things, general authorization to gain access to Interim Disbursement funds from the Trusts. Resolution E-4258 dated July 30, 2009 approved that general authorization.

<sup>2</sup> Resolution E-4258, p. 2.

The initial decommissioning cost estimate for HBPP, approved in D.85-12-022, was \$42 million. The estimated cost has since been regularly revised. PG&E's current estimate in its 2009 NDCTP application A.09-04-007 is about \$500 million.

**PG&E requests authorization for \$57.3 million to fund specific decommissioning activities at HBPP Unit 3 through May 2010 from disbursements from the decommissioning Trust funds.**

In AL 3483-E, PG&E requested authorization for \$57.3 million to fund decommissioning activities at HBPP Unit 3 through May 2010. The specific activities for which funding is sought include:

1. operation and maintenance of the Independent Spent Fuel Storage Installation (ISFSI) (\$2.5 million);
2. implementation of waste management and transportation plans (\$11.4 million);
3. decommissioning labor expenses (\$18.0 million);
4. removal and disposal of spent fuel racks and startup sources (\$1.5 million);
5. initiation of necessary additional environmental studies and permitting (\$2.5 million);
6. preparation of a new radiological count room (\$1.6 million);
7. decontamination of the reactor building access shaft (\$2.7 million);
8. purchase tools and equipment (\$5.0 million); and
9. other preparatory decommissioning activities (\$12.1 million).

According to PG&E, all of these activities directly relate to decommissioning of HBPP Unit 3 and are distinct from the operations and maintenance activities performed under SAFSTOR. SAFSTOR is a custodial safe storage mode which maintains adequate assurance for public safety.

**PG&E proposes to maintain separate accounting procedures to record the costs of these activities.**

In AL 3483-E, PG&E states, "As with previously-approved advanced disbursements from the Trusts, PG&E will maintain separate accounting procedures to record the costs of these activities, and actual expenditures will be reviewed upon completion in the next scheduled NDCTP."

**In AL 3483-E, PG&E further states its concern that delays in receiving the requested funding would significantly impact its decommissioning activities, risk delays, and create cost increases.**

PG&E claims that failure to receive approval for disbursing funds from the Trusts could compel it to delay work schedules, and that much of the work force may move on to other opportunities, thereby causing “their permanent loss to HBPP.”

**PG&E has previously requested authorization to fund specific decommissioning activities at HBPP Unit 3.**

Through advice letter filings and in its 1999 GRC and 2002 NDTCP, PG&E has requested authorization to fund specific activities in preparation for decommissioning of HBPP Unit 3 from disbursements from the decommissioning Trusts. The total amount the Commission has authorized to date is \$101.4 million, of which \$51.7 million is for the ISFSI.<sup>3</sup>

Appendix A of this resolution shows the amounts addressed in these filings and those amounts approved by the Commission.

## **NOTICE**

Notice of AL 3483-E was made by publication in the Commission’s Daily Calendar. PG&E states that a copy of the Advice Letter was mailed and distributed in accordance with Section 3.14 of General Order 96-B.

## **PROTESTS**

There were no protests to Advice Letter 3483-E.

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<sup>3</sup> PG&E AL 2876-E, Att 1 plus amounts from AL 3147-E.

## **DISCUSSION**

### **Continued operation and maintenance (O&M) of the ISFSI are activities eligible for funding through the decommissioning Trusts.**

In the 1999 General Rate Case (GRC), D.00-02-046, the Commission approved early decommissioning of HBPP Unit 3. At that time, the Commission considered on-site dry cask storage (e.g., ISFSI) costs as part of the HBPP Unit 3 nuclear decommissioning costs. D.00-02-046, Findings of Fact ¶ 276 states, “While the expenditure of decommissioning funds on nuclear fuel-related expenses is generally inappropriate, the circumstances at Humboldt Unit 3 justifies pursuit of the on-site dry cask storage option with the expenditure of decommissioning funds. Without such an option, early decommissioning is not possible.”

The spent fuel at HBPP Unit 3, which was stored in a wet spent fuel pool, was moved to the ISFSI consisting of below-ground casks, during the first half of 2008. The spent fuel transfer to the ISFSI was completed in December 2008.

While HBPP Unit 3 has an operating license from the Nuclear Regulatory Commission under 10 Code of Federal Regulation (CFR) 50, it is not a license to operate. The ISFSI has a separate Part 72 license from the NRC. Any support of operating and maintaining this facility can be considered as part of its license cost. The design, licensing, fabrication, construction, and loading of the spent fuel to the ISFSI have all been considered a part of HBPP Unit 3 decommissioning costs ever since the Commission approved PG&E’s request for funding licensing and design of an ISFSI at HBPP Unit 3 in D.00-02-046 in PG&E’s 1999 GRC. Costs have been included in previous advice letter filings for the operation and maintenance of the ISFSI and approved by the Commission for disbursement from the HBPP Unit 3 Nuclear Decommissioning Trust funds.<sup>4</sup>

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<sup>4</sup> See for example Resolution E-3912 dated February 24, 2005. That resolution which addressed PG&E’s AL 2565-E approved \$5.5 million for spent fuel loading and transporting costs to the ISFSI.

**HBPP has appreciable quantities of radioactive low-level waste, which needs to be removed.**

HBPP has considerable quantities of Class B and C radioactive waste having a wide range of both physical and radiological characteristics. An appreciable amount of this waste is organic ion exchange resin, which is not suited for long-term or indefinite storage because it is susceptible to generating explosive gases including methane and hydrogen. Class B and C radioactive waste is inherently more concentrated than Class A waste. As such, dose rates and other radiological considerations make it desirable to remove this material from the HBPP site as soon as possible. According to PG&E, approval of its request in its advice letter will allow it to proceed in a timely manner with expedited removal of the low-level waste as soon as possible.

Currently, Class B and C radioactive waste may only be disposed of at the Barnwell Facility in Barnwell South Carolina. However, this facility was closed to generators located outside of the Atlantic Waste Compact after June 2008. according to PG&E, prior to the Barnwell closure, PG&E implemented a major campaign to package and ship all Class B and C waste that was onsite at the time. In response to a data request, PG&E stated that the amount of Class B and C waste generated during decommissioning is expected to be minimal and would be stored onsite or transferred to an acceptable offsite storage facility. Class A waste, such as contaminated soil, asphalt, contaminated used tools and hoses, were originally planned to be packaged, shipped, and disposed of at an Energy Solutions site in Clive Utah. Since this facility is no longer available, PG&E is currently evaluating other disposal options at the US Ecology site in Grandview Washington or another processor in Tennessee. The start-up sources, currently stored in the spent fuel pool, need to be removed to gain access to the pool for decommissioning activities, including removal of the pool. The funds requested in AL 3483-E include removal, packaging, and onsite storage of the start-up sources, and shipment to a disposal site when available.

**SAFSTOR costs are related to maintaining the original operating plant, and are separate and distinct from decommissioning activities.**

Although HBPP Unit 3 is still in a SAFSTOR mode, the SAFSTOR O&M costs are associated with activities needed to maintain the HBPP Unit 3 facility in accordance with specific requirements under the unit's 10 CFR Part 50 license with the NRC. According to PG&E in response to a data request issued by the

Energy Division, these costs will continue until HBPP Unit 3 has completed decommissioning and the 10 CFR Part 50 license is released by the NRC. That will likely occur just prior to when the spent fuel is removed from the ISFSI for disposal at a Department of Energy repository.

In AL 3483-E, PG&E is not requesting any funding for SAFSTOR through disbursement from the decommissioning Trust funds.

**Breakdown of costs by PG&E shows that construction of some new facilities is required for decommissioning of HBPP Unit 3.**

In its AL 3483-E, PG&E is requesting approval for several new facilities and construction at HBPP. These include:

- \$1.6 million for a new environmental radiological counting room.
- \$0.9 million for the purchase of equipment, truck scales, intermodal survey blocks, lift liner jigs and bags, repair and maintenance equipment.<sup>5</sup>
- \$5.0 million for the purchase of tools and equipment.
- \$0.7 million for larger washer and dryer for new respirators, including enlargement of the washing facility, maintenance facility, and storage facilities.
- \$0.5 million for the construction of a new additional truck entrance to HBPP and roadwork.
- \$0.3 million for the enlargement of the current access area around Gate 13 plus construction of a new alternate access.
- \$2 million for the purchase of additional trailers and installation of services such as telephone, computer, water, and electrical.

Decommissioning primarily involves the removal or dismantlement of facilities, whereas the activities cited above involve new construction and additional facilities. In response to questions by Energy Division staff,<sup>6</sup> PG&E explained that the above items (construction of facilities and purchase of equipment) are intended solely for decommissioning of HBPP Unit 3.

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<sup>5</sup> PG&E's response to Energy Division's data request dated August 25, 2009.

<sup>6</sup> Conference call with PG&E on September 10, 2009.

PG&E also clarified that because of the unique nature of HBPP Unit 3 as being the first commercial nuclear power plant in the United States, radiation levels were higher on structures and equipment than for subsequent nuclear reactors. According to PG&E, special equipment must be purchased in order to perform decommissioning activities. This equipment, which will then become contaminated, will need to be disposed of for burial.

**The disbursement authorized herein is to be used solely for decommissioning of HBPP.**

There are two adjacent gas-fired units HBPP Units 1 and 2, which are also to be dismantled and replaced with two new gas-fired units. PG&E clarified that the fossil units have a completely separate budget, although PG&E pointed out that the additional trailers needed for HBPP staff and contractors involved with the decommissioning activities of the nuclear Unit 3 would also be subsequently used for staff and workers for the two fossil units. To the extent that the same equipment/facilities are used for decommissioning of fossil units or in the construction of planned new fossil units, PG&E shall prorate the costs to make sure that the HBPP decommissioning funds are used solely for this purpose.

**PG&E's request to disburse up to \$57.3 million from the Trusts is granted. The procedure for reviewing and determining the reasonableness of HBPP Unit 3 decommissioning expenditures will be determined in PG&E's NDCTP, A.09-04-007.**

PG&E states in AL 3483-E that all the activities outlined in its advice letter directly relate to decommissioning of HBPP Unit 3. PG&E further notes that all elements of the scope of work described herein are included in its cost estimates in its pending 2009 NDCTP, A.09-04-007. PG&E also states that it will maintain separate accounting procedures to record the costs of the activities, and actual expenditures will be reviewed upon project completion in the next scheduled NDCTP.



The Commission's current practice is to review the reasonableness of nuclear decommissioning expenditures in the NDCTP.<sup>7</sup> Resolution E-4258 also addressed PG&E's request to establish a modified procedure for reviewing and determining the reasonableness of HBPP Unit 3 decommissioning expenditures. That resolution deferred PG&E's request for establishing such a procedure to its 2009 NDCTP, A.09-04-007. Accordingly, the expenditures that PG&E makes with disbursements from the Trusts authorized by this resolution E-4268 will be reviewed for reasonableness under the process determined in A.09-04-007. A Commission decision in A.09-04-007 is expected in 2010.

**PG&E's request to disburse up to \$57.3 million from the Trusts filed in AL 3483-E is a request for a specific disbursement consistent with Resolution E-4258.**

In Resolution E-4258 dated July 30, 2009 we granted PG&E general authorization for interim disbursements from the HBPP Unit 3 Trusts. That resolution requires PG&E to seek specific disbursements from the Trusts via advice letter filings. PG&E's request to disburse up to \$57.3 million from the Trusts filed in AL 3483-E is a request for a specific disbursement consistent with Resolution E-4258. We grant PG&E's request to disburse up to \$57.3 million from the Trusts so that PG&E may timely proceed with its decommissioning efforts at the plant.

**The Master Trust Fund Agreement requires that PG&E pay for decommissioning costs before receiving reimbursement from the Trusts.**

The Master Trust Fund Agreement stipulates in Section 1.03 that, "The exclusive purposes of this Master Trust are to provide monies for the decommissioning of the plants." Section 2.01 (4) of the Agreement imposes an obligation on the Trustee to require requests for disbursement of funds to be accompanied by a statement indicating such expenditure constitutes decommissioning expenses that have been authorized by the Commission's order." Sections 2.10 and 2.12 of the Agreement require that the Commission approve and concur in any

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<sup>7</sup> D.07-01-003, pp. 6-7, in the NDCTPs of Southern California Edison Company, San Diego Gas & Electric Company, and PG&E, A.05-11-009, et al.

amendments to the Trust agreements. Section 2.01 requires that PG&E must first incur – and pay – the costs before receiving reimbursement from the Trusts.

Energy Division sought information from PG&E regarding its compliance with the provisions of Section 2.01 of the Trust fund agreement. Energy Division issued a data request asking whether PG&E seeks approval for disbursement from the Trusts to pay for activities before they have been incurred rather than after they have been incurred and paid. In response, PG&E clarified that, “PG&E is requesting the CPUC to authorize the scope of work identified in AL 3483-E of \$57.3 million. Actual disbursements are requested and made from the HBPP Unit 3 Nuclear Decommissioning Trust after the expenditures have been incurred. PG&E has established procedures to ensure that any costs that have been posted for services rendered, but not yet paid to a vendor are not included in requests for disbursements until actually paid.” In accordance with the Master Trust Fund Agreement, PG&E shall seek disbursement from the Trusts to pay for activities at HBPP Unit 3 that have been approved by the Commission only after the costs have been incurred and paid.

**PG&E’s request in AL 3483-E does not increase any rates or charges.**

PG&E has already collected revenues to fund the decommissioning Trusts. PG&E customers will not see any change in their rates as a result of its disbursing funds from the Trusts for the activities addressed in AL 3483-E.

**PG&E’s request for authorization for \$57.3 million to fund specific decommissioning activities at HBPP Unit 3 through May 2010 is approved with modifications.**

So as not to delay any work schedules and the potential for increased costs, we approve with modifications PG&E’s request in order for it to have authorization to fund specific activities necessary to begin decommissioning of HBPP Unit 3. Our modifications to PG&E’s request clarify that 1) actual expenditures for these activities upon completion shall be reviewed and evaluated according to the procedure adopted by the Commission in PG&E’s 2009 NDCTP A.09-04-007; and 2) PG&E shall incur and pay the costs of these activities before receiving reimbursement from the Trusts as required by Section 2.01 of the Master Trust Fund Agreement.

## **COMMENTS**

Public Utilities Code section 311(g) (1) provides that this resolution must be served on all parties and subject to at least 30 days public review and comment prior to a vote of the Commission. Section 311(g)(2) provides that this 30-day period may be reduced or waived upon the stipulation of all parties in the proceeding.

The 30-day comment period for the draft of this resolution was neither waived nor reduced. Accordingly, this draft resolution was mailed to parties for comments, and will be placed on the Commission's agenda no earlier than 30 days from the date issued for comment.

## **FINDINGS AND CONCLUSIONS**

1. PG&E filed AL 3483-E on June 29, 2009 requesting authorization for \$57.3 million to fund specific decommissioning activities at HBPP Unit 3 through May 2010 from disbursement from the Decommissioning Trust funds.
2. The Decommissioning Trust funds were established in D.85-12-022 to allow PG&E to recover from its ratepayers the costs of decommissioning the prudently constructed plant at HBPP Unit 3.
3. The liability to decommission HBPP Unit 3 is funded by trust assets.
4. In 1988 HBPP Unit 3 was placed in a safe storage (SAFSTOR) custodial mode to await final decommissioning.
5. PG&E intends to start final decommissioning of HBPP Unit 3 in June 2010.
6. As of March 31, 2009, the Trusts have a current market value of about \$316 million.
7. PG&E's proposed current estimate in its 2009 NDCTP application A.09-04-007 of the cost of decommissioning HBPP Unit 3 is about \$500 million.
8. PG&E proposes to maintain separate accounting procedures to record the costs of the specific activities described in AL 3483-E.

9. Continued operation and maintenance of the ISFSI are decommissioning activities whose costs are eligible for disbursement from the decommissioning Trust funds.
10. SAFSTOR costs are related to maintaining the original operating plant, and are separate and distinct from decommissioning activities.
11. In AL 3483-E, PG&E is not requesting any funding for SAFSTOR for disbursement from the decommissioning Trust funds.
12. HBPP has appreciable quantities of radioactive low-level waste that should be removed from the site as soon as possible.
13. PG&E has previously requested authorization to fund specific decommissioning activities at HBPP Unit 3.
14. To date, the total amount the Commission has authorized is \$101.4 million, of which \$51.7 million is for the ISFSI.
15. No protests were filed on PG&E's AL 3483-E.
16. PG&E's request for authorization for \$57.3 million in disbursement from the decommissioning Trust funds should be approved with modifications to fund the specific activities through May 2010 described in AL 3483-E necessary for PG&E to begin decommissioning HBPP Unit 3.
17. PG&E customers will see no change in their rates as a result of disbursement from the Trusts for the activities addressed in PG&E's AL 3483-E.

**THEREFORE IT IS ORDERED THAT:**

1. Pacific Gas and Electric Company's (PG&E) request for authorization for disbursements of \$57.3 million from the Humboldt Bay Power Plant (HBPP) Unit 3 Nuclear Decommissioning Trusts for the specific projects and activities described in AL 3483-E is approved. These funds are only to be used only for projects and activities associated with decommissioning of HBPP Unit 3.

2. This resolution only approves disbursement of funds. The reasonableness of various decommissioning projects and activities related to HBPP Unit 3 for which the disbursement is authorized herein shall be reviewed for reasonableness according to the procedure adopted by the Commission in PG&E's 2009 NDCTP, A. 09-04-007.
3. PG&E shall seek disbursement from the Trusts for activities granted herein at HBPP Unit 3 only after PG&E has incurred and paid the costs for the activities.

This resolution is effective today.

I certify that the foregoing resolution was duly introduced, passed and adopted at a conference of the Public Utilities Commission of the State of California held on October 29, 2009; the following Commissioners voting favorably thereon:

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Paul Clanon  
Executive Director

## **Appendix A**

### **CPUC Authorization for Funding from the HBPP Unit 3 Trusts**

**AL 3483-E**, filed June 29, 2009: \$57.3 million

1. Operation and maintenance of the Independent Spent Fuel Storage Installation (ISFSI) \$2.5 million
2. Implementation of waste management and transportation plans \$11.4 million
3. Decommissioning labor expenses \$18.0 million
4. Removal and disposal of spent fuel racks and startup sources \$1.5 million
5. Initiation of necessary additional environmental studies and permitting \$2.5 million
6. Preparation of a new radiological count room \$1.6 million
7. Decontamination of the reactor building access shaft \$2.7 million
8. Purchase tools and equipment \$5.0 million
9. Other preparatory decommissioning activities \$12.1 million

**AL 3147-E**, filed November 1, 2007.

Approved by staff disposition, effective Dec 1, 2007; \$31.9 million.

1. Disposal of Class B & C radioactive waste \$8.1 million
  - Disposal of Class B & C waste (\$7.5 million)
  - Burial of spent fuel pool hardware - approved earlier in AL 2873-E estimated at \$0.9 million (\$0.6 million)
2. Disposal of Class A radioactive waste \$0.7 million
3. Facility modifications \$0.9 million
4. Purchase of a greater Than Class C storage container \$1.1 million
5. Operation of the ISFSI \$4.0 million
6. Removal of equipment and piping from reactor feed pump room, turbine generator, condenser pipe tunnel for packaging of radioactive waste \$13.1 million
7. Increase escalation on dry cask storage system \$1.3 million
8. Preparatory decommissioning activities from 2008 thru 2009 \$2.7 million
  - Cross contamination plan (\$0.9 million)
  - Replace rad protection access software (\$0.6 million)
  - Employee emergency notification system (\$0.4 million)
  - Emergency condense asbestos removal (\$0.4 million)
  - Law Dept support (\$0.4 million)

**AL 2876-E**, filed Aug 7, 2006:

Approved by Resolution E-4025, Oct 5, 2006; \$2.59 million

- |  |               |
|--|---------------|
| 1. Burial of spent fuel pool hardware    | \$0.9 million |
| 2. Disposal of Class A radioactive waste | \$0.6 million |
| 3. Site remediation study                | \$1.0 million |

**2005 NDCTP A.05-11-009:**

D.07-01-003 approved an \$11.9 million annual contribution to the Trust, but no disbursements.

**AL 2565-E**, filed October 12, 2004:

Approved by Resolution E-3912, February 24, 2005; \$35.9 million

- |   |                |
|---|----------------|
| 1. Spent fuel loading and transporting casks to the ISFSI | \$5.5 million  |
| 2. Dry cask equipment                                     | \$25.1 million |
| 3. Increased NRC fees                                     | \$1.0 million  |
| 4. Construction of dry cask vault                         | \$4.4 million  |

**2002 NDCTP, A.02-03-020:**

Approved by D.03-10-014, October 2, 2003; \$1.0 million

- |   |                |
|---|----------------|
| 1. Increase scope in caisson in-leakage project | \$0.6 million  |
| 2. Increase scope in vent stack removal         | \$0.7 million  |
| 3. Decrease for site radiological survey        | -\$0.4 million |

**AL 2095-E**, filed March 28, 2001.

Approved by Resolution E-3737, October 10, 2001; \$7.3 million

This filing represented PG&E's second request to draw from its Trust funds.

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|---|----------------------------|
| 1. Additional decommissioning costs - overrun of costs from first two projects approved by Resolution E-3503, see below.    | \$1.0 million <sup>8</sup> |
| 2. Additional ISFSI design and licensing expenditures - additional costs to design ISFSI approved by D.00-02-046, see below | \$3.5 million              |
| 3. Preparatory activities from 2001 thru 2003   | \$3.85 million             |
| • Plant systems and structures radiological characterization  |                            |
| • Activation analysis of reactor vessel, reactor internals  |                            |
| • Asbestos removal  |                            |

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<sup>8</sup> The \$1.0 million requested in AL 2095-E was not approved by Resolution E-3737, but instead delayed until the 2002 NDCTP.



- Development of low level waste management plan
- Miscellaneous decommissioning planning

**1999 GRC, A.97-12-020.**

Approved by D.00-02-046, February 17, 2000;

\$7.0 million

1. Design and licensing of the ISFSI

\$7.0 million

**AL 1678-E, filed June 13, 1997.**

Approved by Resolution E-3503, December 3, 1997;

\$15.7 million

This filing represented PG&E's first request to draw on its Trust funds.

1. Mitigation of caisson in-leakage project
2. Removal and replacement of ventilation stack
3. Site radiological survey

\$9.2 million

\$5.0 million

\$1.5 million

STATE OF CALIFORNIA

ARNOLD SCHWARZENEGGER, *Governor*

**PUBLIC UTILITIES COMMISSION**

505 VAN NESS AVENUE  
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**September 28, 2009**

**I.D.# 8875  
Resolution E-4268  
Commission Meeting Date: October 29, 2009**

**TO: PARTIES TO DRAFT RESOLUTION E-4268**

Enclosed is draft Resolution E-4268 of the Energy Division. It will be on the agenda at the October 29, 2009 Commission meeting. The Commission may then vote on this Resolution or it may postpone a vote until later.

When the Commission votes on a draft Resolution, it may adopt all or part of it as written, amend, modify or set it aside and prepare a different Resolution. Only when the Commission acts does the Resolution become binding on the parties.

Parties may submit comments on the draft Resolution no later than October 19, 2009.

Comments should be submitted to:

Honesto Gatchalian and Maria Salinas  
Energy Division  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102  
[inj@cpuc.ca.gov](mailto:inj@cpuc.ca.gov); [mas@cpuc.ca.gov](mailto:mas@cpuc.ca.gov)

A copy of the comments should also be submitted to:

Eric Greene  
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California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102  
Fax: 415-703-2200  
Email: [eg1@cpuc.ca.gov](mailto:eg1@cpuc.ca.gov)

Comments may be served by email. Any comments on the draft Resolution must be received by the Energy Division by October 19, 2009. Those submitting comments must serve a copy of their comments on 1) the entire service list attached to the draft Resolution, 2) all Commissioners, and 3) the Director of the Energy Division, the Chief Administrative Law Judge and the General Counsel, on the same date that the comments are submitted to the Energy Division.

Comments shall be limited to fifteen pages in length plus a subject index listing the recommended changes to the draft Resolution, a table of authorities and an appendix setting forth the proposed findings and ordering paragraphs.

Comments shall focus on factual, legal or technical errors in the proposed draft Resolution. Comments that merely reargue positions taken in the advice letter or protests will be accorded no weight and are not to be submitted.

Late submitted comments will not be considered.

Gurbux Kahlon  
Program Manager  
Energy Division

Enclosure: Service List  
Certificate of Service

**CERTIFICATE OF SERVICE**

I certify that I have by mail this day served a true copy of Draft Resolution E-4268 on all parties in these filings or their attorneys as shown on the attached list.

Dated September 28, 2009 at San Francisco, California.

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*Honesto Gatchalian*

**NOTICE**

Parties should notify the Energy Division, Public Utilities Commission, 505 Van Ness Avenue, Room 4002 San Francisco, CA 94102, of any change of address to ensure that they continue to receive documents. You must indicate the Resolution number on the service list on which your name appears.



**Service List**  
Resolution E-4268

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