

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Order Instituting Rulemaking to Integrate and Refine Procurement Policies and Consider Long-Term Procurement Plans.

Rulemaking 12-03-014  
(Filed March 22, 2012)

**COMMENTS OF L. JAN REID ON THE PRELIMINARY SCOPING MEMO AND SCHEDULE**

**I. Introduction**

Pursuant to the Order Instituting Rulemaking (OIR) issued on March 27, 2012, I submit these comments on the Preliminary Scoping Memo and Schedule in the Long Term Procurement Plan (LTPP) proceeding.

Comments are due on April 6, 2012. I will file and serve this pleading on Friday, April 6.

**II. Recommendations**

I have relied on past Commission decisions and state law in developing recommendations concerning the Scoping Memo and Schedule. Page references are given in parentheses after each recommendation.

I recommend the following:

1. The Commission should either open an OII or find that the feasibility of a shutdown of California's nuclear power plants is within the scope of this proceeding. (p. 2-4)
2. The Commission should require parties to provide Adobe PDF files in electronic service. (p. 5)
3. The Commission should require every party in R.12-03-014 to provide the Commission with a valid email address. (pp. 5-6)

My recommendations are based on the following proposed findings.

1. In R.10-05-006, five parties filed testimony concerning the future of California's nuclear power plants: Women's Energy Matters (WEM), L. Jan Reid (Reid), Southern California Edison Company (SCE), Pacific Gas and Electric Company (PG&E), and San Diego Gas & Electric Company (SDG&E). (p. 2)
2. Each copy of an Adobe PDF file is identical, and the page numbers of each copy match regardless of which version of Adobe is used to open the file. (p. 5)
3. In R.11-05-005, Commissioner Ferron ruled that "All parties must provide a current valid electronic mail (e-mail) address for the service list." (R.11-05-005, Scoping Memo and Ruling of Assigned Commissioner, p. 5) (p. 6)

### **III. Nuclear Power Plants**

The OIR states that "In this proceeding, we shall consider the unresolved issues in Track I of Rulemaking (R.) 10-05-006 related to the overall long-term need for new system and local reliability resources, including adoption of system resource plans and assessment of long-term local area reliability needs."

(OIR, p. 1) One such unresolved Track I issue is the feasibility of shutting down California's nuclear power plants.

In R.10-05-006, five parties filed testimony concerning the future of California's nuclear power plants: Women's Energy Matters (WEM), L. Jan Reid (Reid), Southern California Edison Company (SCE), Pacific Gas and Electric Company (PG&E), and San Diego Gas & Electric Company (SDG&E).

SCE has pointed out that "Women's Energy Matters (WEM) has filed intervenor testimony in Track II of this proceeding recommending the immediate shutdown of San Onofre Nuclear Generating Station Units (SONGS 2 & 3)."

(Exhibit 209, p. 36)

WEM's recommendation was not limited to the SONGS facility. WEM argued that "It is incumbent on the Commission to begin preparing for a shutdown of Diablo Canyon and San Onofre nuclear reactors in either case.

Both

reactors sit on and near multiple faults capable of major earthquakes; both sit on oceanfront real estate where tsunamis are a possibility. The earth's tectonic plates can heave at any moment, without warning." (Exhibit 800, p. 8)

SCE argued that WEM's recommendation should not be adopted because:

- The premature shutdown of SONGS would have immediate and adverse impacts on electric system reliability. (Exhibit 209, pp. 38-39)
- There is not enough time for mitigation to avoid the negative impacts of an immediate shutdown of SONGS (Exhibit 209, pp. 39-40)
- A premature shutdown of SONGS would impact state environmental goals. (Exhibit 209, p. 40)
- A shutdown of SONGS would have a negative economic impact on Southern California. (Exhibit 209, pp. 40-41)

PG&E testified that: (Exhibit 108, p. 1)

WEM recommends the immediate shutdown of DCPD and SONGS, and stopping purchases from other nuclear plants without considering the impacts of such actions on system reliability, the environment, or customer costs. The consequences of an immediate shutdown would require a separate analysis from what the Commission has identified as the scope of the Long-Term Procurement Plan proceeding.

SDG&E argued that "the shutdown of California's nuclear plants was not a scenario identified either in the Scoping Memo or in the ALJ Ruling."

(Exhibit 313, p. 35)

SDG&E testified that: (Exhibit 313, p. 35)

Not only is there no specific analysis that addresses the implication of a nuclear plant shutdown, there is no data that could even be used to infer the impacts. A nuclear plant shutdown analysis must identify specific replacement generation needs, which may be locational and, especially in the case of SONGS, must include detailed transmission studies.

Reid testified that: (Exhibit 1302, pp. 8-9, footnote omitted)

Both WEM and SCE have provided compelling arguments concerning the nuclear power plant shutdown issue. WEM is certainly correct concerning the risks associated with the continued operation of California's nuclear power plants. SCE makes a compelling case that it may not be in the public interest for the Commission to order an immediate shutdown of the SONGS facility.

The existence of nuclear power plants has been a major public issue in California since at least the 1972 debate over Proposition 20, which established the California Coastal Commission.

A recent poll conducted by the Public Policy Institute of California (PPIC) found that Californians are opposed to building more nuclear power plants. Josh Richmond of the Oakland Tribune has reported that "The poll found 65 percent of Californians now oppose building more plants while 30 percent are in favor, the lowest level of support since PPIC began asking the question in 2001 and a 14-point drop since one year ago."<sup>1</sup>

Since both WEM and SCE make compelling arguments concerning this issue and there is a growing public concern about nuclear power plants, I recommend that the Commission open an Order Instituting Investigation (OII) into the feasibility of shutting down the SONGS and Diablo Canyon facilities.

Therefore, I recommend that the Commission either open an OII (see above) or find that the feasibility of a nuclear power plant shutdown is within the scope of this proceeding.

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<sup>1</sup> Source: "State poll: Support for offshore oil drilling grows," Josh Richman, Oakland Tribune, July 28, 2011.

#### **IV. Service**

In regard to electronic service of documents, the OIR states that “The electronic copy should be in Microsoft Word or Excel formats to the extent possible.” (OIR, p. 18)

I strongly urge the Commission to reconsider this requirement. Although Word files take up less space than Adobe PDF files, Word files have a number of drawbacks. The page breaks for Word files are often different in different versions of Word. In the past, this has caused chaos in the hearing room and in reply comments. For example, Party A may refer to a quote on page 7 of a document generated by Party B. The quote may appear on page 6 or page 8 of the Word document received by other parties. Additionally, Word documents can be changed by any person who has access to the Word file.

This is not true of PDF files. Each copy of the PDF file is identical and the page numbers match regardless of which version of Adobe is used to open the file. Additionally, a PDF file can be changed only by its owner.

This is one reason that the Commission requires that parties provide PDF/A files when using the Commission's e-file system. For these reasons, I recommend that parties be required to provide only Adobe PDF files when serving documents electronically.

#### **V. Party Requirements**

If a party does not provide the Commission with an email address, all other parties must mail a printed copy of their filings to that party. There are now two parties (of a total 89) in R.10-05-006 who have not provided the Commission with an email address: Sydney Davies of the California Independent System Operator (CAISO) and Liberty Power, LLC. This results in a significant waste of paper, time, postage, and office storage space. For a single 20-page filing, these two parties cause the wasteful printing of 6,438 pages.<sup>2</sup>

This problem has already been successfully addressed by Commissioner Ferron in R.11-05-005. On July 8, 2011, Commissioner Ferron ruled that “All parties must provide a current valid electronic mail (e-mail) address for the service list.” (R.11-05-005, Scoping Memo and Ruling of Assigned Commissioner, p. 5)

Therefore, I urge the Commission to require all parties in R.12-03-014 to provide the Commission with a valid email address.

## VI. Conclusion

For the reasons given herein, the Commission should adopt the recommendations that I have proposed. The Commission should allow a reasonable time for additional comments and reply comments, followed by evidentiary hearings on contested issues. If hearings are held, I will participate fully in the hearings.

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Dated April 6, 2012, at Santa Cruz, California.

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<sup>2</sup> This assumes 87 parties, a 20-page filing, a one-page certificate of service, and a sixteen-page service list.

## VERIFICATION

I, L. Jan Reid, make this verification on my behalf. The statements in the foregoing document are true to the best of my knowledge, except for those matters that are stated on information and belief, and as to those matters I believe them to be true.

I declare under penalty of perjury that the foregoing is true and correct.

Dated April 6, 2012, at Santa Cruz, California.

/s/ \_\_\_\_\_

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