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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Investigation on the Commission's Own Motion into the Rates, Operations, Practices, Services and Facilities of Southern California Edison Company and San Diego Gas and Electric Company Associated with the San Onofre Nuclear Generating Station Units 2 and 3.

Investigation 12-10-013
(Filed October 25, 2012)

**ADMINISTRATIVE LAW JUDGE'S RULING
REQUESTING ADDITIONAL TESTIMONY**

On October 25, 2012, the Commission initiated this Order Instituting an Investigation (OII) to consolidate and consider issues raised by the extended outages of Units 2 and 3 at the San Onofre Nuclear Generating Station (SONGS). Pursuant to Pub. Utils. Code §455.5, the Commission will undertake to determine whether to reduce the rates of Southern California Edison Company (SCE) and San Diego Gas & Electric Company (SDG&E).

The OII required that SCE and SDG&E provide initial testimony (1st Testimony), no later than December 16, 2012, on the question of whether the Commission should reduce each utility's rates and, if so, by how much.¹ The Commission intends to approach this inquiry in stages due to the potential wide

¹ The OII was issued on November 1, 2012, and the testimony is due 45 days thereafter.

scope and quantity of information necessary to ensure that ratepayers pay just and reasonable rates, in light of the extended outages at SONGS.

The Commission will initially gather information in the form of testimony from both SCE and SDG&E about the actual expenses each incurred in 2012 related to SONGS. SCE and SDG&E shall serve additional testimony (2nd Testimony) within 30 days of the date of this ruling which responds to the following questions:

1. A copy of any report issued by the Nuclear Regulatory Commission (NRC) or its staff that addresses the cause(s) of the outage, other than the July 18, 2012 NRC report attached to the OII;
2. A copy of any reports (including attachments) provided by any outside consultants retained to assist with the utility's investigation of the cause(s) of the Outage;
3. The type and quality of fuel used by the SONGS units,
4. If applicable (e.g., if the units are in any way fuel- or interconnection-limited), describe any limitations on the implications an outage in any one unit may or may not have on the total output of the entire facility;
5. For the last five years, whether or not there were any scheduled outages, and if so, how many and providing, for each one, the date it commenced, its duration (in days), and the purpose of each such outage;
6. For the last five years, whether or not there were any unplanned outages, and if so, how many and providing, for each one, the date it commenced, its duration (in days), and the purpose or cause of each such outage;
7. For periods of time other than those during an outage identified above, were there any periods of time during which this plant, or any unit of this plant, experienced any limitations or restrictions on its capacity or output, other than for economic dispatch purposes, such that its capacity or output was limited or restricted to a level of less than

- 90% of its nominal rated capacity or output and, if so, how many occasions and providing, for each occasion, the date it commenced, its duration, and the reason for such limitation or restriction on capacity or output;
8. SCE's original SONGS Units 2 and 3 Operation & Maintenance (O&M) budget for the last five years;
 9. The actual SONGS Units 2 and 3 O&M recorded expenses for the last five years;
 10. SCE's original SONGS Units 2 and 3 capital budget for the last five years;
 11. The actual SONGS Units 2 and 3 recorded capital spending for the last five years; and
 12. An explanation of the reasonableness of each recorded O&M expense and capital expenditure made in 2012 related to SONGS, taking into account the changed circumstances arising from the extended outages of Units 2 and 3.
 13. Provide an MS Excel spreadsheet showing quantities and costs for purchased uranium, and its fabrication and enrichment, in side-by-side columns, left to right, with the columns labeled for the relevant years and months, for:
 - each fuel type used during 2011-2012;
 - data for 2013, by month, January through December; and
 - the annual total for 2012.
 14. Identify the number of nuclear fuel purchase contracts open during 2011 and 2012, and provide the terms and conditions of the contracts related to any costs or savings arising from the extended outages of Units 2 and 3.
 15. Provide in a single MS Excel, or equivalent and compatible spreadsheet, data for both SONGS units. Beginning on a new row for each SONGS unit, provide:
 - a short, readily identifiable, label or name for each unit (e.g., "SONGS 2" and "SONGS 3");

- its California Independent System Operator (CAISO) rated capacity, for each unit, in Megawatt (MW), as of January 1, 2012, in an MS Excel number format;
 - percentage, in MS Excel percentage format, of the capacity of the units, to which the respective co-owners are entitled, as of January 1, 2012;
 - the nameplate rated capacity, for each unit, in MW, as of December 31 of 2012;
 - percentage, in MS Excel percentage format, of the capacity of the units to which the respective co-owners are entitled, as of December 31 of 2012; and
 - the average availability factors for each unit over the last five years.
16. Identify any methodology which you believe would provide a better estimate of, or proxy for, the cost of replacement energy for the current SONGS outages, than using the hour-ahead average energy prices published by the CAISO for locations in your service territory (less any appropriate avoided costs, if any), and justify your recommendation.
17. Identify any publicly-available source of hour-ahead energy prices, available for every hour of every day of the current outages, if any, which you believe would better represent hour-ahead (when appropriate) replacement energy costs in your service territory than the hour-ahead energy prices published by the CAISO, and justify your recommendation. Provide any such hour-ahead energy prices, for every hour of every day of the current outages, in an MS Excel-compatible spreadsheet.
18. Identify any publicly-available source of day-ahead energy prices, available for every hour of every day of the current outages, if any, which you believe would better represent day-ahead (when appropriate) replacement energy costs in your service territory than the day-ahead energy prices published by the CAISO, and justify your

- recommendation. Provide any such day-ahead energy prices, for every hour of every day of the current outages, in an MS Excel-compatible spreadsheet.
19. Describe the objective circumstances, if any, in which the utility can enter into bilateral energy procurement contracts that reliably and predictably incur lower total procurement costs for replacement energy than by relying on CAISO, or other Regional Transmission Organization-based public markets.
 20. Identify the methodology, if any, which you believe would readily and reliably provide a good estimate of, or proxy for, the actual costs avoided during the current outages, and justify your recommendation.
 21. Does the utility believe that it can meet a reasonable manager and/or prudence standard, in its management of SONGS regarding the current outages, and does the utility believe it currently employs an appropriate program of internal audits and controls regarding SONGS operations, including for outages?
 22. Other than Sarbanes-Oxley testing, did the utility actually perform any internal audit regarding any aspect of SONGS administration within the last five years? If yes, please specify when, the standards under which such internal audit was conducted, the areas addressed, a brief summary of results and a copy of any report of such internal audit.
 23. Provide the daily energy production for each SONGS unit from December 1, 2010, through December 31, 2012, in the following format: in an MS Excel spreadsheet, date in MS Excel date format in the first column, daily energy production of Unit 2 in the second column, and daily energy production of Unit 3 in the third column; with daily energy production entered in consistent units.
 24. Provide any nuclear notifications and/or cited or non-cited nuclear violations associated with the current outages.

25. Provide a copy of the Confirmatory Action Letter issued to SCE by the NRC on March 27, 2012, concerning the SONGS outage, and SCE's response.

SCE and SDG&E may prepare testimony jointly or separately. SCE and SDG&E shall post their written Testimony in this OII on their respective company websites to provide access to the information by parties and the public, subject to non-disclosure agreement if warranted. DRA and other parties may serve Reply Testimony on or before January 29, 2013 addressing the 1st and 2nd rounds of Testimony that SCE and SDG&E have been directed to serve in the OII and this ruling. SCE and SDG&E may serve Rebuttal Testimony on or before February 13, 2013.

IT IS RULED that:

1. Southern California Edison Company (SCE) and San Diego Gas & Electric Company (SDG&E) shall prepare and serve testimony in response to the questions set forth above in this ruling no later than January 9, 2013, and publicly post the testimony on their respective company websites.
2. Division of Ratepayer Advocates and all other parties may serve Reply Testimony on or before January 29, 2013 addressing the 1st and 2nd rounds of Testimony served by SCE and SDG&E.

3. SCE and all parties may serve Rebuttal Testimony on or before February 13, 2013.

Dated December 10, 2012, at San Francisco, California.

/s/ MELANIE M. DARLING
Melanie M. Darling
Administrative Law Judge



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Dated December 10, 2012, at San Francisco, California.

/s/ SHONTA BRYANT-FLOYD
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