

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

Application of Pacific Gas and Electric
Company to Recover in Customer Rates the
Costs to Support Extended Operation of
Diablo Canyon Power Plant from January 1
through December 31, 2026 and for
Approval of Planned Expenditure of 2026
Volumetric Performance Fees
(U 39 E)

Application 25-03-015
(Filed March 28, 2025)

SAN LUIS OBISPO MOTHERS FOR PEACE'S PROTEST

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Dated: April 30, 2025

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Pursuant to Rule 2.6 of the California Public Utilities Commission (“Commission” or “CPUC”) Rules of Practice and Procedure, San Luis Obispo Mothers for Peace (“SLOMFP”) respectfully submits this Protest to Pacific Gas and Electric Company’s Application to Recover in Customer Rates the Costs to Support Extended Operation of Diablo Canyon Power Plant from January 1 through December 31, 2026, and for Approval of Planned Expenditure of 2026 Volumetric Performance Fees (“Application”). The Application is not justified based on the grounds set forth herein.

I. GROUNDS FOR SLOMFP’S PROTEST AND ISSUES TO BE CONSIDERED

SLOMFP hereby protests the Application on the following preliminary grounds:

1) PG&E’s revenue requirement of nearly \$410 million for the current record period is understated and not accurate.

2) It is not just, reasonable or prudent under Public Utilities Code (“PUC”) § 451 for PG&E to recover in rates the nearly \$410 million revenue requirement for the current record period.

3) Extended operations of Diablo Canyon Power Plant are not prudent and are not cost-effective when compared to the cost of renewable and zero-carbon power supply.¹

4) The Application mischaracterizes and does not comply with all of the regulatory requirements of S.B. 846.²

¹ P.U.C. § 451; D.23-12-036, p. 127, Conclusion of Law No. 15 “[i]t is well within the Commission’s authority, and in ratepayers’ best interest, to continue to evaluate the prudence and cost-effectiveness of continued DCP operations.”]

² Public Resources Code (“P.R.C.”) § 25548(b); P.R.C. § 25548(c); P.R.C. § 25548.3(c)(5)(C); P.U.C. § 712.8(q); P.U.C. § 712.8(r)

5) PG&E's proposed schedule for this proceeding is too truncated and does not permit a robust evidentiary record to be developed by the parties for the benefit of the Commission's decision-making process. The "Fall Update" must occur before the evidentiary and briefing.

All of these grounds are issues that must be addressed in this proceeding.

II. EFFECT OF THE APPLICATION ON THE PROTESTANT

SLOMFP is a non-profit public benefit corporation concerned with the health, safety, environmental, and economic impacts of nuclear weapons and nuclear power and the development of alternative energy sources. To that end, SLOMFP has been an intervenor in a number of administrative proceedings concerning the operation of the DCP. SLOMFP has participated in proceedings before the U.S. Nuclear Regulatory Commission ("NRC") in all matters pertaining to safety and the environment with regard to the DCP's operation. SLOMFP, by and through its representatives and attorneys, have appeared before the Atomic Safety and Licensing Board, the Nuclear Regulatory Commission, the Ninth Circuit Court of Appeals and the California Public Utilities Commission on matters related to the DCP. SLOMFP has approximately 1000 members. 100% of SLOMFP members are residential ratepayers. SLOMFP's Bylaws and Articles of Incorporation authorize it to represent these ratepayers in Commission proceedings.

PG&E's Application will harm the interests of SLOMFP and the ratepayers it represents because it requests relief that, if granted, will result in increased rates which are unjust, unreasonable, imprudent, and not cost-effective. Additionally, extended operations at Diablo Canyon will have a chilling effect on zero-carbon and renewable energy alternatives in California because both DCP and zero-carbon alternatives will be competing for access on the

CAISO-administered transmission system. This will only serve to hamper the state's ability to meet its clean energy transition goals to the detriment of ratepayers.

III. CATEGORIZATION OF PROCEEDING

As stated in the Application, the proceeding should be categorized as a rate-setting proceeding.

IV. NEED FOR EVIDENTIARY HEARING

There will be a need for an evidentiary hearing in this proceeding given the magnitude of funding PG&E is requesting to recover from ratepayers for extended operations at Diablo Canyon Power Plant. There will likely be extensive testimony on the prudence and cost-effectiveness of extended operations, including from SLOMFP's team of experts. An evidentiary hearing will provide the best opportunity to gather as much information pertaining to the issues to be addressed in this proceeding and develop a robust evidentiary record for the Commission. At the evidentiary hearing, SLOMFP will question PG&E's experts, as well as the experts who have provided testimony disputing facts and issues addressed by SLOMFP's testimony.

V. PG&E'S PROPOSED SCHEDULE

PG&E's proposed schedule for this proceeding is too truncated and does not permit a robust evidentiary record to be developed by the parties. The Commission should refuse to adopt PG&E's proposed schedule and instead adopt a schedule that sets intervenor testimony to be served by August 8 and rebuttal testimony by September 8th.

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SLOMFP further recommends that the Fall Update occur before any evidentiary hearing and briefing and to the extent necessary, the date for the final decision be extended into 2026.

Respectfully submitted,

Venskus & Associates, A.P.C.

Dated: April 30, 2025

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