



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

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A1608006

Application of Pacific Gas and Electric Company for Approval of the Retirement of Diablo Canyon Power Plant, Implementation of the Joint Proposal, And Recovery of Associated Costs Through Proposed Ratemaking Mechanisms (U39E).

Application 16-08-006

(Filed August 11, 2016)

**CGNP's COMMENTS IN RESPONSE TO ALJ SEYBERT'S
DECEMBER 8, 2023 PROPOSED DECISION**

December 27, 2023

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I. SUMMARY

In accordance with the three elements in the Commission's Rule 12.2, Californians for Green Nuclear Power raises the objection that ALJ Seybert utilized an improper scope of Proceeding A.16-08-006 to determine in his December 8, 2023 Proposed Decision ¹ (December 8 Proposed Decision) that CGNP was not entitled to any intervenor compensation in response to their January 30, 2023 intervenor compensation request. CGNP contests the claims resulting from the improper scoping in the December 8, 2023 Proposed Decision. In its filing, CGNP provides Commission Rules, case law, and statutory references focused on the Commission's determination of "substantial contribution" to a Proceeding to establish the Party's amount of intervenor compensation associated with a specific Commission action. The elements of this section comprise CGNP's Comments guided by the Commission's Rule 16.4.

II. DEFINITIONS AND BACKGROUND

CGNP uses the term "Phase 1" to refer to the interval in this Proceeding between PG&E filing its August 11, 2016 Application to close Diablo Canyon Power Plant (DCPP) in 2025 and the Commission's approval of PG&E's Application on January 11, 2018 in D.18-01-022. ² The scope of the Proceeding during this phase included "earlier or later" DCPP retirement dates.

¹ ALJ Seybert's December 8, 2023 PD Denying CGNP's Intervenor Compensation Request <https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M521/K337/521337364.PDF>

² The Commission's January 11, 2023 Decision D.18-01-022 Granting PG&E's Application to Voluntarily Retire DCPP in 2025 <https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M205/K423/205423920.PDF>

CGNP uses the term "Phase 2" to refer to the interval in this Proceeding between CGNP filing its Application for Rehearing on January 17, 2018³ and the Commission's Decision D.18-10-023⁴ with an issuance date of October 1, 2018 Denying CGNP's Application for Rehearing. The scope of the Proceeding during this phase still included "earlier or later" DCPD retirement dates. On October 24, 2018, CGNP filed for a discretionary Petition for a Writ of Review of D.18-10-023 in Case B293420 before the Second Appellate District, Division 6 of the California Court of Appeals. CGNP's Petition for a Writ of Review was denied without explanation on January 31, 2019.

Finally, in response to the enactment of California SB 846 on September 2, 2022, the Commission reopened A.16-08-006 on September 9, 2022.⁵ CGNP defines this as the beginning of "Phase 3." CGNP played a very active role in the enactment of California SB 846 via publishing numerous OpEds and letters to the editor advocating for DCPD operations beyond 2025. CGNP helped to develop a coalition of groups advocating for DCPD extended operations before regulatory and oversight bodies other than the Commission at the local, state, and federal level. (Consistent with Commission rules, CGNP did not seek intervenor compensation for any of this outside advocacy.) The scope of the Proceeding during this phase still included "earlier or later" DCPD retirement dates. On September 23, 2022, ALJ Seybert and Commissioner Reynolds filed an Amended Scoping Memo and Ruling⁶ which preserved the existing scope of the Proceeding and added proposals to

³ CGNP's January 17, 2018 Application for Rehearing in A.16-08-006
<https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M204/K302/204302250.PDF>

⁴ Decision D.18-18-018 Denying CGNP's January 17, 2018 Application for Rehearing
<https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M225/K216/225216399.PDF>

⁵ Chief Administrative Law Judge's Ruling Reopening Proceeding A.16-08-006 on September 9, 2022
<https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M496/K875/496875354.PDF>

⁶ Amended Scoping Memo and Ruling in A.16-08-006 filed on September 23, 2023
<https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M497/K170/497170482.PDF>

establish tracking accounts for PG&E's costs of extended DCPD operation, conditioned upon the Commission granting an extension to the proposed retirement dates beyond 2025 for the DCPD reactors. Phase 3 of A.16-08-006 concluded with The Commission issuing a Decision D.22-12-005⁷ on December 6, 2022 preserving the option of DCPD extended operations and nullifying ordering paragraphs 1 and 14 in Decision D18-01-022.

Finally, the Commission issued Rulemaking R.23-01-007⁸ on January 20, 2023 considering an extension to DCPD operations to 2030. CGNP actively participated in all of the phases of that Proceeding. The Commission granted PG&E's conditional request for DCPD extended operations to 2030 on December 14, 2023. CGNP's November 8, 2023 Motion for Leave to Late File its Notice of Intent to Claim Intervenor Compensation in R.23-01-007 was denied⁹ on December 6, 2023. As a consequence of the latter Decision, CGNP could not request approximately \$200,000.00 in intervenor compensation to which it would otherwise be entitled to apply for.

III. INTERVENOR COMPENSATION OUTCOMES OF THE PARTIES

1. Below is a tabulation of the intervenor compensation requests and awards in A.16-08-006 that have either been completely adjudicated or are in a proposed decision status as of December 8, 2023. As is apparent from the Phase 1 outcomes, the PUC rules on contributing to the final decision are not a license to reward yes-men and punish contrarians.

⁷ Decision D.22-12-005 <https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M499/K622/499622197.PDF>

⁸ Rulemaking to Consider A Potential Extension of DCPD Operations R.23-01-007 issued on January 20, 2023 <https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M501/K368/501368884.PDF>

⁹ Denial of CGNP's Motion to Late File Intervenor Compensation in R.23-01-007 filed on December 6, 2023 <https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M521/K261/521261310.PDF>

Intervenor	Date	Amount Requested	Amount Awarded	Date	Excluded	Awarded % of Requested
EDF	2/1/2018	\$28,940.00	\$28,940.00	10/11/2018	\$0.00	100.00%
GPI	2/2/2018	\$181,564.00	\$181,493.69	10/25/2018	\$70.31	99.96%
WEM	3/5/2018	\$94,072.04	\$94,499.54	7/2/2018	(\$427.50)	100.45%
FoE	3/15/2018	\$277,438.61	\$243,398.61	12/13/2018	\$34,040.00	87.73%
A4NR	3/15/2018	\$992,050.02	\$725,407.32	10/25/2018	\$266,642.70	73.12%
TURN	3/16/2018	\$222,796.00	\$222,795.51	9/27/2018	\$0.49	100.00%
NRDC	3/19/2018	\$44,937.50	\$37,384.70	8/31/2018	\$7,552.80	83.19%
SLO MFP	3/19/2018	\$176,632.23	\$162,251.31	1/14/2021	\$14,380.92	91.86%
Opponents Total		\$2,018,430.40	\$1,696,170.68		\$322,259.72	
A4NR Phase 3	1/26/2023	\$227,192.55	\$53,945.20	12/8/2023	\$173,247.35	23.74%
CGNP Phase I	6/13/2018	\$317,600.69	\$223,083.21	9/5/2018	\$94,517.48	70.24%
CGNP Phase 2	11/26/2018	\$24,405.50	\$4,366.05	6/13/2019	\$20,039.45	17.89%
CGNP Phase 3	1/27/2023	\$153,082.09	\$0.00	12/8/2023	\$153,082.09	0.00%
CGNP Total		\$380,531.35	\$227,449.26		\$153,082.09	

During Phase 1, opponents to DCPD extended operation requested a total of about \$2.018 million in intervenor compensation. Opponents received a total of about \$1.696 million. This outcome is consistent with the opponents to DCPD extended operation (and CGNP) creating a robust record affirming during Phase 1 the conclusions in D.18-01-022 which did not permit DCPD extended operations. The ratio of amount awarded to amount requested ranged from 73.12% for A4NR to 100.45% for WEM. While the lone adverse Party of 55 Parties, CGNP made numerous contributions to the Record, as evidenced by the three-page spreadsheet in Appendix A of CGNP's written filings in A.16-08-006. (However, this spreadsheet does not show CGNP's active participation in the oral arguments in the Proceeding.) The Commission acknowledged CGNP's significant contributions in

Phase 1 by awarding it a slightly lower percentage (70.24%) of its request than A4NR's percentage.

CGNP was the lone Party that appealed D.18-01-022 in Phase 2. The Commission awarded CGNP a tiny fraction (17.89%) of its request.

In Phase 3, based on ALJ Seybert's improper definition of scope, CGNP was denied any intervenor compensation. CGNP was the lone Party in all three phases of the Proceeding that advocated for DCPD extended operations. At the end of Phase 3 of A.16-08-006, the Commission issued Decision D.22-12-005 on December 6, 2022 preserving the option of DCPD extended operations and nullifying ordering paragraphs 1 and 14 in Decision D18-01-022. The previous sentence is a good summary of CGNP's advocacy during the entirety of A.16-08-006. No other Party, including DCPD owner PG&E, forcefully advocated for DCPD extended operations in A.16-08-006 like CGNP articulated. The denial of any intervenor compensation to CGNP in Phase 3 is unfair and inequitable.

Party	Date	Filing	Number of Instances of Phrase or Word	
			Extended Operations	Retirement
ALJ Seybert	12/6/2022	Decision D.22-12-005	55	23
PG&E	11/22/2022	Response to ALJ Seybert's PD	6	2
A4NR	11/17/2022	Opening Comments to ALJ Seybert's PD	28	1
PG&E	11/14/2022	Response to A4NR's Motion to Compel	1	1
A4NR	11/4/2022	Motion to Compel Discovery	2	2
ALJ Seybert	10/28/2022	Proposed Decision	54	23
CGNP	10/14/2022	Reply Comments to PG&E's Comments	3	4
A4NR	10/13/2022	Reply Comments to PG&E's Comments	21	1
PG&E	10/7/2022	Comments on Amended Scoping Memo	17	4
ALJ Seybert	9/23/2022	Amended Scoping Memo and Ruling	5	7

The phrase "extended operations" is only relevant to a **later retirement date** than 2025 for DCPD. The perspective that a later retirement date is within scope is supported by this keyword or phrase analysis of Phase 3 filings of three relevant Parties and the ALJ, most notably in Decision D.23-12-005.

ALJ Seybert's disallowances of A4NR Attorney John Geesman's intervenor compensation claims ¹⁰ reflect the principle that intervenor compensation should be awarded for substantial contributions to a Commission's Final Order or Decision. The section is quoted below:

"Mr. Geesman requested compensation for 271.42 hours. We disallow 206.45, or 76%, of those recorded hours. Reasons for these disallowances include:

- Over 100 of the logged hours took place before the proceeding was reopened and did not substantially contribute to D.22-12-005.
- Many logged activities are, at best, tangentially relevant to the instant proceeding (e.g., 0.88 hours spent listening to a podcast on PG&E's culture and history, 3.5 hours spent reviewing PG&E's application for spinoff of non-nuclear generation, 4.37 hours spent reviewing the NRC DPO on seismic standards, 0.08 hours spent on correspondence comparing the Diablo Canyon extension cost to the cost of mandatory kindergarten).
- Timesheets reveal duplication of efforts on activities that are not sufficiently justified. For example, A4NR had multiple people spend 5.18 hours on a CEC-CPUC-CAISO webinar, without justifying its relevance to the proceeding.
- Certain line items include a mix of issues both relevant and irrelevant to the instant proceeding (e.g., correspondence included discussion of both the length of the DCCP extension and, without justification, Chair Lianne Randolph at the California Air Resources Board).

As an experienced intervenor, A4NR should be familiar with the Commission's intervenor compensation requirements and best practices. While we disallow hours only for the reasons listed above, timesheet entries should be descriptive, especially if the entry refers to an event or document separate from the instant proceeding (e.g., a request for 5.18 hours to "attend CEC/CPUC/CAISO workshop" is non-descriptive). Relatedly, if it is not immediately clear how the line item supported a material contribution to the referenced decision, the line item should include an explanation.

We must emphasize that, pursuant to Public Utilities Code Sections 1801-

¹⁰ ALJ Seybert's December 8, 2023 Proposed Decision Regarding A4NR's Request for Intervenor Compensation in A.16-08-006 <https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M521/K330/521330719.PDF>

1802, A4NR should only request compensation for activities that are directly relevant to the decision at hand. A4NR's timesheets list out any and every activity with tangential relevance to the subject matter in the proceeding, evidencing no attempt to cull out the activities that did not substantially contribute to the decision under consideration. Particularly egregious is the large number of hours logged before the proceeding reopened. This wastes the Commission's time and risks awarding ratepayer monies for activities that did not contribute to the Commission's final order or decision.

All that said, these requests are disallowed without prejudice. A4NR may choose to seek reimbursement of these costs if it can clearly demonstrate of the following: (1) the activities are relevant to the scope of the proceeding; (2) **the activities substantially contributed to the Commission's final order or decision**; (emphasis added) and (3) the activities were not duplicative. "

CGNP's activities in all three phases of A.16-08-006 satisfy the three prongs cited by ALJ Seybert in the last paragraph.

IV. CGNP RESPECTFULLY DISAGREES WITH ALJ SEYBERT'S DEFINITIONS OF SCOPE AND THE OUTCOMES IN HIS DECEMBER 8, 2023 PD

1A. ALJ Seybert mischaracterizes the nature of issues within scope in A.16-08-006 to arrive at the conclusions in his proposed decision

The fundamental area of dispute between parties in all three phases of A.16-08-006 was the "earlier and later" retirement dates for Diablo Canyon Power Plant. The centrality of this issue was acknowledged in ALJ Seybert's and Commissioner Reynolds's Amended Scoping Memo (Amended Scoping Memo) filed on October 23, 2023 ¹¹.

¹¹ *ibid.* P. 3

Here is the entire Issues section which was shown on page 3 of the Amended Scoping Memo:

2. Issues

On November 18, 2016, a *Scoping Memo and Ruling of the Assigned Commissioner and Administrative Law Judge* was issued in this proceeding setting forth the category, schedule, and scope of issues to be considered (Scoping Memo). Among the issues scoped into the proceeding are “**earlier and later**” retirement dates for Diablo Canyon Unit 1 and Unit 2, as well as “[i]ssues relating to the operation of the plant until the retirement date.”² (emphasis added)

In consideration of the issues set forth in the Scoping Memo, alongside (PUC) Sections 712.8(c)(1)(A) and 712.8(e) above, the following issue is **added** (emphasis added) to the scope of this proceeding:

1. Whether one or more new accounts needs to be established, and/or whether one or more existing cost tracking accounts needs to be modified, for PG&E to be able to track “all costs associated with the continued and extended operations of Diablo Canyon Units 1 and 2.”

Additional procedural issues and activities, as they pertain to the implementation of SB 846, may be considered in a subsequent phase of this proceeding or in another proceeding.

2 Scoping Memo, Section 2.1 Retirement of Diablo Canyon Power Plant, at 2.

The plain language contained in this Issues section shows the "earlier or later" retirement dates for Diablo Canyon Unit 1 and Unit 2 are within scope. Quoting further,In consideration of the issues set forth in the Scoping Memo,

alongside Sections 712.8(c)(1)(A) and 712.8(e) above, the following issue is **added** (emphasis added) to the scope of this proceeding:.... Nothing on this page restricts the scope of the issues A.16-08-006. **ALJ Seybert's PD improperly restricts the scope of this Proceeding only to the added issue.** A logical consequence of this plain language is that extended operations are a necessary condition to set up any new cost tracking accounts contemplated in the PD.

In all three phases of A.16-08-006, CGNP was the sole Party of the 55 Parties (including DCPD owner PG&E) advocating for a later retirement date for Diablo Canyon Unit 1 and Unit 2. CGNP's advocacy for extended DCPD operations was within the scope of this Proceeding. CGNP's advocacy for extended DCPD operations is a "significant contribution" to the factual and legal conclusions the Commission arrived at during the third (and final) phase of A.16-08-006, as will be shown in the following section.

1B. ALJ Seybert mischaracterizes the outcomes in A.16-08-006 to arrive at the conclusions in the December 8 PD

Here are the first two Conclusions of Law on page 29 in the Commission's Decision D.22-12-005 ¹², issued by all five Commissioners on December 6, 2022 in A.16-08-006:

Conclusions of Law

1. Pub. Util. Code Section 712.8(b)(1), invalidates Ordering Paragraphs 1 and 14 of Decision D.18-01-022, concerning approval of PG&E's initial proposal in A.16-08-006 to retire Diablo Canyon Unit 1 by 2024 and Unit 2 by 2025, and closing the proceeding, respectively.

¹² *ibid*, P. 29

2. In view of the legislative invalidation of Ordering Paragraphs 1 and 14 of D.18-01-022, those Ordering Paragraphs have no force or effect, and should be invalidated by this decision to ensure consistency with statute.

CGNP was the sole advocate for the first two paragraphs in the Conclusions of Law during this Proceeding. The first two paragraphs are necessary conditions for the Conclusions of Law paragraphs 3 through 31. Thus, without CGNP's advocacy during all three phases of A.16-08-006 for the first two paragraphs, Conclusions of Law paragraphs 3 through 31 would have been null and void. The statement of the previous sentence is consistent with CGNP making a significant contribution to A.16-08-006.

The ORDER begins on page 33 in Decision D.22-12-005:

O R D E R

IT IS ORDERED that:

1. Ordering Paragraphs 1 and 14¹³ of Commission Decision 18-01-022 are null and void.¹⁴

Ordering Paragraph 1. is a necessary condition for the Ordering Paragraphs numbered 2. through 8. CGNP was the sole advocate for the above ordering paragraph 1. during all three phases of A.16-08-006. Thus, CGNP made **the most significant contribution** to Decision D.22-12-005. Between the second and third phases of the instant Proceeding, CGNP's public advocacy campaigns made a

¹³ 1. Pacific Gas and Electric Company's proposal to retire Diablo Canyon Unit 1 in 2024 and Unit 2 in 2025 is approved.

14. Application 16-08-006 is closed.

¹⁴ SB 846 (Stats. 2022, Ch. 239) Pub. Util. Code Section 712.8(b)(1)

difference. CGNP did not seek intervenor compensation for our public advocacy campaigns. CGNP helped to craft and enact California SB 846 on September 2, 2022.

V. THE PUBLIC INTEREST IS SERVED BY PROVIDING INTERVENOR COMPENSATION FOR INDEPENDENT REPRESENTATION OF THE PUBLIC

There is a need for independent representation of the public in matters before the Commission. Given the public policy importance of this independent representation, statutes and regulations should be interpreted by the Commission in a light favorable to those independent representatives including Californians for Green Nuclear Power (CGNP.) Some relevant history follows.

A. The California Public Utility Commission (Commission) was created by a 1911 Constitutional Amendment.¹⁵ It was named the Railroad Commission in response to California railroads exercising their monopoly power to the detriment of public interests. In 1912, its regulatory authority was expanded to include natural gas, electric, telephone, and water companies as well as railroads and marine transportation companies. In 1946, the Commission was renamed the California Public Utilities Commission.

B. The federal PUHCA-1935¹⁶ barred regulated public utility entities from making campaign contributions to state regulatory bodies. This was an important "New Deal" reform aggressively opposed by public utility holding companies. Until the passage of PUHCA-1935, state regulatory bodies often "rubber stamped" utility

¹⁵ History of the CPUC <https://www.cpuc.ca.gov/about-cpuc/divisions>

¹⁶ Public Utility Holding Company Act of 1935 § 12 (h), 15 U.S.C. § 79l(h) (1935) (Repealed 2005)
<https://www.loc.gov/law/help/statutes-at-large/74th-congress/session-1/c74s1ch687.pdf>

company demands, often to the detriment of public interests which include reliable access to reasonably-priced electric power.

C. Citizen Utility Boards (CUBs) were championed by Attorney Ralph Nader to provide independent representation of the public. The first CUB was created by Wisconsin statute in 1979. ¹⁷ (California does not have a CUB. Cal-Advocates is not independent and their recommendations are often overruled.)

D. The federal PUHCA-2005, lobbied for by investor-owned utilities eliminated the bar to regulated public utility entities from making campaign contributions to state regulatory bodies. The 2005 rollback of regulatory safeguards made independent representation of the public in matters before the Commission more important, as in-state and out-of-state fossil energy suppliers expanded the sales of their products utilized for California electricity generation by billions of dollars annually by advocating for ending the operations of San Onofre Nuclear Generating Station (SONGS) at the end of January, 2012. CGNP was established in part in response to the unnecessary closure instead of repairing SONGS. CGNP's filings before regulatory and oversight bodies at the local, state, and federal level (including before the Commission) established a multi-billion dollar increase in annual fossil fuel sales to in-state and out-of-state fossil fuel suppliers would be the outcome of DCCP closure prior to the end of its operational lifetime, circa 2085.

¹⁷ About the Citizen's Utility Board of Wisconsin <https://cubwi.org/about-us/>

VI. STATUTES, RULES, AND CASE LAW REGARDING "SIGNIFICANT CONTRIBUTIONS" AND INTERVENOR COMPENSATION

In CGNP's view, the two most relevant sections of the California Public Utility Code (PUC) regarding intervenor compensation and "significant contributions" are PUC 1801.¹⁸ and PUC 1802.(j)¹⁹ which are reproduced immediately below:

PUC 1801.

The purpose of this article is to provide compensation for reasonable advocate's fees, reasonable expert witness fees, and other reasonable costs to public utility customers of participation or intervention in any proceeding of the commission. *(Amended by Stats. 1992, Ch. 942, Sec. 1. Effective January 1, 1993.)*

PUC 1802.(j) "Substantial contribution" means that, in the judgment of the commission, the customer's presentation has substantially assisted the commission in the making of its order or decision because the order or decision has adopted in whole or in part one or more factual contentions, legal contentions, or specific policy or procedural recommendations presented by the customer. Where the customer's participation has resulted in a substantial contribution, even if the decision adopts that customer's contention or recommendations only in part, the commission may award the customer compensation for all reasonable advocate's fees, reasonable expert fees, and other reasonable costs incurred by the customer in preparing or presenting that contention or recommendation.

(Amended by Stats. 2016, Ch. 808, Sec. 9. (SB 512) Effective January 1, 2017.)

¹⁸ PUC 1801.

https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=1801.&nodeTreePath=2.1.18.5&awCode=PUC

¹⁹ PUC 1802.(j)

https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=1802.&nodeTreePath=2.1.18.5&awCode=PUC

The plain language of PUC 1801. and PUC 1802.(j) show that CGNP has made a "substantial contribution" to the final Decision D.22-12-005²⁰ issued on December 6, 2022, hence should be eligible for intervenor compensation. ... The commission may award the customer compensation for all reasonable advocate's fees, reasonable expert fees, and other reasonable costs incurred by the customer in preparing or presenting that contention or recommendation.

NARUC presented a summary of the six currently operating intervenor compensation programs in the United States. According to the article,²¹ "California's intervenor compensation program pays out the most in intervenor compensation awards and issues the most decisions among U.S. states." For this reason CGNP believes the Commission's Decisions regarding intervenor compensation may set important precedents.

This pair of appellate decisions in 2016 and 2018²² involving the Commission and intervenors TURN and the Center for Accessible Technology underscored that the Commission does not need to arrive at a Decision as a condition for awarding intervenor compensation costs. The Commission appears to be protective of the economic interests of intervenors. This perspective was reinforced in Page 7 of Decision D.18-12-005²³ in A.17-03-019 Granting Motion to Withdraw with

²⁰ *Ibid.*

²¹ "State Approaches to Intervenor Compensation," Prepared for National Association of Regulatory Utility Commissioners by FTI Consulting, Inc., December, 2021. <https://pubs.naruc.org/pub/B0D6B1D8-1866-DAAC-99FB-0923FA35ED1E>

²² *New Cingular Wireless PCS, LLC v. Public Utilities Com.* (2016) 246 Cal.App.4th 784

New Cingular Wireless PCS v. Public Utilities Commission (2018) _ Cal.App.5th _ , 2018 WL 1532332 summarized at *The Update*, San Diego Defense Lawyers, Summer, 2018 Pages 14-15 of 32. https://sddl.org/uploads/7/4/0/1/74013211/2018_summer.pdf

²³ D.18-12-005 <https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M252/K563/252563177.PDF>

Conditions and the UCAN intervenor compensation award granted in Decision D.19-11-014 ²⁴ in A.17-03-019.

VII. CONCLUSION

In light of the above and in light of CGNP's substantial contributions to the final Decision D.22-12-005 ²⁵ issued on December 6, 2022 regarding A.16.08-006, which was further affirmed by final Decision D.23-12-006 ²⁶ issued on December 15, 2023 regarding R.23-01-007, CGNP should be awarded \$153,082.09 in the December 8, 2023 Proposed Decision, instead of receiving no award.

Dated: December 27, 2023

Sincerely,

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²⁴ D.19-11-014 <https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M319/K417/319417545.PDF>

²⁵ *ibid*

²⁶ Decision D.23-12-006 <https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M521/K496/521496276.PDF>

