

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

Joint Application of Southern California Edison
Company (U 338-E) and San Diego Gas &
Electric Company (U 902-E) For the 2024
Nuclear Decommissioning Cost Triennial
Proceeding.

Application No. 24-12-____

**JOINT APPLICATION OF SOUTHERN CALIFORNIA EDISON COMPANY (U 338-E)
AND SAN DIEGO GAS & ELECTRIC COMPANY (U 902-E) FOR THE 2024 NUCLEAR
DECOMMISSIONING COST TRIENNIAL PROCEEDING**

CLAIRE E. TORCHIA
RYAN JERMAN
HIRA YOSHIHARA-SAINT

Attorneys for
SOUTHERN CALIFORNIA EDISON COMPANY

2244 Walnut Grove Avenue
Post Office Box 800
Rosemead, California 91770
Telephone: (626) 302-4632
E-mail: ryan.jerman@sce.com

PAUL A. SZYMANSKI

Attorney for
SAN DIEGO GAS & ELECTRIC COMPANY

8330 Century Park Court, CP32D
San Diego, California 92123
Telephone: (858) 654-1732
Email: pszymanski@sdge.com

Dated: **December 6, 2024**

**JOINT APPLICATION OF SOUTHERN CALIFORNIA EDISON COMPANY (U 338-E)
AND SAN DIEGO GAS & ELECTRIC COMPANY (U 902-E) FOR THE 2024 NUCLEAR
DECOMMISSIONING COST TRIENNIAL PROCEEDING**

TABLE OF CONTENTS

Section	Page
I. SUMMARY OF REQUEST FOR RELIEF	1
II. DISCUSSION	4
A. This Joint Application Is Consistent With The Objectives Of The NDCTP	4
B. This Joint Application Is Consistent With Other Federal And State Requirements	4
C. This Joint Application Complies With D.24-08-001	5
III. STATUTORY AND REGULATORY REQUIREMENTS	7
A. Statutory And Regulatory Authority	7
B. Commission Rules for Applications	7
1. Rule 2.1 – Contents	7
a) Applicant Information and Service Information	8
(1) SCE	8
(2) SDG&E	9
b) Proposed Categorization	9
c) Proposed Schedule And Issues To Be Considered	10
d) Disadvantaged Communities and Safety	10
(1) The NDCTP Historically Considers Ratemaking And Cost-Recovery Issues	11
(2) Radiological Health And Safety Issues	11
(3) Worker Safety	14
2. Rule 2.2 – Organization And Qualification To Transact Business	15
a) Articles Of Incorporation	15
(1) SCE	15

**JOINT APPLICATION OF SOUTHERN CALIFORNIA EDISON COMPANY (U 338-E)
AND SAN DIEGO GAS & ELECTRIC COMPANY (U 902-E) FOR THE 2024 NUCLEAR
DECOMMISSIONING COST TRIENNIAL PROCEEDING**

TABLE OF CONTENTS (CONTINUED)

Section	Page
(2) SDG&E	16
3. Rule 2.4 – California Environmental Quality Act (CEQA) Compliance	16
C. Compliance with Prior Commission Decisions	16
D. Index Of Exhibits	17
E. Service List	18
IV. CONCLUSION.....	18

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

Joint Application of Southern California Edison Company (U 338-E) and San Diego Gas & Electric Company (U 902-E) For the 2024 Nuclear Decommissioning Cost Triennial Proceeding.

Application No. 24-12-____

**JOINT APPLICATION OF SOUTHERN CALIFORNIA EDISON COMPANY (U 338-E)
AND SAN DIEGO GAS & ELECTRIC COMPANY (U 902-E) FOR THE 2024 NUCLEAR
DECOMMISSIONING COST TRIENNIAL PROCEEDING**

Pursuant to the California Public Utilities Commission (CPUC or Commission) Rules of Practice & Procedure, Southern California Edison Company (SCE) and San Diego Gas & Electric Company (SDG&E) (hereinafter collectively referred to as the “Utilities”), hereby respectfully submit the following Joint Application for the 2024 Nuclear Decommissioning Cost Triennial Proceeding (NDCTP).

I. SUMMARY OF REQUEST FOR RELIEF

In this Joint Application and the supporting testimony, the Utilities jointly request that the Commission:

- 1) Approve as reasonable \$5.07 million (100% share, 2014 \$) incurred for San Onofre Nuclear Generating Station Unit 1 (SONGS 1)¹ decommissioning projects that were completed during January 1, 2021 through December 31, 2023 (the 2021-2023 review period) and for undistributed decommissioning expenditures incurred during the same period;

¹ SCE holds an 80% interest and SDG&E holds a 20% interest in SONGS 1 decommissioning liability.

- 2) Approve as reasonable \$518.6 million² (100% share, 2014 \$) incurred for SONGS 2&3³ projects that were completed during the 2021-2023 review period and for undistributed decommissioning expenditures incurred during the same period;
- 3) Find that the SCE 2024 SONGS 1 decommissioning cost estimate (DCE) of \$215.0 million (100% share, 2014 \$) is reasonable;
- 4) Find that the 2024 SONGS 2&3 DCE of \$4,709.4 million (100% share, 2014 \$), which represents the cost estimate of the “Operational Scenario”⁴ in the 2024 SONGS 2&3 DCE, is reasonable;⁵ and
- 5) Find that the Utilities are compliant with prior Commission NDCTP decisions and approve the 2024 Reasonableness Framework (a.k.a. Milestone Framework).

In addition, SCE separately requests that the Commission:

- 1) Find that the 2023 Palo Verde Nuclear Generating Station Units 1, 2, & 3 (PVNGS) DCE of \$632.1 million (SCE share, 2023 \$) is reasonable;
- 2) Approve SCE’s request to maintain its annual contributions to the SONGS 1, SONGS 2&3, and PVNGS Nuclear Decommissioning Trusts (NDTs) at \$0.00 (zero dollars), based upon the current DCEs for SONGS 1, SONGS 2&3, and PVNGS, balances as of June 30, 2024 in the SONGS 1, SONGS 2&3, and PVNGS NDTs, projected escalation rates, and current financial assumptions; and

² The SONGS 2&3 expenses include undistributed costs and the distributed costs for completed Major Projects during 2021-2023 as detailed in the Application (A.)22-02-016 Milestone Framework testimony (Exhibit SCE-SDGE-01).

³ SCE holds an approximately 75.74% interest, SDG&E holds a 20% interest, the City of Anaheim holds an approximately 2.47% interest, and the City of Riverside holds a 1.79% interest in SONGS 2&3 decommissioning liability, respectively. SCE, SDG&E, the City of Anaheim, and the City of Riverside are referred to as the “SONGS 2&3 Decommissioning Co-Participants.”

⁴ See p. 6, *infra*, and Exhibit SCE-04 for a discussion of the Operational Scenario.

⁵ As the 2020 SONGS 2&3 DCE is the most recently prepared DCE, it will serve as the basis for the cash flow utilized in future fall Tier 2 Advice Letter filings.

- 3) Find that SCE has complied with Decision (D.)24-08-001, Ordering Paragraph 5, which requires SCE to provide certain information in this NDCTP related to proceeds from litigation with the Department of Energy (DOE).

In addition, SDG&E separately requests that the Commission:

- 1) Approve as reasonable the SCE 2024 SONGS 1 DCE for SONGS 1 decommissioning work and SDG&E's 20% share of the costs (\$43.0 million, 2014 \$);⁶
- 2) Approve as reasonable the 2024 SONGS 2&3 DCE ("Operational Scenario") for SONGS 2&3 decommissioning work and SDG&E's 20% share of the costs (\$941.9 million, 2014 \$);⁷
- 3) Approve as reasonable the \$18.6 million (SDG&E share, 2014 \$) estimate of future SDG&E-only costs for SONGS 1 and SONGS 2&3;⁸
- 4) Approve SDG&E's request to maintain its annual contributions to its SONGS 1 NDTs at \$0.00 (zero dollars), based upon the current estimate of decommissioning costs for SONGS 1, current level of funding of the SONGS 1 NDTs, projected escalation rates, and current financial assumptions;⁹
- 5) Approve SDG&E's request to maintain its annual contributions to its SONGS 2&3 NDTs at \$0.00 (zero dollars), based upon the current estimate of decommissioning costs for SONGS 2&3, current level of funding of the SONGS 2&3 NDTs, projected escalation rates, and current financial assumptions;¹⁰
- 6) Approve as reasonable the \$1.0 million (SDG&E share, 2014 \$) for SONGS 1 decommissioning expenses invoiced to SDG&E by SCE for completed distributed activities and undistributed costs for the 2021-2023 review period;¹¹

⁶ Exhibit SDGE-03, p. 1.

⁷ *Id.*

⁸ Exhibit SDGE-03, p. 2.

⁹ Exhibit SDGE-04, p. 2.

¹⁰ Exhibit SDGE-04, p. 3.

¹¹ Exhibit SDGE-02, p. 1.

- 7) Approve as reasonable the \$104.9 million (SDG&E share, 2014 \$) for SONGS 2&3 decommissioning expenses invoiced to SDG&E by SCE for completed distributed activities and undistributed costs for the 2021-2023 review period;¹² and
- 8) Approve as reasonable the \$3.1 million (2014 \$) in SDG&E-only costs for SONGS incurred during the 2021-2023 review period.¹³

II. DISCUSSION

A. This Joint Application Is Consistent With The Objectives Of The NDCTP

As provided in the California Nuclear Facility Decommissioning Act of 1985 (Decommissioning Act)¹⁴ and Commission precedent, the objectives of this NDCTP are to set the annual revenue requirements for the decommissioning trusts for the nuclear power plants owned by the Utilities, including review of the DCEs and financial assumptions for reasonableness, and to determine whether the expenses incurred by the Utilities for decommissioning activities are reasonable and prudent.¹⁵ This Joint Application, the Utilities' supporting testimony, the updated DCEs, and the accompanying analyses meet these objectives.

B. This Joint Application Is Consistent With Other Federal And State Requirements

In addition, this Joint Application demonstrates compliance with other various federal and state requirements that the Utilities must fulfill to decommission SONGS, and SCE must fulfill to decommission PVNGS.

As holders of Nuclear Regulatory Commission (NRC) licenses for SONGS, the Utilities have an unavoidable obligation, under NRC regulations, to decommission SONGS.¹⁶

¹² *Id.*

¹³ *Id.*

¹⁴ Cal. Pub. Util. Code § 8321, et seq.

¹⁵ Cal. Pub. Util. Code §§ 8326-8327; Decision (D.) 21-12-026, pp. 5-7.

¹⁶ 10 C.F.R. § 50.2 defines decommissioning as “to remove a facility or site safely from service and reduce residual radioactivity to a level that permits – (1) release of the property for unrestricted use

Continued on the next page

The Utilities' customers are required to provide funding to decommission SONGS.¹⁷

In addition, the Utilities do not own the site upon which SONGS is located. Instead, they are authorized to use the site under grants of easement and leases from the U.S. Department of the Navy and the California State Lands Commission. The SONGS site leases and grants of easement also require the Utilities to decommission the SONGS facility.¹⁸

As a holder of an NRC license for PVNGS, SCE also has an unavoidable obligation, under NRC regulations, to decommission PVNGS. Similarly, SCE's customers are required to provide funding to decommission SCE's share of PVNGS.

C. This Joint Application Complies With D.24-08-001

The Commission resolved the Utilities' most recent NDCTP, the 2021 NDCTP (Application 22-02-016), in D.24-08-001. That decision included two requirements for the Utilities to address in this proceeding.

First, D.24-08-001 approved a settlement agreement that resolved most of the contested issues in the 2021 NDCTP. Relevant to this NDCTP, the settlement agreement required SCE to reflect in the 2024 DCE that subsurface structures for SONGS 2&3 "will be removed as soon as practicable after the [California Coastal Commission (CCC)] acts on SCE's application to amend the [Coastal Development Permit (CDP)], which application is required by Special Condition 3 of CDP 9-19-0194 and must be submitted not later than June 1, 2028."¹⁹ SCE addresses this requirement in the 2024 SONGS DCE, which is provided as Appendix B to testimony volume SCE-03.

SCE refers to the assumption that subsurface structures will be removed as soon as practicable after the CCC acts on the application to amend the CDP as the "Settlement Scenario."

and termination of the license" 10 C.F.R. § 50.82(a)(3) provides that "[d]ecommissioning will be completed within 60 years of permanent cessation of operations."

¹⁷ Cal. Pub. Util. Code §§ 8322, 8325, and 8328.

¹⁸ Upon termination of the leases and grants of easement, the Utilities are required to return the site to a condition satisfactory to the lessor or grantor and to return the site to the lessor or grantor.

¹⁹ D.24-08-001, Attachment A, p. A-9.

SCE also included in the 2024 DCE the “Operational Scenario,” which reflects the Utilities’ (as well as the other SONGS 2&3 Decommissioning Co-Participants’) plan to remove the SONGS 2&3 subsurface structures in a single campaign with the removal of the SONGS 1 subsurface structures, at the end of the decommissioning project.²⁰ SCE explains the benefits of the Operational Scenario, and requests that the Commission approve the Operational Scenario cost estimate, in SCE-04.

Second, D.24-08-001 authorized the Utilities to deposit proceeds from litigation with the DOE into their non-qualified nuclear decommissioning trusts²¹ and required the Utilities to include certain information regarding the litigation proceeds in this NDCTP.²² The Utilities provide this information in testimony volumes Exhibit SCE-07 and Exhibit SDGE-01. However, Round 5 of litigation with the DOE was not resolved in time for the Utilities to reflect potential litigation proceeds in their opening testimonies.²³ To include the impact of the Round 5 litigation proceeds in this NDCTP, the Utilities propose to submit supplemental testimony by

²⁰ See Id. (“The settlement does not prohibit SCE from including any other language in the 2024 DCE or in testimony in the 2024 NDCTP regarding [removal of SONGS 2&3 subsurface structures], or in the application to amend the CDP required by Special Condition 3.”)

²¹ D.24-08-001, p. 36, OP 3.

²² D.24-08-001, p. 37, OP 5 requires:

In the 2024 Nuclear Decommissioning Cost Triennial Proceeding (NDCTP), Southern California Edison Company and San Diego Gas & Electric Company shall

- (a) provide updated information on the United States Department of Energy's (DOE) spent fuel removal start date and completion date,
- (b) present forecasted decommissioning costs and forecasted spent fuel storage costs based on the expected DOE spent fuel removal start date and completion date,
- (c) specify any DOE litigation proceeds received during the period between the filing of the 2021 NDCTP and the 2024 NDCTP and any DOE litigation proceeds expected to be received in the 2024 NDCTP,
- (d) compare the forecasted decommissioning costs, with the forecasted spent fuel storage costs included, against the forecasted Non-Qualified Nuclear Decommissioning Trust fund balances, with the amount of DOE litigation proceeds received included, and
- (e) and present the annualized forecasted decommissioning costs, forecasted spent fuel storage costs, and forecasted Non-Qualified Nuclear Decommissioning Trust fund balances. This analysis should clearly demonstrate projected annual starting and ending balances of the Non-Qualified Nuclear Decommissioning Trust fund balances.

²³ Round 5 was filed with the U.S. Court of Federal Claims on November 22, 2019. SCE requested \$168 million for its Round 5 claim. See A.22-02-016, Ex. SCE-07, p. 6.

February 28, 2025, or 30 days after any such proceeds are in fact received by the Utilities, whichever occurs later. The supplemental testimony will include updated trust fund analyses and updated information regarding litigation proceeds, as required by D.24-08-001.

III. STATUTORY AND REGULATORY REQUIREMENTS

A. Statutory And Regulatory Authority

Rule 2.1 requires that all applications: (1) clearly and concisely state the authorization or relief sought; (2) cite the statutory or other authority under which that authorization or relief is sought; and (3) be verified by the applicant. Rules 2.1(a), 2.1(b), and 2.1(c) set forth further requirements that are addressed separately below. The authorization and relief being sought is summarized above in Section I and is further described in the supporting testimony, which is preliminarily identified in Section III.D. below.

This Joint Application is made pursuant to California Public Utilities Code Sections 451, 454, 701, and 8321, et seq. In addition, this Joint Application complies with Commission's Rules of Practice and Procedure, and the prior decisions, orders, and resolutions of the Commission.

The Utilities demonstrate compliance with the Commission rules applicable to the Joint Application as follows.

B. Commission Rules for Applications

1. Rule 2.1 – Contents

Rule 2.1 requires:

All applications shall state clearly and concisely the authorization or relief sought; shall cite by appropriate reference the statutory provision or other authority under which Commission authorization or relief is sought; shall be verified by at least one applicant ... ; and ... shall state the following: (a) [applicant information]; (b) [applicant service information]; (c) The proposed category for the proceeding, the need for hearing, the issues to be considered including relevant safety considerations, and a

proposed schedule. ... ; (d) Such additional information as may be required by the Commission in a particular proceeding.

a) **Applicant Information and Service Information**

(1) **SCE**

SCE is a corporation organized and existing under the laws of the State of California, and is primarily engaged in the business of generating, purchasing, transmitting, distributing and selling electric energy for light, heat and power in portions of central and southern California as a public utility subject to the jurisdiction of the California Public Utilities Commission. SCE's properties, which are located primarily within the State of California, consist mainly of hydroelectric and thermal electric generating plants, together with transmission and distribution lines and other property necessary in connection with its business.

SCE's principal place of business is 2244 Walnut Grove Avenue, Rosemead, California, and its post office address and telephone number are:

Southern California Edison Company
Post Office Box 800
Rosemead, California 91770
Telephone: (626) 302-1212

Please address correspondence, communications, and service of papers regarding this Application to SCE at:

Ryan Jerman
Senior Attorney
Southern California Edison Company
P.O. Box 800
2244 Walnut Grove Avenue
Rosemead, CA 91770
Telephone: (626) 302-1610
Email: ryan.jerman@sce.com

Jose Perez
Principal Manager
Southern California Edison Company
5000 Pacific Coast Highway
San Clemente, CA 92673
Telephone: (949) 368-9133
Email: jose.perez@sce.com

Case Administration
Southern California Edison Company
8631 Rush Street
Rosemead, CA 91770
Telephone: (626) 302-0449
Email: Case.Admin@sce.com

(2) SDG&E

SDG&E is a corporation organized and existing under the laws of the state of California. SDG&E is engaged in the business of providing electric service in a portion of Orange County and electric and gas service in San Diego County. The exact legal name of the Applicant is San Diego Gas & Electric Company. The location of SDG&E's principal place of business is 8330 Century Park Court, San Diego, California 92123.

Please address correspondence, communications, and service of papers regarding this Application to SDG&E at:

Paul A. Szymanski
Attorney for
San Diego Gas & Electric Company
8330 Century Park Court, CP3
San Diego, California 92123
Telephone: (858) 654-1732
Email: PSzymanski@sdge.com

Tyler Kirchhoff
Regulatory Case Manager
San Diego Gas & Electric Company
8330 Century Park Court, CP3
San Diego, California 92123
Telephone: (619) 676-3898
Email: Tmkirch2@sdge.com

b) Proposed Categorization

California Public Utilities Code § 1701.1(c)(3) defines ratesetting as “cases in which rates are established for a specific company, including, but not limited to, general rate cases, performance-based ratemaking, and other ratesetting mechanisms.” The Utilities propose this Joint Application be designated as a “ratesetting” proceeding because the NDCTP generally

involves rate issues. Since the Joint Application does not presently request a rate increase, however, the Utilities are not providing documents required under Rule 3.2 for such applications.

c) Proposed Schedule And Issues To Be Considered

The Utilities anticipate that hearings will be necessary in this proceeding, and propose a procedural schedule, as shown below.

SCE and SDG&E Joint Application Filed / Supporting Testimony Submitted	December 6, 2024
Application Noticed on CPUC Daily Calendar	December 13, 2024 ²⁴
Protests/Responses to Application(s)	January 13, 2025
Replies to Protests/Responses to Application(s)	January 23, 2025
Supplemental Testimony	February 28, 2025 ²⁵
Prehearing Conference	TBD
Public Participation Hearing	TBD
Intervenor Testimony	June 27, 2025
Rebuttal Testimony	August 11, 2025
Parties Meet and Confer per Rule 13.9	August 21, 2025
Evidentiary Hearings	September 15-17, 2025
Opening Briefs	October 20, 2025
Reply Briefs	November 22, 2025
Proposed Decision Issued	Q1 2026

In general, the issues to be considered are discussed in Sections I and II above, and in more detail in the supporting testimony served by the Utilities concurrently with this Application.

d) Disadvantaged Communities and Safety

This Joint Application concerns cost estimates of nuclear decommissioning at SONGS and PVNGS, reasonableness reviews of incurred decommissioning costs, and the sufficiency of NDTs. As such, it does not relate to or impact disadvantaged communities.

²⁴ The Utilities assume this date for purposes of this proposal and note that any change to this date may affect the deadlines proposed herein.

²⁵ Or 30 days after DOE litigation proceeds are received, whichever is later.

Pursuant to Rule 2.1(c), this Application must address “relevant safety considerations.” In response thereto, the Utilities provide the following information regarding safety considerations.

(1) The NDCTP Historically Considers Ratemaking And Cost-Recovery Issues

As noted above, the NDCTP historically considers the sufficiency of the Utilities’ NDTs for estimated decommissioning costs, including the adequacy of customer contribution levels, and the reasonableness of activities and recorded expenditures incurred by the Utilities during active decommissioning. Accordingly, in this proceeding, the Commission is primarily considering the prudence and reasonableness of the Utilities’ decommissioning cost estimates, activities, and costs.

(2) Radiological Health And Safety Issues

The NRC exercises exclusive jurisdiction for radiological health and safety issues. As the SONGS decommissioning agent and lead licensee, SCE is responsible for complying with the NRC’s rules and regulations to ensure the radiological health and safety of the public. The NRC rules and regulations preempt any state regulation of these issues. The Atomic Energy Act (AEA)²⁶ created a comprehensive and pervasive program of federal regulation and licensing that permitted the private use, control, ownership, operation, and decommissioning of commercial nuclear power plants.²⁷ The AEA gave the federal government “exclusive jurisdiction to license the transfer, delivery, receipt, acquisition, possession, and use of nuclear materials,” and regarding these subjects, “no role was left for the States.”²⁸ The AEA specifically authorizes the NRC to regulate the construction, operation, and decommissioning of nuclear reactor facilities in order to protect the public health and safety from radiological risks,

²⁶ Atomic Energy Act, 42 U.S.C. Chapter 23.

²⁷ *Duke Power Co. v. Carolina Envtl. Study Grp. Inc.*, 438 U.S. 59, 63 (1978).

²⁸ *Pac. Gas & Electric Co. v. State Energy Res. Conserv. & Dev. Comm’n*, 461 U.S. 190, 207 (1983) (citing 42 U.S.C. §§ 2014(e), (z), (aa), 2061-2064, 2071-2078, 2091-2099, 2111-2114).

and provides that the NRC may not cede this authority.²⁹ In particular, the NRC’s “prime area of concern in the licensing context[] ... is national security, public health, and safety.”³⁰

Further, Congress’ decision to foreclose “States from conditioning the operation of nuclear plants on compliance with state-imposed safety standards” is based on “its belief that the [NRC] was more qualified to determine what type of safety standards should be enacted in this complex area.”³¹ This precludes the state from interfering with the NRC’s jurisdiction over aspects of SONGS and PVNGS decommissioning operations relating to radiological health and public safety issues, including spent fuel management practices.

Second, in keeping with its broad statutory mandate under the AEA, the NRC has established a correspondingly comprehensive and pervasive regulatory framework for addressing, among other matters, the decommissioning of nuclear power reactors. Licensees are required under NRC regulations to remove a nuclear power reactor safely from service and reduce the residual radioactivity to a level that permits unrestricted or restricted use following permanent shutdown (10 C.F.R. § 50.2). 10 C.F.R. section 50.82 (Termination of License) provides the required steps for permanently shutting down a reactor, decommissioning a reactor, and terminating the reactor’s operating license. For example, the NRC requires licensees to submit a Post-Shutdown Decommissioning Activities Report (PSDAR),³² Irradiated Fuel Management Plan (IFMP),³³ and DCE for the NRC’s review.³⁴ In addition, about two years before the end of the decommissioning process, the licensee is required to submit a license termination plan that describes the remaining decommissioning activities and provides a final site survey to terminate the plant’s operating licenses pursuant to 10 C.F.R. section 50.82(a)(11).

²⁹ See 42 U.S.C. § 2021(c)(1).

³⁰ *Pac. Gas*, 461 U.S. at 207 (internal quotation marks and citation omitted).

³¹ *Silkwood v. Kerr-McGee Corp.*, 464 U.S. 238, 250-251 (1984).

³² 10 C.F.R. § 50.82(a)(4)(i).

³³ 10 C.F.R. § 50.54(bb).

³⁴ 10 C.F.R. § 50.82(a)(8)(iii) & (iv).

During permanent shutdown and decommissioning, licensees continue to be regulated by the NRC under some of the same regulations that were in effect when the nuclear plant was in operation. These NRC regulations, which are found in 10 C.F.R., include, but are not limited to:

- Part 20 – Standards for Protection Against Radiation
- Part 50 – Domestic Licensing of Production and Utilization Facilities
- Part 51 – Environmental Protection Regulations For Domestic Licensing and Related Regulatory Functions
- Part 72 – Licensing Requirements for the Independent Storage of Spent Nuclear Fuel, High Level Radioactive Waste, and Reactor-Related Greater Than Class C Waste
- Part 73 – Physical Protection of Plants and Materials

In support of regulatory requirements during permanent shutdown and decommissioning, the NRC provides licensees with guidance for satisfying the regulations in regulatory guides and NUREGs that further demonstrate the pervasiveness of the NRC's regulation of decommissioning. Some of the guidance documents include:

- Regulatory Guide 1.184 – Decommissioning of Nuclear Power Reactors
- Regulatory Guide 1.179 – Standard Format and Content for License Termination Plans for Nuclear Power Reactors
- Regulatory Guide 1.191 – Fire Protection Program for Nuclear Power Plants During Decommissioning and Permanent Shutdown
- NUREG-0586 – Final Generic Environmental Impact Statement on Decommissioning of Nuclear Facilities

In addition to the regulations and guidance for decommissioning, NRC staff will continue to inspect a decommissioning nuclear power plant. After a licensee has certified to the NRC that all fuel has been removed from the reactor, the NRC implements an inspection program designed for decommissioning nuclear power plants until the license is terminated.³⁵ The objective of the

³⁵ NRC Inspection Manual, IMC 2561, Decommissioning Power Reactor Inspection Program.

inspections is to ensure the reactor is decommissioned safely, spent fuel is stored safely, and site operations and license termination activities comply with regulatory requirements, licensee commitments, and management controls. Some of the areas of inspection by the NRC include:

- Safety reviews, design changes, and modifications
- Maintenance and surveillance
- Physical Security assessment
- Occupational radiation exposure
- Radioactive waste (radwaste) treatment, and effluent & environmental monitoring

SCE acknowledges that it is appropriate for the Commission to consider economic issues regarding decommissioning in the NDCTP, including the reasonableness of the Utilities' decommissioning cost estimates, activities, and costs. However, it is vitally important that the Commission not interfere with the NRC's active and ongoing regulation of radiological health and safety issues concerning decommissioning, as doing so would violate the NRC's exclusive jurisdiction for these issues.

(3) Worker Safety

The Utilities are committed to ensure worker safety during decommissioning and hold the welfare of employees and contractors at SONGS as a top priority. Safety is a core decommissioning principle and an integral requirement for all work completed at SONGS. SCE implements a comprehensive safety program to ensure all SONGS personnel complete decommissioning activities safely. For example, frequent safety planning, pre-job safety briefings, worksite inspections, and post-job debriefs of lessons learned are part of the everyday work environment at SONGS to ensure worker safety. The Division of Occupational Safety and Health (DOSH), better known as Cal/OSHA, also provides oversight regarding non-radiological worker health and safety issues. SCE complies with Cal/OSHA requirements in connection with non-radiological work.

The NRC also has strict rules governing cleanup of radioactive components to protect the radiological health and safety of workers throughout the decommissioning process.

Because worker safety issues are addressed by Cal/OSHA and NRC, the Commission does not need to address these issues in this proceeding, which is generally focused on ratemaking and cost-recovery issues.

2. Rule 2.2 – Organization And Qualification To Transact Business

Rule 2.2 provides:

All applicants [] shall submit with their applications a copy of the entity's organizing documents and evidence of the applicant's qualification to transact business in California. If current documentation has previously been filed with the Commission, the application need only make specific reference to such filing.

a) Articles Of Incorporation

(1) SCE

A copy of SCE's Certificate of Amended and Restated Articles of Incorporation, effective on August 28, 2023, and presently in effect, certified by the California Secretary of State, was filed with the Commission on December 15, 2023, in connection with Application No. A.23-12-011, and is incorporated herein by this reference.

A copy of SCE's Certificate of Determination of Preferences of the Series M Preference Stock filed with the California Secretary of State on November 17, 2023, and presently in effect, certified by the California Secretary of State, was filed with the Commission on December 15, 2023, in connection with Application No. A.23-12-011, and is incorporated herein by this reference.

A copy of SCE's Certificate of Determination of Preferences of the Series N Preference Stock filed with the California Secretary of State on May 8, 2024, and presently in effect, certified by the California Secretary of State, was filed with the Commission on May 15, 2024, in connection with Application No. A.24-05-007, and is incorporated herein by this reference.

Copies of SCE's latest Annual Report to Shareholders and Edison International's latest proxy statement was sent to its stockholders and has been sent to the Commission with an Energy Division Central Files Document Coversheet dated March 18, 2024, pursuant to General Order Nos. 65-A and 104-A of the Commission.

(2) SDG&E

SDG&E is a corporation duly created under the laws of the state of California. A certified copy of the Restated Articles of Incorporation of San Diego Gas & Electric Company presently in effect and certified by the California Secretary of State was filed with the Commission on September 10, 2014, in connection with SDG&E's A.14-09-008 and is incorporated herein by reference.

3. Rule 2.4 – California Environmental Quality Act (CEQA) Compliance

Rule 2.4(c) states that any application for authority to undertake a project that is statutorily or categorically exempt from CEQA requirements shall so state, with citation to the relevant authority. Public Resources Code § 21080(b)(8) states that CEQA does not apply to the "establishment, modification, structuring, restructuring, or approval of rates, tolls, fares, or other charges by public agencies." Therefore, CEQA does not apply to this Joint Application.

C. Compliance with Prior Commission Decisions

The Utilities are submitting supporting testimony in Exhibit SCE-08 and Exhibit SDGE-01 demonstrating compliance with prior decisions applicable to decommissioning, such as the requirement to develop the Reasonableness Framework. As demonstrated by this testimony, the Utilities have fully complied with the requirements set forth in the 2015 NDCTP Phase 1 and Phases 2 and 3 Decisions (D.18-10-010 and D.18-11-034, respectively), in the 2018 NDCTP Phase 1 and Phases 2 and 3 Decisions (D.19-09-003 and D.21-12-026, respectively), and in the 2021 NDCTP Decision (D.24-08-001).

D. Index Of Exhibits

SCE and SDG&E hereby incorporate by reference into this Joint Application the following exhibits:

SCE Exhibits to Joint Application

- SCE-01 Policy Testimony on Nuclear Decommissioning
- SCE-02 Testimony on the Reasonableness of SONGS 1 Nuclear Decommissioning Expenses Incurred During 2021 Through 2023
- SCE-03 Testimony on the Reasonableness of SONGS 2&3 Nuclear Decommissioning Expenses Incurred During 2021 Through 2023
- SCE-04 Testimony on the 2024 SONGS 2&3 Decommissioning Cost Estimates and SCE 2024 SONGS 1 Decommissioning Cost Estimate
- SCE-05 Testimony on the 2023 Decommissioning Cost Estimate for Palo Verde Units 1, 2, & 3
- SCE-06 Testimony on 2024 SCE Trust Fund Contributions and Financial Assumptions
- SCE-07 Testimony on DOE Litigation Proceeds
- SCE-08 Testimony on Compliance With Prior Commission Decisions

SCE and SDG&E Joint Exhibit to Joint Application

- SCE-SDGE-01 Testimony of Southern California Edison Company and San Diego Gas & Electric Company Regarding Updates to the SONGS 2&3 Decommissioning Reasonableness Framework

SDG&E Exhibits to Joint Application

- SDGE-01 SDG&E's Oversight and Fiscal Management Role at SONGS, DOE Litigation Proceeds and Compliance with Prior Commission Decisions
- SDGE-02 Reasonableness of SONGS 1, 2&3 Decommissioning Activities and Costs Incurred by SDG&E in 2021 through 2023
- SDGE-03 SCE 2024 SONGS 1 and SONGS 2&3 DCE
- SDGE-04 Financial Modeling, Trust Fund Contributions, Tax Issues, and Regulatory Accounting

E. Service List

The official service list has not yet been established in this proceeding. SCE and SDG&E are serving this Application and the public versions of supporting testimony on the service list established by the Commission in their most recent NDCTP, the 2021 NDCTP (A.22-02-016).

IV. CONCLUSION

For the reasons stated above, as well as in the Utilities' opening testimonies, the Utilities respectfully request that the relief requested in this Application be granted.

Respectfully submitted,

CLAIRE E. TORCHIA
RYAN JERMAN
HIRA YOSHIHARA-SAINT

PAUL A. SZYMANSKI

By: /s/ Ryan Jerman

Ryan Jerman

Attorneys for
SOUTHERN CALIFORNIA EDISON COMPANY

2244 Walnut Grove Avenue
Post Office Box 800
Rosemead, California 91770
Telephone: (626) 302-4632
E-mail: ryan.jerman@sce.com

By: /s/ Paul A. Szymanski

Paul A. Szymanski

Attorney for
SAN DIEGO GAS & ELECTRIC COMPANY

8330 Century Park Court, CP32D
San Diego, California 92123
Telephone: (858) 654-1732
Email: pszymanski@sdge.com

Dated: December 6, 2024

VERIFICATION

I am an officer of the applicant corporation herein, and am authorized to make this verification on its behalf. I am informed and believe that the matters stated in the foregoing document are true.

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

Executed this 6th day of December, 2024, at San Onofre Nuclear Generating Station, near San Clemente, California.

/s/ Frederic Bailly

Frederic Bailly

Vice President and Chief Nuclear Officer

SOUTHERN CALIFORNIA EDISON COMPANY

VERIFICATION

I am an officer of the applicant corporation herein, and am authorized to make this verification on its behalf. I am informed and believe that the matters stated in the foregoing document are true.

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

Executed this 6th day of December, 2024, at San Diego, California.

/s/ Estela de Llanos

Estela de Llanos

Vice President, Land and Environmental Services

SAN DIEGO GAS & ELECTRIC COMPANY