

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE
STATE OF CALIFORNIA

In Attendance: COMMISSIONER MICHEL PETER FLORIO
ADMINISTRATIVE LAW JUDGE MELANIE M. DARLING, presiding

Order Instituting Investigation on) PUBLIC
the Commission's Own Motion into the) PARTICIPATION
Rates, Operations, Practices,) HEARING
Services and Facilities of Southern)
California Edison Company and San) Investigation
Diego Gas and Electric Company) 12-10-013
Associated with the San Onofre)
Nuclear Generating Station Units 2)
and 3.)

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1 SAN FRANCISCO, CALIFORNIA

2 FEBRUARY 21, 2013 - 2:05 P.M.

3 * * * * *

4 ADMINISTRATIVE LAW JUDGE DARLING: All
5 right. Will everyone please take a seat. We
6 would like to get started. Thank you. Can
7 you hear me? Yes? All right.

8 Good afternoon. I'm Melanie Darling. I am
9 the assigned Administrative Law Judge for this
10 proceeding. Today's date is February 21st, 2013.
11 This is a public participation hearing scheduled as
12 part of the California Public Utilities Commission's
13 investigation Number I.12-10-013 relating to the shut
14 down of the two nuclear units at San Onofre as a
15 result of operational problems with new steam
16 generators supplied by Mitsubishi Heavy Industries.

17 As many of you already know, deciding
18 whether or not Edison may restart either unit under
19 its federal operating license is the job of the
20 Nuclear Regulatory Commission. We are not the Nuclear
21 Regulatory Commission.

22 This Commission has its own investigation to
23 look at what actions Edison took relative to the new
24 generator project and what Edison has done since the
25 company became aware of the damage at SONGS. SONGS is
26 an acronym you'll probably hear today; it stands for
27 San Onofre Nuclear Generation Station, which currently
28 has the two units.

1 For example, Edison has collected and spent
2 money for SONGS in several categories since
3 January 2012, including planned operating and
4 maintenance costs, capital expenditures and post
5 outage expenses, including purchase of power to
6 replace that loss with the shutdown. In addition, the
7 entire cost of the steam generator replacement
8 project, including whether repairs or replacement will
9 be cost effective for ratepayers, will be included in
10 our investigation and review.

11 Furthermore, state law allows the Commission
12 to remove non-operating generation facilities from the
13 rate base. If the Commission decides to do that or
14 finds any of the expenditures to be unreasonable, we
15 can order refunds to ratepayers.

16 The Commission and the 26 intervening
17 parties in this proceeding will closely examine
18 Edison's testimony on these various matters at
19 evidentiary hearings which we will be holding later
20 this year. We believe our focus will likely evolve as
21 new information is obtained.

22 Today, we've decided to spend a small
23 portion of the first session getting information about
24 how well Edison works with local communities regarding
25 emergency preparedness related to the San Onofre
26 station. We've asked Edison to give us just a few
27 minutes to describe its efforts, particularly post
28 shutdown, communicating with its neighbors, and

1 preparing for coordinated responses in the event of a
2 hazardous condition at SONGS.

3 We have also asked some of your local
4 government representatives to share their views on the
5 cooperation and communication between locals and
6 Edison representatives at San Onofre. Following that
7 portion of the hearing we will proceed with individual
8 members of the public.

9 At this point, I would like to ask Karen
10 Miller, the Commission's public advisor -- she is your
11 advocate here, and your source of information on how
12 to impact Commission proceedings. Could you give us a
13 little description of how this part will work?

14 MS. MILLER: Hello. It's on. Okay.
15 I'm Karen Miller. And as the Judge said, I'm
16 the public advisor at the Commission. And
17 first, I would like to ask everybody to turn
18 off their phones and all of that.

19 And then my office, we're there to assist
20 the public in getting comments to the Commissioners
21 and the Judge on all issues and proceedings before the
22 Commission. And so we facilitate with these public
23 participation hearings, and we will also provide
24 procedural information and advice to people who want
25 to participate, either on an informal or formal basis.
26 And we are available to talk with you to help you
27 determine, you know, which way you would like to get
28 involved, if you would like to get involved.

1 We are really glad that you were able to
2 join us tonight because these public participation
3 hearings are really important to the Commission
4 decision makers such as Commissioner Florio and ALJ
5 Darling. It allows them to get a feel for what the
6 impacted consumers believe and think about the
7 situation before them.

8 If you wish to provide oral comments today,
9 if you haven't already signed up out in the lobby,
10 please go do so. People will have a maximum of three
11 minutes to speak. If you do not want to provide oral
12 comments or even if you have, you can still send
13 e-mail comments or you can do written comments -- we
14 have paper and pens outside -- and send them to the
15 Commission. They can be of any length. And we send
16 those to the Commissioners and to the Administrative
17 Law Judge. And then they go into the correspondence
18 file of the proceeding. And we also keep track of the
19 numbers that we receive. So they do get the attention
20 of the Commission when you send your written comments.

21 We also have agendas out at the sign-up
22 table. And on the back of the agendas is the address,
23 e-mail and hard mail address, that you can send
24 comments to.

25 And, let's see. We want to emphasize that
26 you have many ways to stay informed about this
27 proceeding. We have information on the back of the
28 agenda, and we also have brochures out on our table

1 about the Commission subscription service which you
2 can sign up for. Put this proceeding number in and
3 you'll get push-out alerts any time anything is
4 formally filed in the proceeding or there is rulings
5 or there are draft decisions or anything that comes
6 out. So you don't have to look for it. It gets
7 pushed out to you.

8 And then we also have the Consumer Affairs
9 Branch with the Commission out there. They're here to
10 help people who might have billing issues or questions
11 about their service. And we also have those from San
12 Diego Gas & Electric as well as Southern California
13 Edison out there, to also help people with billing
14 issues or questions about their utility service.

15 So thank you for your participation. If you
16 have any questions at all, please come out and talk
17 with us. We are more than happy to help you.

18 ALJ DARLING: Thank you, Karen.

19 Before we proceed, I would like to introduce
20 Commissioner Mike Florio who has been the driving
21 force behind this investigation and is the assigned
22 Commissioner.

23 Mr. Florio?

24 COMMISSIONER FLORIO: Thank you. Good
25 afternoon, everyone. I want to welcome you
26 to this hearing. This is your day. This is
27 the chance for local elected officials,
28 members of the general public, anybody who

1 wants to speak to this Commission about the
2 issues involving San Onofre, to have your
3 say. It will be recorded and available to
4 all five members of the Commission to review
5 back in San Francisco.

6 This is a lengthy proceeding, I'm
7 sure too lengthy for some folks' wishes. But
8 it's a very complex matter. We will be
9 having formal evidentiary hearings with
10 testimony from Edison reviewed by our staff.
11 A number of interested parties have signed up
12 to participate: Friends of the Earth,
13 Alliance for Nuclear Responsibility, and a
14 long, long list of parties.

15 As ALJ Darling indicated, we do not
16 have jurisdiction over the nuclear safety
17 issues; that rests with the Nuclear
18 Regulatory Commission. But we do have
19 jurisdiction over non-nuclear aspects of
20 plant safety, reliability of the system, and
21 electric supply for California, environmental
22 impacts of the generation system and, of
23 course, ratepayer costs.

24 So there will be a number of tracks of this
25 proceeding that will look at different buckets of
26 costs, what's been incurred. We have legal briefing
27 ongoing this month and next that will help to define
28 the parameters of what the Commission can and can't do

1 under the law. And once that's complete, we will have
2 a series of decisions about different aspects of the
3 costs, what's already been spent, what might be
4 proposed to be spent. It will be a very thorough
5 review.

6 At this point, there is still a lot we don't
7 know. We have not seen the Mitsubishi document that's
8 been talked about in the press by Senator Boxer.
9 We're hoping to be able to get that, just as many of
10 you are. So this will be unfolding over a number of
11 months.

12 The Commission will be hearing from the
13 public throughout, but this is our opportunity to get
14 your feedback here on the ground in Southern
15 California. We'll have another hearing similar to
16 this in San Diego later this spring because, of
17 course, San Diego is also impacted by San Onofre.

18 Either in this proceeding or another related
19 proceeding, we will also soon start looking into what
20 do we'll do for electric supply and reliability if San
21 Onofre doesn't come back. That's been handled on kind
22 of an emergency basis up to now through the governor's
23 office. But at this point, we think there is enough
24 uncertainty about the long-term future of the plant,
25 that we really do need to take evidence and have a
26 very thorough look at how we can keep the lights on in
27 Southern California without this very pivotal piece of
28 infrastructure. That will involve cost issues,

1 environmental issues, greenhouse gas emissions and a
2 whole -- the whole panoply of considerations that come
3 into play.

4 So this is -- we are still early in the
5 process. We welcome your participation. And, as
6 Karen indicated, we have a number of mechanisms for
7 you to stay informed and continue to provide feedback
8 throughout the proceeding.

9 So I'm going to keep quiet now. It's your
10 day, and I'll be listening carefully to all of the
11 input we have.

12 Thank you.

13 ALJ DARLING: All right. I want to
14 point out that there will be a transcript
15 prepared of this session today. We have a
16 court reporter. So when you are -- she'll be
17 taking down anything said from the podium.
18 So speak clearly and slowly, if you can, to
19 make sure that your comments are taken down.
20 That means the comments shouted from the
21 floor will not be transcribed. So,
22 hopefully, that means we will have an orderly
23 hearing today.

24 At this point we are going to ask --
25 we'll ask Edison to be making its
26 presentation. I do want to point out that we
27 will be asking speakers to come up in groups
28 of five, once we get to individual members of

1 the public, so that we can move people
2 through fairly easily and quickly. I'll call
3 five names. You'll come up here to the
4 front. And the public advisor staff will
5 help facilitate you getting to the microphone
6 easily. And that way, we don't waste time
7 and we have a chance to let everyone have
8 their chance to speak.

9 So at this point, Mr. Warden or
10 Mr. Dietrich will be giving us just a few
11 minutes. We have asked you to give us some
12 insight into how well you are cooperating and
13 interacting with your local government
14 neighbors about potential emergency
15 preparedness.

16 MR. DIETRICH: Thank you, Commissioner
17 Florio and Administrative Law Judge Darling,
18 for this opportunity to speak. And thank you
19 to members of the public for the opportunity
20 to speak for a few minutes here today.

21 In discussing our outreach and our
22 preparations for emergency preparedness, we thought it
23 would be appropriate to just briefly comment on what
24 the status is of the units and our progress through
25 the Nuclear Regulatory Commission process just to set
26 the framework, some of the timing of our outreach.

27 As most folks know, very well know, both
28 units of San Onofre have been shut down for over a

1 year now. Last January, January 9th, Unit 2 was shut
2 down for a normal refueling outage. On January 31st,
3 Unit 3 experienced a small tube leak. Our operators
4 promptly identified, responded, safely took the unit
5 offline and put the unit in safe shut-down condition
6 with no threat or challenge to the health and safety
7 of the public.

8 We have conducted a thorough and
9 comprehensive analysis involving many outside experts
10 and expert groups of other companies, competitors of
11 each other in the steam generator business. We worked
12 to assemble a very thorough and detailed expert review
13 that involved challenge of both conclusions that were
14 reached, as well as the decision making that Southern
15 California Edison was using in our response to the
16 confirmatory action letter.

17 The confirmatory action letter is an
18 instrument agreed to between the Nuclear Regular
19 Commission and the licensee, Southern California
20 Edison, about what it would take to return a unit such
21 as San Onofre to service, the actions that need to be
22 accomplished. In completing our confirmatory
23 action letter response, we engaged pretty specifically
24 with these experts and with many others throughout the
25 industry, and also kept our local elected officials,
26 governments, businesses and those folks informed of
27 the progress that we were making.

28 We did reach a conclusion where we feel it

1 was safe to return Unit 2 to service. And so we
2 submitted our confirmatory action letter response on
3 Unit 2 on October 3rd of 2012. That also began a more
4 robust discussion with some of the outside groups
5 because we were able to talk about the conclusions we
6 had reached.

7 Currently, we stand working our way through
8 the Nuclear Regulatory Commission process, the
9 technical evaluation review of the submittal that we
10 had made. I will just share with the public, and
11 again with all people here, that our evaluation and
12 analysis is available on our songscommunity.com
13 website in its entirety, and as are most of the other
14 documents and things that support the conclusions we
15 have reached.

16 From an outreach standpoint, I mentioned
17 that the submittal of our confirmatory action letter
18 was very important to us because we could then go
19 forward and talk about our conclusions. We view our
20 responsibility to participate and discuss matters with
21 our local governments' officials and public very
22 seriously. We approach that in a multi-faceted manner
23 both through our website and through social media. We
24 recognize the emerging importance and use of social
25 media for communicating with folks, but nothing
26 surpasses face-to-face discussions. And we have
27 conducted over 500 meetings with local elected
28 officials. We have conducted over 100 community and

1 business meetings. And we have conducted 15 briefings
2 at either city council or local county board meetings.

3 In addition to that, myself and Ron
4 Litzinger, the President of Southern California
5 Edison, had posted and briefed officials within
6 30 miles of the plant at specific briefings at San
7 Onofre, to speak with them personally about our
8 situation, answer their questions, and ensure that
9 they understood the conclusions that Southern
10 California Edison had reached.

11 On top of that, we have hosted open houses
12 in our local communities. We conducted several in
13 2011. But since our steam generator issue, we hosted
14 three specifically last year, focused on our steam
15 generator tube situation. And there are more to come.
16 Our next scheduled open house in one of the local
17 communities will occur the week of March 20th.

18 Also, our employees serve as ambassadors.
19 And there are several employees with us here today
20 from our local public affairs groups and other groups
21 who have the information that's pertinent and
22 applicable for people to be able to ask and receive
23 answers to their questions or route their questions to
24 people within the company to be able to give them a
25 prompt and complete answer.

26 Speaking of our employees as ambassadors,
27 let me shift now to the emergency response and
28 emergency preparedness organization and the activities

1 that we have undertaken. Our employees do make up our
2 emergency response organization. And we train and
3 qualify our employees to be able to fill required
4 billets or jobs within our emergency response
5 organization. And we have an emergency response
6 organization that's on call 24 hours a day, 7 days a
7 week, 52 weeks a year, where a team will respond to
8 the site in the event that we need to exercise our
9 emergency plan, and they will conduct specific and
10 thorough communications to all of our local
11 communities, as well as making sure we meet all of our
12 regulatory requirements and station requirements of
13 our emergency plan.

14 We view our responsibility to protect the
15 health and safety of the public as very important and
16 essential to our job, and we take a lot of pride in
17 what we do and how we do that. We also focus through
18 our emergency plan and our outreach on those in our
19 communities where English is not their first language.
20 So we have integrated all of those things into our
21 communications approach.

22 Some specific emergency planning activities
23 that we have undertaken and continue to undertake: We
24 have distributed an emergency preparedness brochure to
25 all 60,000 people and businesses and locations within
26 our emergency planning zone, that is within a ten-mile
27 radius of San Onofre. We have also done 17 outreach
28 presentations with local groups about that emergency

1 preparedness brochure. In addition, we have prepared
2 Camp Pendleton supplements to that emergency
3 preparedness brochure because we are located on the
4 Camp Pendleton facility and we recognize there are
5 many Marines and military families and groups that
6 reside on Camp Pendleton.

7 On top of that, we have worked with
8 Capistrano Unified School District, the local School
9 District within our area, and provided a cascading
10 brochure for instructions and information related to
11 how we work with the schools and what the schools
12 should do and in response to an emergency situation or
13 emergency response activities. That brochure was
14 reviewed with the Capistrano Unified School District
15 Parent-Teacher Association. And also we have allowed
16 and provided school visits, visits of school children
17 and teachers, to our control room simulator which is
18 located at the San Onofre facility.

19 We also engage in multiple emergency
20 planning forums with local groups, including and
21 probably most specifically the interjurisdictional
22 planning unit, which is a group of approximately nine
23 local state and government agencies around the San
24 Onofre Nuclear Generation Station that have some
25 interface and interconnection with our emergency
26 response organization and our emergency planning. We
27 do monthly meetings with the interjurisdictional
28 planning committee. And we also go to several

1 planning events where interjurisdictional planning
2 committee members are interfacing with other members
3 of the public.

4 On top of that, we obviously are required to
5 do, and we do with a lot of pride, our quarterly
6 drills, emergency planning drills, that includes
7 periodically siren tests with mailers and
8 communication with the public about how those siren
9 tests are going to be conducted.

10 And even on top of that, to ensure that we
11 do get good understanding with all of the members of
12 the public, we have worked through the local AT&T
13 White Pages to distribute a specific section of the
14 White Pages to all residents and people within the
15 emergency planning zone, with a specific section of
16 the phone book to provide instructions and information
17 related to our emergency response organization.

18 So we have been very focused on, since
19 submitting or confirmatory action letter, providing
20 information regarding the conclusions and decisions
21 that we have reached; also, a technical discussion
22 about what we have learned through our over 170,000
23 inspections within our steam generators to help people
24 understand and provide the facts related to our
25 situation.

26 We view our responsibility to consider and
27 protect the health and safety of the public very
28 seriously, and we take great pride in doing that. I

1 would just share lastly that all of our information
2 that I have talked about today can be found on our
3 website, songscommunity.com.

4 Thank you very much, Commissioner, Your
5 Honor.

6 ALJ DARLING: Thank you, Mr. Dietrich.

7 Yes. That is an important reference to your
8 website. We have ordered Edison and San Diego Gas &
9 Electric to post onto their website, so it's
10 accessible not just to parties in the proceeding, but
11 to all of you members of the public, you can get
12 access to all of the documents that Edison and San
13 Diego Gas & Electric are filing in this proceeding.
14 It has a link to the NRC's dedicated page for SONGS.
15 So you can use that website to get an awful lot of
16 information that would in ordinary circumstances be
17 generally more available to parties. So there has
18 been a higher level of transparency here, and we are
19 hoping that you make use of that.

20 All right.

21 (AUDIENCE MEMBER COMMENT.)

22 MR. DIETRICH: [www.songscommunity](http://www.songscommunity.com), all
23 one string of letters there,
24 songscommunity.com.

25 ALJ DARLING: S-O-N-G-S --

26 MR. DIETRICH: Community.

27 ALJ DARLING: -- community.com. Okay?

28 All right. At this time, I would

1 like to thank the elected officials who have
2 taken some time out of their day to come and
3 give us some information about their thinking
4 and about their interactions at the local
5 government level with Edison.

6 I would like to start with Mayor Tom Lindsey
7 from the City of Yorba Linda.

8 STATEMENT OF MR. LINDSEY

9 MR. LINDSEY: Good afternoon, Your
10 Honor, and Commissioner.

11 First of all, I would like to stress
12 appreciation for the public participation hearing
13 format. Very much appreciate that, the chance to be
14 here.

15 So, as you said, my name is Tom Lindsey, and
16 I am the current mayor of Yorba Linda. Yorba Linda
17 has approximately 65,000 residents, and it's accurate
18 to state that every single resident in Yorba Linda
19 cares greatly about their utility rates.

20 Our council grapples with other utility
21 rates such as water, sewer and landscape maintenance
22 all the time. We have a little feel for what you're
23 dealing with. It's my duty and honor, then, to relay
24 to you that the City of Yorba Linda cares greatly
25 about your findings here, and especially that our
26 power rates remain fair and equitable. That's all I
27 care to say as the mayor of Yorba Linda.

28 Now I would like to address you as a

1 citizen, a 27-year homeowner in North Orange County,
2 and a father of four and a grandfather of five. A
3 week ago, Edison performed some scheduled maintenance
4 on my street for approximately eight hours. It's
5 amazing how a hundred years of technological progress
6 can be erased at the flip of a switch. Out came the
7 candles and lanterns, and out went life as we knew it
8 for that period. Questionably our lifestyles are tied
9 to the power we need, and I don't relish the thought
10 of life without it. My business is with hospitals and
11 in the health care industry. And it's amazing how
12 havoc is immediate when power is interrupted in that
13 environment.

14 I was, of course, concerned as I followed
15 the shutting down of the San Onofre nuclear power
16 plant. First, would there be interruption of service?
17 And, second, what would happen to my rates?
18 Thankfully, power has not been interrupted.
19 Hopefully, my rates will remain stable, equitable and
20 consistent with other areas of the country now.

21 Though I have been briefed as an elected
22 official and have tried to educate myself regarding
23 issues related to the ongoing closure of San Onofre, I
24 would not begin to presume myself any kind of an
25 expert regarding these rate discussions. However, I
26 urge the Commission to consider all factors fairly in
27 order to mitigate and justify any rate changes,
28 whether up or down, due to the factors surrounding the

1 plant's closure.

2 As a citizen, I would like to be well
3 informed of the facts behind any rate adjustments, and
4 task the Commission to keep the public well informed
5 of their decisions in a transparent fashion.

6 In closing, my perspective -- only my
7 perspective -- is that Edison has served my family's
8 needs problem free for decades. I also believe that
9 the strides taken to assure safety at San Onofre have
10 been and continue to be sufficient to protect my
11 family. With safety concerns mitigated, it's now up
12 to you folks to make sure my rates are fair and
13 equitable.

14 Thanks for your input and work in this area.
15 And I would be happy to answer any questions you might
16 have about our local interface.

17 COMMISSIONER FLORIO: Do you -- I don't
18 know the geography here, obviously, as well
19 as you folks who live within this community.
20 Are you within the ten-mile radius --

21 MR. LINDSEY: No.

22 COMMISSIONER FLORIO: -- that
23 Mr. Dietrich talked about?

24 MR. LINDSEY: No. We're just east --
25 just north of the 91. So we're considered
26 inland in Yorba Linda. North Orange County.

27 COMMISSIONER FLORIO: Okay. Have you
28 had communications with the company about --

1 MR. LINDSEY: Oh, we have probably more
2 communication with Edison than we would like
3 sometimes. And we do have, as a result of
4 the wind storm that we had, we were part of
5 that, I'm told that we have what's now called
6 a flash communication number that is in the
7 possession of the elected, but especially our
8 city manager, and that's a protected phone
9 number. So if we had any kind of an
10 incident, we would know where to call
11 directly and go around perhaps too just the
12 regular customer service number.

13 COMMISSIONER FLORIO: That's great.
14 Glad to hear it.

15 MR. LINDSEY: Okay. Thank you very
16 much.

17 ALJ DARLING: Mr. Gene Hernandez, city
18 councilman, also from City of Yorba Linda.

19 STATEMENT OF MR. HERNANDEZ

20 MR. HERNANDEZ: Thank you, Your Honor,
21 and Commissioner Florio.

22 I'll try not to be repetitive to what my
23 mayor just mentioned. But I am a city council member
24 for the City of Yorba Linda. But I am not here today
25 in that capacity, but more as a father and
26 grandfather and a resident of Yorba Linda for over 28
27 years -- actually, resident of Orange County for over
28 40. My concern is focusing on the increased cost for

1 electricity and what will happen to Orange County and
2 especially my constituents if, number one, SONGS is
3 not allowed to be a vital part of the California Green
4 Energy portfolio; two, what is the cost we will be
5 subjected to as ratepayers if the 2000-plus megawatts
6 of power has to be replaced if in fact the SONGS
7 facility is shut down permanently, as well as the time
8 it will take to build the replacement plant and
9 transmission lines; and, three, where will the new
10 transmission lines have to go? Plus, where will a new
11 plant be established?

12 Renewables are a good thing, but they are
13 not all equally reliable sources of power 24/7,
14 365 days a year. So Southern California Edison must
15 be able to provide enough base power to serve when the
16 wind doesn't blow and the sun doesn't shine, and, of
17 course, at night when we all plug into our electric
18 items like iPhones, iPads, lap tops, desk top
19 computers, TVs, electronic vehicles, and the list goes
20 on and on. And I'm confident that Southern California
21 Edison and the Public Utilities Commission will do
22 their due diligence in getting the warranty dollars
23 and insurance dollars owed for the SONGS outage. And
24 although I'm sure something of those costs will be
25 folded into our rates, I'm encouraging both Southern
26 California Edison and the Public Utilities Commission
27 to be fair and just in this unusual situation.

28 And that concludes my remarks. I'll

1 certainly answer any questions that haven't been
2 addressed. By the way, Yorba Linda is the north side
3 of Orange County, probably closer to LA County, but we
4 do feel the power of Edison.

5 ALJ DARLING: I just wanted to ask you
6 a little -- we spoke a few minutes before
7 this public participation hearing, and you
8 said that Yorba Linda has been actively
9 involved in one of these inner-agency or
10 inner-local government groups that
11 Mr. Dietrich described. Is that accurate?

12 MR. HERNANDEZ: Yes, that is accurate.
13 In fact, we did attend on an invite --
14 actually, I did and a fellow councilman went
15 down to SONGS. I was quite interested, as I
16 read in the papers. I don't know a lot about
17 nuclear power; that's not in my wheelhouse.
18 I'm a retired police chief, so I can tell you
19 about crime for 35 years. But when it comes
20 to power, I'm not there. To me, power is I
21 want to stay away from something that can
22 shock me. So I try to avoid those kind of
23 things.

24 But they did have an outreach to public
25 officials. I found that very informative. I feel
26 much more knowledgeable on the safety issues that took
27 place or kicked in that -- the backups. I understand
28 why now that did occur and what's been done in the

1 interim. Bottom line is I want a source of clean,
2 renewable and affordable, safe power for my children
3 and my grandchildren. Like Mayor Lindsey, I also live
4 in the City of Yorba Linda, and with my three children
5 and four grandchildren. We're committed. And this is
6 where our home is and I want to make sure it's safe.

7 ALJ DARLING: My last quick question.
8 Did this outreach from Edison, did you have
9 that kind of outreach prior to last year?

10 MR. HERNANDEZ: Well, yes. As luck
11 would have it, being in city government, one
12 of the agents I worked for was just south of
13 my city. And the Edison liaison I've known
14 for over 35 years. So if I have an issue
15 with Edison, I call her and I get a quick
16 response. So it helps.

17 ALJ DARLING: All right. Thank you
18 very much.

19 Miss Toni Iseman. She is from the city
20 council of Laguna Beach, front and center with SONGS.

21 STATEMENT OF MS. ISEMAN

22 MS. ISEMAN: Thank you for having this
23 meeting today. This isn't easy, when I look
24 around the room and I see friends from
25 Edison, people I've known for many years that
26 I don't just know professionally, but
27 personally. And what I am going to say is
28 pretty harsh. We just heard about

1 evacuation. And if evacuation is part of the
2 mission of Edison in order to have San Onofre
3 remain a power plant, then it should close
4 today.

5 I live just outside the 10-mile. And the
6 last time I looked, I'm supposed to go in my house
7 with duct tape and towels. And that's probably not a
8 bad idea because I would just be sitting in my car
9 because there is no way to get out. I challenge you
10 to go down to San Clemente right now, and then at
11 five o'clock try to get back up here. Just try. If
12 it's really important, if evacuation is important,
13 then every single house that's built from this point
14 forward, there should be an EIR and justifying that
15 house in relationship to the traffic that we currently
16 have.

17 When we've had problems in the past and
18 needed Edison's help, it might be because a power pole
19 went down in Laguna Canyon, a car ran into it. The
20 pole goes down. The traffic's closed. The power
21 might go out. It may be 12 hours before it's fixed.
22 But it's a nuisance, it's not a crisis.

23 Maybe it's a power pole that is too heavy
24 and it breaks off and falls down. And there is always
25 that potential of fire. But we know that that kind of
26 technology is within the reach of Edison to do the
27 right thing.

28 But what I would like to say today is we

1 want all of the documents released and we want full
2 public disclosure on the information.

3 (Audience clapping.)

4 MS. ISEMAN: And before the plant is
5 restarted, if it's restarted, I would like to
6 have it be measured against the least cost
7 option for the consumer.

8 And I went to one of the meetings dealing
9 with the safety, sat with the head of a hospital, and
10 realized there is a lot of detail involved in how to
11 handle a radioactive body, and just how to keep part
12 of the hospital segregated. And then the question
13 came up with: What do you do with a radioactive
14 ambulance? What are we really dealing with? It's --
15 if I were a parent that still had a child in this
16 area, I would think more than once about whether I
17 would want to remain in this area.

18 Now, Edison has the power, so to speak, but
19 you are the ones that actually have the power. You
20 have the power by saying no to the rate hike because
21 if you do, that will, hopefully, notify the ratepayers
22 and, more importantly, the stock holders that
23 something is going on that's not right. It's a real
24 consideration, if you think about health and safety,
25 what's best for health and safety, and that would be
26 to close the plant.

27 ALJ DARLING: Thank you.

28 (Audience clapping.)

1 ALJ DARLING: Mr. Steve Nagel, council
2 member from Fountain Valley. And that will
3 be followed by Martha Sullivan from the San
4 Diego Unified School District.

5 STATEMENT OF MR. NAGEL

6 MR. NAGEL: I brought my smart phone to
7 look at my notes. Thank you very much for
8 the opportunity to speak today. Thank you,
9 your Honor, and Commissioner.

10 I am a city council member for the
11 City of Fountain Valley for the last five
12 years, and my obligation to my residents and
13 businesses is their safety. Also, the
14 utilities they pay. We keep in constant
15 contact with the state and local governments.
16 We work together to try to provide those
17 services at a cost that is the most efficient
18 and effective for everybody and within the
19 means that they can pay.

20 The rates that we're concerned with
21 with SONGS and the nuclear power plant, not
22 only is the safety paramount, as is the
23 everyday safety that we provide to our
24 citizens and residents is very important to
25 us. But with that, we have a nuclear
26 generating plant that's had thousands of
27 tests since it closed last year in January,
28 and it seems to be passing all the tests.

1 They keep running the tests over and over
2 again with success and no leakage.

3 I also have some land down south of
4 the nuclear generating plant that I produce
5 avocados. It's important to me that
6 residents down there and my property is safe
7 from any kind of fallout from the generating
8 plant. I believe it is. As a previous fire
9 official, I had to call Edison many times on
10 accidents, and they provided not only
11 professional assistance, but safety was their
12 first concern. And I know safety is their
13 concern at the generating plant, as well as
14 to all of the residents that live around
15 there.

16 I was able to tour the plant about
17 ten years ago as a training officer with my
18 city. And not only is security extremely
19 important, but also the safety of all their
20 employees there. So I want to let everybody
21 know that I believe that Edison is doing the
22 right thing. They have been good community
23 partners with the City of Fountain Valley,
24 and not only with community events, but also
25 making sure that educational materials are
26 made available to the residents and they can
27 see what service they provide. But safety is
28 their big concern.

1 Thank you very much for allowing me to speak
2 today and, hopefully, we can go forward.

3 ALJ DARLING: Thank you. Miss Sullivan
4 from San Diego Unified School Board?

5 STATEMENT OF MS. SULLIVAN

6 MS. SULLIVAN: Good afternoon. Can
7 everybody hear me?

8 My name's Martha Sullivan. I'm here
9 representing Kevin Beiser, who is the Vice
10 President of the San Diego Unified School
11 District Board. Mr. Beiser asked me to
12 represent him. He's a teacher as well as a
13 member of the Board. He asked me to be here
14 to read the Board's resolution that was
15 passed last month on this matter.

16 The San Diego Unified School District is the
17 second largest school district in California. It's
18 responsible for 135,000 children and, obviously, many,
19 many staff members, teachers, people who take care of
20 the facilities and so forth. So it takes its
21 responsibilities for the care of the children and the
22 adults in its care very seriously.

23 So on January 22nd the Board voted 4 to 1 to
24 adopt the following resolution: {Reading.}

25 Whereas, the Board of Education of the San
26 Diego Unified School District believes restarting the
27 defective Unit 2 nuclear reactor at San Onofre will
28 have profound impacts on our children in San Diego

1 Unified and the surrounding communities in the event
2 of a nuclear accident regarding radiation
3 contamination of air, water and food, evacuation plans
4 and long-term viability of life in Southern
5 California;

6 And, whereas, Southern California Edison's
7 four replacement steam generators manufactured by
8 Mitsubishi for the two nuclear reactors at the San
9 Onofre site were shut down after one of their tubes
10 failed and released radiation on January 2012, after
11 less than two years operation while the original
12 equipment operated for 28 years;

13 And, whereas, Edison informed the Nuclear
14 Regulatory Commission that the replacement steam
15 generators would be "like for like" or "in kind," that
16 is, fabricated to the same design specifications of
17 the original San Onofre Combustion Engineering steam
18 generators, but in fact the replacement generators
19 have significant design changes from the original
20 steam generators;

21 And, whereas, the NRC has reported that
22 design flaws and erroneous model calculations have led
23 to the malfunction of the new steam generators;

24 And, whereas, the replacement steam
25 generators in San Onofre Unit 2 and Unit 3 are
26 identical and are both showing excessive early tube
27 wear that the NRC confirmed poses a serious safety
28 problem;

1 And, whereas, a thorough NRC licensing
2 amendment process would have provided greater
3 opportunity to bring attention to the replacement
4 steam generator design problems, thus increasing the
5 likelihood of preventing use of the faulty design and
6 the ultimate shutdown of the San Onofre nuclear
7 facility;

8 And, whereas, failing again now to subject
9 the replacement steam generators of San Onofre to the
10 rigorous and transparent review of the NRC license and
11 amendment process risks repeating dangerous errors;

12 And, whereas, the consequences of regulators
13 inadequately ensuring nuclear reactor safety are
14 potentially severe;

15 And, whereas, in a decision filed on
16 December 15th, 2005, the CPUC allocated \$680 million
17 to be paid by the ratepayers for four replacement
18 steam generators manufactured by Mitsubishi at
19 (Edison) San Onofre Nuclear Generation Station (569
20 million for replacement steam generator
21 installation, and \$111 million for removal and
22 disposal of the original steam generators) with a
23 reasonableness review required for expenses beyond
24 this amount and a maximum ratepayer collection cap of
25 782 million;

26 And -- we're almost to the end -- whereas,
27 ratepayers are at risk for paying not only for the
28 crippled replacement steam generators, but also

1 potentially for costs associated with the outage and
2 with the equipment repair or replacement;

3 And, whereas, the PUC Division of Ratepayer
4 Advocates reports that customers of Edison and
5 20 percent owner, San Diego Gas & Electric, are paying
6 about \$54 million a month for operating and
7 maintenance costs of San Onofre while the facility is
8 not producing any power, and recommends removing the
9 San Onofre facility from rates to prevent this from
10 continuing;

11 And, whereas, an OII was issued by the PUC
12 on November 1st, 2012, to determine in a transparent
13 public process which parties are responsible for
14 paying the costs associated with the faulty
15 replacement generators, including the costs incurred
16 during the shutdown (for example, replacement power,
17 inspections, monitoring) and the costs of any repairs;

18 And, whereas, it is therefore critical to
19 create and implement strong contingency plans for
20 alternative power sources to San Onofre, especially
21 those deriving from conservation, energy efficiency
22 and renewable resources, per the State of
23 California's Loading Order, state mandated targets,
24 and Governor Brown's Clean Energy Plan.

25 Now, therefore be it resolved, the Board of
26 Education of the San Diego Unified School District
27 urges the U.S. Nuclear Regulatory Commission require
28 Edison undergo a public, transparent license amendment

1 hearing regarding the replacement steam generators,
2 before the San Onofre Nuclear Generation Station is
3 allowed to restart, and that the costs for doing so
4 and the responsibility for paying said costs must also
5 be known before restart is allowed;

6 And be it further resolved, that the Board
7 of Education of the San Diego Unified School District
8 strongly supports the California Public Utilities
9 Commission in: 1) expeditiously completing its
10 Investigation regarding the costs and reliability of
11 the San Onofre Nuclear Generation Station, and, 2)
12 comparing the reliability and costs of the San Onofre
13 facility to a future based on alternatives, including
14 efficiency, load management, demand response,
15 renewable energy and energy storage.

16 Adopted and approved by the Board of
17 Education of the San Diego Unified School District at
18 the regular meeting held on the 22nd day of January
19 2013.

20 ALJ DARLING: Thank you very much.

21 (Audience clapping.)

22 MS. SULLIVAN: I'm going to give you
23 copies of that, as well as the letters and
24 Resolutions by several other cities, the
25 California Democratic Party, and the
26 California Majority Leader Toni Atkins.

27 ALJ DARLING: Great. Thank you. You
28 can give those to this gentleman right here.

1 Our last elected official,
2 representative from the City of Long Beach on
3 behalf of Patrick O'Donnell, city council
4 member, Bridgette Sramek.

5 STATEMENT OF MS. SRAMEK

6 MS. SRAMEK: Good afternoon. Council
7 Member O'Donnell with the City of Long Beach,
8 excuse me, has asked me to extend his
9 greetings and read the following into the
10 record.

11 As a member of the local city council, I am
12 writing this letter to voice my support for SONGS and
13 SCE's proposed safe restart of the facility. Excuse
14 me. I have a cold.

15 SONGS provided important baseload
16 electricity that contributed to the electrical support
17 of the region. This baseload allowed for up to
18 2200 megawatts of clean, emission-free electricity,
19 nearly 10 percent of the region's power needs. If
20 SONGS were to remain offline, I have concerns about
21 the time frame in which SCE will be able to provide
22 its customers, who also reside in my district, with
23 alternative sources of energy. Excuse me.

24 Thank you for your thoughtful and rational
25 review of the support and energy issues impacting the
26 quality of life for those of us in Long Beach and
27 throughout the greater Southern California region.

28 Please feel free to contact me with any

1 questions. I would like to thank you all for your
2 consideration.

3 ALJ DARLING: Thank you very much.
4 Actually, there is one additional
5 representative from the Long Beach City
6 Council, Steven Neal.

7 STATEMENT OF MR. LIVINGSTON

8 MR. LIVINGSTON: Thank you for giving
9 me this opportunity to speak. I'm here
10 representing Council Member Steven Neal, City
11 of Long Beach. My name is Floyd Livingston.
12 He is not able to be here, but asked me to
13 read a letter in support. {Reading.}

14 I'm writing to express my support for the
15 fair and inclusive regulatory process currently
16 underway for the proposed restart and operation of
17 SONGS Unit 2.

18 As a local elected official representing the
19 Ninth District City Council in the City of Long Beach,
20 I strongly believe that maintaining a public and
21 transparent regulatory process is vital for the quick
22 restart of SONGS. In addition to having providing
23 decades of safe, emission-free electricity in Southern
24 California, SONGS has also been a major source of
25 well-paying jobs for highly skilled workers, creating
26 a solid middle class livelihood for families
27 throughout the region.

28 Not only does SONGS employ hundreds of

1 people directly, SONGS also employs hundreds more
2 indirectly through companies that provide goods and
3 services for the plant -- to the plant.

4 Nuclear baseload electricity has a lower
5 production cost than coal or natural gas, helping
6 reduce the price of electricity. SONGS's baseload
7 electricity cannot be duplicated by other clean power
8 facilities such as wind or solar farms which are not
9 able to constantly run or produce equivalent levels of
10 power or voltage support.

11 Thank you for taking into consideration not
12 only safety and the environment, but also quality of
13 jobs and the cost of electricity to consumers as you
14 review this important information and important issues
15 facing Southern California.

16 I will leave my contact information with
17 your staff, and I will be happy to answer any
18 questions. Thank you.

19 ALJ DARLING: Thank you.

20 Gia Ly from the City of Westminster,
21 Commissioner, followed by a representative from
22 Assembly Member Majority Leader Toni Atkins.

23 STATEMENT OF MS. LY

24 MS. LY: Hello. Thank you for having
25 me here. Hello, everybody. My name is Gia
26 Ly, and I serve in several capacities. I am
27 the City of -- Commissioner at the City of
28 Westminster in the Community Services and

1 Recreation. I also am a resident and
2 business owner in the same city. On the
3 other hand, in the community capacity I also
4 serve as the chair-elect of the
5 Vietnamese-American Chamber of Commerce,
6 which has been established since 1985, and
7 representing 1500 businesses that are our
8 members in the US, but with the majority in
9 Orange County.

10 I am here today to express support
11 for a fair and inclusive regulatory process
12 currently underway for the proposed restart
13 and operation of the San Onofre Nuclear
14 Generation Station Unit 2. And from a
15 resident and business standpoint, I
16 understand that with the growing electricity
17 demand, businesses in California will need
18 even more clean, reliable and efficient
19 electricity to keep running without
20 interruption day and night. And I -- as a
21 business owner, it is a business run and
22 operated as well. So I am having hands-on
23 experience and operations of the business.
24 And I am very concerned about the safety of
25 the community as a resident, as well.

26 And I understand that the California
27 economy is facing a tough uphill climb of the
28 recession. It is no surprise that companies

1 have been leaving California in search of
2 lower costs of doing business. And I
3 understand that nuclear power is one of the
4 lower costs producer of baseload electricity
5 and has a lower production cost than coal or
6 natural gas, which helps reduce the price of
7 electricity for businesses.

8 And the electricity bill is one of the
9 highest that we have in our industry, especially with
10 the refrigeration and lighting and everything else
11 that we have to deal with on a daily basis. And with
12 current prices of natural gas that account for the
13 rise in electricity production, it is important to
14 maintain a diverse energy mix that will dampen any
15 swings in fuel prices and the availability of any
16 single energy source.

17 And in addition, I also had one-on-one
18 meeting with the Southern California Edison management
19 in the business division at their plant in Santa Ana
20 on November 3rd, 2012. I have seen that SCE, Southern
21 California Edison, has been committed to supporting
22 local businesses to raise awareness about the
23 environment. They have been promptly responding to
24 inquiries about the plant and educating residents on
25 the benefits of nuclear energy with online and
26 in-person information about a plan and, you know, with
27 the information booth, exhibits, staffed by San Onofre
28 subject matter experts focusing on various areas of

1 the plant, including emergency planning, steam
2 generators, safety and community partnership.

3 Therefore, I am here again today to express
4 my concern and support for the restart of Unit 2.

5 Thank you so much for your time.

6 ALJ DARLING: Thank you. Our last
7 elected speaker -- because I promised to move
8 to individual representatives of the public
9 by 3 o'clock -- so Deanna --

10 MS. SPEHN: Spehn.

11 ALJ DARLING: Spehn. Thank you.

12 STATEMENT OF MS. SPEHN

13 MS. SPEHN: I am Deanna Spehn, policy
14 director for State Assembly Majority Leader
15 Toni Atkins. You should have a copy of my
16 letter. {Reading.}

17 The ongoing shutdown of the San Onofre
18 Nuclear Generation Station, and the resulting effects
19 on the provision of safe and reliable electric service
20 at just and reasonable rates are a significant concern
21 to the millions of Southern California residents whose
22 monthly energy bills have become the deep pockets of
23 SONGS. Since January 2012, ratepayers have paid
24 Edison and SDG&E for return on investment of operation
25 and maintenance costs for non-functioning units at a
26 cost of 54 million per month.

27 In 2012, Edison customers paid 739 million,
28 and SDG&E customers paid 253 million. And in 2013,

1 customers continue to pay at the same level. The
2 shutdown of SONGS occurred on January 31st, 2012.

3 Of critical importance is a full and
4 complete assessment of what costs, if any, are
5 appropriate for recovery from ratepayers. I join with
6 the Division of Ratepayer Advocates in requesting that
7 SONGS immediately be removed from the rate base for
8 Edison and SDG&E. When Units 2 and 3 went offline in
9 January 2012, SONGS stopped generating electricity and
10 has not been providing any ongoing benefit to
11 customers.

12 Of equal importance is the safety and
13 well-being of the more than 8 million residents and
14 those who work at SONGS whose health would be affected
15 if there were less than adequate safety considerations
16 by Edison and SDG&E. The PUC should expand the
17 economic evaluation of SONGS to include enhanced
18 safety plans and a complete analysis of the cost of
19 SONGS operations, including seismic studies, complying
20 with state mandated elimination of once through
21 cooling plants and managing the long-term storage of
22 spent uranium on site.

23 The current license ends in 2022. With less
24 than ten years left, the PUC has the opportunity to
25 provide the public with a complete assessment of the
26 operations and maintenance costs for SONGS and
27 potential upgrades to meet seismic safety standards.

28 A transparent and comprehensive

1 investigation will help restore public confidence and
2 the state's ability and willingness to be fully
3 accountable to ratepayers on the issues of safety and
4 the reliability of SONGS. I look forward to the May
5 13th through 17th evidentiary hearings.

6 Finally, in 2007 over 500,000 San Diego
7 County residents were forced to evacuate as
8 fast-moving wildfires swept through the region. Up
9 until then, no one had anticipated the need to order
10 the evacuation of so many people with such little
11 notice. Now is the time for both San Diego and Orange
12 Counties to adopt comprehensive emergency preparedness
13 plans should there be a life-threatening and/or
14 health-threatening incident at SONGS.

15 Warmly, Toni Atkins, Majority Leader,
16 78th District.

17 Thank you very much for your time today.

18 ALJ DARLING: Thank you.

19 (Audience clapping.)

20 ALJ DARLING: Okay. I'm going to call
21 out the names of the first five individuals
22 on our speaker list. If you would come up
23 and take five seats to my far right, and the
24 public advisor staff will help get you up to
25 the microphone. Our public advisor staff is
26 also going to give you a one-minute warning
27 for your three minutes so you can wrap up
28 your thoughts.

1 Steve Adams, Jackson Mueller, Ray
2 Lutz, Diane Moss, and Grace VanThillo.

3 If I mispronounced anyone's name, I'm sorry,
4 please correct it for me when you come up.

5 Mr. Adams.

6 STATEMENT OF MR. ADAMS

7 MR. ADAMS: You got mine right. Thank
8 you. Your Honor, Commissioner, thank you for
9 the opportunity to speak.

10 I'm a local businessman. I've been in the
11 community for most of my life. I am within that
12 10-mile radius of SONGS. We, the people of Southern
13 California, have grown accustomed to consistent,
14 reliable power to light our homes, to run our
15 businesses and to protect our health and welfare. We
16 don't want brownouts or blackouts or inconsistent
17 electricity. It's dangerous, and it's costly and
18 damaging to our equipment and our businesses, and it
19 disrupts our lives.

20 SONGS has provided a necessary base for our
21 electrical grid and consistent clean power to our
22 homes and businesses since 1968. Hundreds of billions
23 of kilowatt hours have been produced. Southern
24 California Edison has run the facility professionally,
25 with safety being their primary concern in compliance,
26 with renewable energy requirements a major factor.

27 SCE has shown good stewardship through the
28 years of upgrading and improving the facilities at San

1 Onofre. The nuclear industry has become safer every
2 year, as we learn from the experiences around us. We
3 have bright students and universities all over this
4 country in nuclear engineering who are learning to
5 improve our use of nuclear power as a safe and
6 abundant power source. Nuclear provides more than a
7 third of the renewable energy in the state.

8 There is a cost to providing consistent,
9 clean energy. Upgrades, renovations, improvements
10 cost real money. Who pays for that is what you will
11 decide. My hope is that you will allow SCE to finish
12 their process with the NRC and fairly determine how to
13 allocate those costs of this shutdown and the need for
14 alternative, more expensive energy. We simply can't
15 allow emotional minorities to impede the thorough and
16 rigorous process that you are in the middle of right
17 now.

18 Thank you.

19 ALJ DARLING: Thank you. Mr. Mueller?

20 STATEMENT OF MR. MUELLER

21 MR. MUELLER: Commissioner Florio,
22 Administrative Law Judge Darling, my name is
23 Jackson Mueller, a resident of Orange County.
24 My expertise as an energy consultant is in
25 energy pricing. I represent a number of very
26 large consumers of energy in California and
27 around the world, specifically here within
28 Southern California, TABC, which you would

1 know as Toyota Auto Body Company, and JM
2 Eagle, which is the world's largest
3 manufacturer of plastic pipe.

4 Given due respect for safety,
5 environmental responsibility, licensing and
6 public responsibility, the California PUC, as
7 well as the Federal Energy Regulatory
8 Commission, will be looking at cost of
9 repairing, insurance opportunities,
10 replacement power, long-term transition
11 meaning long-term requirements of power,
12 considering what ultimately is done with the
13 SONGS plant, and certainly the community
14 involvement in assessing the process.

15 In my energy consulting business
16 which includes Europe, which is about
17 65 percent nuclear power, I find that my very
18 large energy consumers often have very high
19 levels of interest in the cost of energy,
20 certainly very energy intensive manufacturing
21 businesses. And while we talk somewhat
22 calmly about the potential process and all
23 the steps that might be appropriate to look
24 at what has happened at SONGS, what sort of
25 things might be done over the longer term,
26 what's the most responsible thing to do, the
27 market, which I deal with very, very
28 actively, really looks at things a lot more

1 quickly than that. And the market right now,
2 if you take a look at day-ahead electricity
3 prices, right now the price for Southern
4 California is about \$45 a megawatt hour;
5 whereas, the price in Northern California --
6 and, yes, there is a nuclear power plant
7 there at my alma mater, PG&E -- the price in
8 Northern California is about \$35 a megawatt
9 hour.

10 So I encourage you and certainly others who
11 will participate in this process on behalf of my
12 clients to have a thorough review, look at cost
13 responsibility, supply reliability, greenhouse gas
14 emissions, and other considerations for a long-term
15 supply.

16 The market has already reacted to the
17 uncertainty that exists right here. So the more that
18 you can add certainty to the process and due
19 diligence, I think we all will benefit.

20 Thank you.

21 ALJ DARLING: Thank you.

22 Mr. Lutz?

23 STATEMENT OF MR. LUTZ

24 MR. LUTZ: Thank you very much. My
25 name is Ray Lutz. I am a resident from San
26 Diego County area. And I do some activism
27 through a group called citizenoversight.org.
28 Now, I understand the CPUC and other plants,

1 non-nuclear plants, is responsible for both
2 safety and financial matters. However, in
3 the nuclear plants you split the
4 responsibility with the NRC. And so because
5 of the split, it brings up the chance that
6 things will fall through the crack or there
7 will be finger pointing about whose
8 responsibility it is.

9 Of course, we know that NRC is about
10 safety. And I talked to them about this
11 nuclear -- the steam generator disaster, and
12 they said it was a success story because they
13 were able to shut the plant down successfully
14 without any problem. And so all of their
15 safety systems worked correctly.

16 It's not their concern that we lost a
17 billion dollars. It's not their concern that the steam
18 generators don't work. That's your problem. You guys
19 started this project in 2005 with a whole bunch of
20 assumptions about these steam generators would be
21 great. Almost all of that has turned out to be false.
22 And you have almost no oversight.

23 And I understand Edison hasn't even provided
24 any feedback about whether they spent the money right.
25 Why aren't you overseeing this? That's what I would
26 like to know. Why is the CPUC asleep at the wheel
27 until a disaster happens? And you're behind about two
28 years about asking them for what they did.

1 Now, in 2005, I read the decision at that
2 time, and there was a whole bunch of findings. And
3 number 153 says -- and this is in response to the
4 model that you have there, that this model -- this
5 financial model shows that you should not run this
6 plant with only one unit in operation. Of course, at
7 that time Edison wanted to rush the project into place
8 because they like these big projects. They make a lot
9 of money on them. So they wanted to not live out the
10 life of those old steam generators. As was the case
11 from SDG&E, they said live it out. And Edison said,
12 no, we want to rush it into place.

13 And your finding was that it's not
14 financially viable to run the plant with only one unit
15 in operation. So why do you have to spend years or
16 months reviewing this when you already have a finding?
17 You've already decided that you can't financially
18 viably run this plant with only one unit. And that
19 was with the unit that was in operation still working
20 at capacity.

21 Shut it down now. You've already decided
22 that you can't run this financially viably. Now is
23 the time. You know, a lot of people say it's green
24 energy. It's not. Anybody should research this that
25 comes up here and says it's green energy, wrong. All
26 the way through mining, all the way to waste disposal,
27 it's a mess. It's not cost effective. Obviously,
28 it's not reliable. They have to have other plants in

1 the process in order to cover for nuclear power
2 because of all the refueling steps.

3 ALJ DARLING: Thank you very much.

4 MR. LUTZ: Now is the time to shut it
5 down.

6 ALJ DARLING: Thank you very much.

7 Diane Moss will be next.

8 I would like to call to the front of the
9 room Bryan Starr, Heidi Larkin-Reed, Scott
10 Dutenhoefer, Devin Dwyer and Ed Munson.

11 Miss Moss.

12 STATEMENT OF MS. MOSS

13 MS. MOSS: Hello. I'm Diane Moss. I
14 represent the Friends of the Earth, a
15 non-profit public interest group with members
16 throughout Southern California.

17 Friends of the Earth has published four
18 expert technical reports on the San Onofre Nuclear
19 Generation Station over the past year, as you probably
20 know. And, as you also know, most likely were
21 intervenors in the OII proceeding this Commission
22 instituted in the Fall of 2012.

23 Just as background, Friends of the Earth
24 also has two actions initiated before the NRC,
25 claiming that Edison needs a license amendment before
26 going ahead with their dangerous experimental restart
27 plan. These actions before the NRC have been briefed
28 and we are waiting decisions.

1 Friends of the Earth greatly appreciates the
2 Commission taking the time to hear public officials
3 and concerned members of the public. If Friends of
4 the Earth could leave you with just one thought this
5 afternoon, it is the urgent need for the earliest
6 possible decision to be reached on whether or not
7 Edison acted prudently in installing and operating
8 steam generators of apparently defective design at the
9 San Onofre reactor.

10 Such a decision will decide the fundamental
11 issue as to whether or not any additional funds should
12 be spent on this aging and crippled plant, and what is
13 most cost effective for the consumers. Edison's
14 customers, the Edison company itself and the
15 reliability of the power supply will all benefit from
16 the earliest possible conclusion of these issues by
17 the Commission.

18 Thank you.

19 ALJ DARLING: Thank you. Grace
20 VanThillo.

21 STATEMENT OF MS. VAN THILLO

22 MS. VAN THILLO: Hello. I'm a San
23 Clemente resident and a SDG&E ratepayer. And
24 using common sense, we ratepayers should not
25 be paying hundreds of millions of dollars for
26 Edison's mistakes, the lengthy inspections,
27 the regulatory costs and the replacement
28 power costs because of a defective steam

1 generator design and fabrication. In fact,
2 ratepayers deserve refunds for hundreds of
3 millions of dollars that we've already paid
4 for.

5 (Audience clapping.)

6 MS. VAN THILLO: New revelations
7 from the ongoing investigations reinforce
8 that San Onofre nuclear plant is neither cost
9 effective nor is it a reliable source of
10 California's power. With climbing costs,
11 please, Your Honor, the CPUC must put the
12 brakes on. We're depending on the CPUC to
13 keep the plant closed and cut our ratepayer
14 losses. San Onofre, in fact, must be
15 decommissioned, and invest any saved funds in
16 our state and what the governor wants, a
17 renewable energy economy. Ratepayers have
18 already paid \$3 billion into the
19 decommissioning trust fund which should be
20 used.

21 Edison's recent outreach video to
22 all city managers about grid reliability
23 really doesn't reflect the whole picture of
24 the ISO and the Energy Commission. In fact,
25 the California Energy Commission has just
26 reopened its technical assistance program,
27 energy partnership program, innovative
28 technologies and energy efficiency to help

1 civic and business ratepayers save energy and
2 efficiency and to increase Southern
3 California jobs.

4 Hopefully, also, our state attorney general
5 is also dealing with JP Morgan to assure that the
6 synchronous condensers at Huntington Beach will be in
7 operation, all to support grid reliability.

8 CPUC's Energy Division Director Edward
9 Randolph has said recently the costs for solar are
10 going down and the market is heading to
11 self-sufficiency. We already have 1,066 megawatts or
12 enough output to -- for two conventional power plants
13 and one old nuclear reactor. Bloomberg News and
14 SunEdison in India even says that by 2022, they're
15 going to have 20,000 megawatts of solar. We can do
16 that here in California and the western states.

17 Keep San Onofre nuclear plant closed. It's
18 costly, it's defective, and it's a dangerous
19 non-emission free nuclear energy cycle. Thank you.

20 (Audience clapping.)

21 STATEMENT OF MR. STARR

22 MR. STARR: Good afternoon,
23 Commissioner Florio and your Honor. My
24 name's Bryan Starr, senior vice president for
25 the Orange County Business Council. The
26 council represents 250 of Southern
27 California's largest businesses employing
28 over a quarter million men and women here in

1 the region, and 2 million globally.

2 Orange County is leading California's
3 economy in terms of recovery and Orange County enjoys
4 the lowest unemployment in the state and continues to
5 power California's job growth. All good news.

6 However, this recovery is fragile, and any
7 number of occurrences can easily reverse our course.
8 Reliable power is critical infrastructure that must be
9 ensured for our residents and businesses. A loss of
10 reliable power will be devastating to Southern
11 California's economy. Increased costs due to
12 limited supply of reliable power will also have
13 serious negative impacts.

14 So this begs the question: If not SONGS,
15 then what? If San Onofre is not restarted, what are
16 the alternative sources of energy that can
17 sufficiently power -- provide power to SCE customers
18 immediately? Business and industry are extremely
19 concerned about our ability to keep the lights on.
20 The question of how to fully power our region must be
21 answered. Broad statements about alternative sources
22 of energy not do.

23 On behalf of the business community in
24 Orange County I respectfully ask the question: Is the
25 CPUC or any other state body working on contingency
26 plans for this summer? Our region must have immediate
27 certainty when it comes to how to keep the lights on
28 now and in the future.

1 Thank you.

2 COMMISSIONER FLORIO: Just in answer to
3 your question, ever since the plant first
4 went down, the governor's office has had a
5 multi-agency task force. They worked to get
6 the Huntington Beach units back on last
7 summer, do a number of transmission fixes.
8 They're working on the synchronous condenser
9 conversion that was mentioned earlier. A lot
10 is being done.

11 We're, you know, unfortunately, in something
12 of a crisis atmosphere that hasn't been as transparent
13 as we would like, but I'm hoping to launch a
14 contingency planning proceeding in the next couple of
15 months. We now have a study from the independent
16 system operators, so we will be looking at that as a
17 contingency plan and what we can do.

18 And if we don't have the plant this summer,
19 I'm sure you and your members will be hearing from
20 Edison about new programs to help manage the load when
21 the weather gets hot or we have fires under
22 transmission lines. So I look forward to working with
23 you.

24 MR. STARR: Thank you, Commissioner.

25 The business community stands ready to act
26 as a resource in that effort. Thank you.

27 ALJ DARLING: Heidi Larkin-Reed.

28

1 STATEMENT OF MS. LARKIN-REED

2 MS. LARKIN-REED: Good afternoon, your
3 Honor and Commissioner. My name is Heidi
4 Larkin-Reed. I am the CEO of the Orange
5 Chamber of Commerce. I am also a former
6 mayor of Apple Valley and a resident of
7 Mission Viejo.

8 And my question is about public engagement
9 and timing. We all saw concerns, as just expressed,
10 by the Orange County Business Council of our members.
11 We would like to see this process moved along as
12 quickly as possible so that our business community
13 would have reliable power. We would also like to see
14 what other opportunities for input for our business
15 community and also key milestones that are a part of
16 this process. And we would hope that this process
17 would take months and not years. We would like to get
18 our reliable energy up and running again, up to and
19 including SONGS.

20 Thank you.

21 ALJ DARLING: Thank you.

22 Scott Dutenhoefer.

23 STATEMENT OF MR. DUTENHOEFER

24 MR. DUTENHOEFER: Scott Dutenhoefer
25 with the Orange Chamber of Commerce, chairman
26 of the board, representing almost 500
27 businesses, including very large businesses,
28 hospitals, and other manufacturing

1 facilities. And I'm a business owner myself.
2 I just wanted to applaud your efforts in this
3 opportunity that you have given the public to
4 speak to this issue. As you can tell,
5 there's been divergent views on this, but
6 this is healthy. This is a healthy
7 discussion of the issues. And with your
8 efforts, you know, literally thousands of
9 people have been able to make their voices
10 heard. And I believe this is really a
11 healthy, healthy thing. It's very vital for
12 all parties to the issue to be heard. So I
13 just want to applaud your efforts today.

14 Thank you.

15 ALJ DARLING: Thank you.

16 Mr. Dwyer next. And then the following
17 speakers can come forward: Patricia Borchmann, Joe
18 Holtzman, Emil Berezky, Mindy Spatt, and Harvey Eder.

19 All right. So Mr. Dwyer.

20 STATEMENT OF MR. DWYER

21 MR. DWYER: Yes. Thank you, Your Honor
22 and Commissioner, for allowing me to speak.

23 My name is Devin Dwyer. I am a former
24 council member for the City of Huntington Beach. I
25 just came off last December. As a citizen of
26 Huntington Beach, you can imagine I'm quite interested
27 in this particular issue.

28 I know we came within 50 megawatts of

1 actually having brownouts this last summer, and I know
2 eight -- it takes 18 hours to get up and running
3 because it is an old steam generator. And my
4 understanding is that the new turbine generators that
5 they plan to bring in probably won't be up until about
6 2020.

7 So I'm really here as an advocate of a
8 reliable energy grid. I own a construction company.
9 And when we were having the brownouts in 2003, my
10 company was specifically putting generators in for
11 companies in the South Bay area -- South Bay meaning
12 down here near LA, not San Francisco. And some of the
13 companies, probably half of the companies, after we
14 showed them what it would cost, chose to actually move
15 out of state. So I would hate to see us get into that
16 same situation here in the Orange County area. As you
17 heard from Bryan Starr, we're kind of the rising star
18 out of the State of California coming out of this
19 recession.

20 So it is my hope that we can come to an
21 early decision on this. And part of a reliable grid,
22 I think SONGS is part of that reliability as having
23 that generation and also bringing up these new
24 turbines over time. But I think in the short term --
25 and if we were to try and build an electric plant, and
26 I know this through development, anywhere built along
27 the coast here, it will take years and years and years
28 to get it through the process.

1 So I appreciate your allowing me to come up
2 here and speak to you. And have a good afternoon.

3 ALJ DARLING: Thank you.

4 Mr. Munson?

5 STATEMENT OF MR. MUNSON

6 MR. MUNSON: Members of the Commission,
7 thank you for allowing us to speak today.

8 We are in full agreement of the use of
9 nuclear power. It is vital that we maintain a
10 consistent and uninterrupted power source. And the
11 San Onofre power plant is vital to the continuity of
12 our business communities. If our businesses are
13 inconvenienced, our residents suffer as well.

14 Our mission is to help build and maintain
15 the best possible economic climate, and that includes
16 being an advocate for our strategic partners who
17 deliver convenience in a safe, economical and timely
18 manner. We have every confidence in the Southern
19 California Edison Company, as well as the NRC and the
20 PUC, in making valued decisions to help our
21 communities be the best they can be.

22 Thank you.

23 ALJ DARLING: Miss Borchmann?

24 STATEMENT OF MS. BORCHMANN

25 MS. BORCHMANN: Thank you. My name is
26 Patricia Borchmann. I am a resident of the
27 City of Escondido in San Diego County.

28 I want to thank the Commission for holding a

1 hearing here in Orange County near the impacted
2 community. And I am very happy to hear you will also
3 be having hearings in San Diego. So thank you.

4 It's an observation because the NRC has
5 recently been holding some hearings in Maryland --

6 ALJ DARLING: Can I ask you to speak
7 closer to the microphone so others can hear
8 you.

9 MS. BORCHMANN: Okay. My observation
10 is based on, you know, the fact that the
11 Nuclear Regulatory Commission has recently
12 been holding a series of important hearings
13 regarding the San Onofre case with hearings
14 held in Maryland. So, you know, it's so far
15 away that impacted citizens cannot
16 realistically, you know, play an active role.
17 So I really appreciate your effort to
18 interact directly with the public.

19 I've heard a lot of businesses and
20 representatives from chambers of commerce,
21 you know, reflect their concerns about the
22 risk of unreliability of, you know, power
23 sources. And, you know, that's
24 understandable. However, I think that it's
25 important that the PUC carefully consider,
26 you know, actually what the risks and actual
27 economic costs, which I don't think have been
28 factored into this whole equation, about what

1 if there were a, you know, Fukushima-type
2 disaster. You know, all these estimates of,
3 you know, if all our power sources were
4 interrupted for, you know -- if we don't
5 start Unit 2, you know, we'll be devastated.
6 You know, I don't think so.

7 And, you know, the CPUC's already aware that
8 the ISO is projecting, you know, ways to operate a
9 reliable power system to generate power for Southern
10 California without San Onofre. They're having to do
11 that already. And I think that that's a very central
12 necessity.

13 Your role is to act in the public interests,
14 as you know and, you know, to guarantee the ratepayers
15 are provided with reliable, long-term -- short and
16 long-term reliable sources of service. And I think
17 that the money that is considering being spent to
18 restart Unit 2 could easily be put to a more
19 productive, more positive use by allocating it instead
20 to renewables and a more immediate transition to a --
21 the future source of power. Thank you.

22 (Audience clapping.)

23 ALJ DARLING: Thank you.

24 Mr. Holtzman?

25 STATEMENT OF MR. HOLTZMAN

26 MR. HOLTZMAN: Yes. My name is Joel
27 Holtzman. I live in Mission Viejo,
28 16.8 miles from San Onofre.

1 Any discussion of SONGS has to talk about
2 reliability and costs. SONGS has not been reliable.
3 I counted 54 times in the last 84 months that SONGS
4 has either been up or down. So it's not reliable.
5 It's been off for the last year. We didn't miss it.
6 We had the hottest summer in Southern California in
7 the last three months of the year than we have had.
8 So check that out.

9 As to the evacuations, I live in Mission
10 Viejo. I have been part of the Saddleback Unified
11 School District's facility committee. I know that the
12 Capistrano Unified School District has told us they
13 have to borrow our buses to evacuate their kids. Do
14 you think they're gong to be able to get down 16 to
15 17 miles to take kids out of there? No way. Not on
16 Southern California roads if there is an emergency.
17 It's not going to happen.

18 Now, we talked about reliability. I talked
19 about that.

20 Number two, costs. Oklahoma Power and Gas,
21 where I have another one of my businesses, charges me
22 6.7 cents per kilowatt hour. The minimum kilowatt
23 hour cost here in Southern California Edison is 13.1
24 cents at the Tier 1 level. Okay? That's twice the
25 rate. If you just go up to Anaheim, which is a
26 municipal district, they're one-third less. Edison is
27 not cheap.

28 As far as green, nuclear is not green. From

1 the mining, the processing, the transportation and the
2 disposal, it's not green. We are leaving a legacy of
3 500 million years for our children to deal with. And
4 they've got every bit of the nuclear waste that's ever
5 been produced sitting down there right now.

6 Now, throughout the world there is a hundred
7 gigawatts, a hundred gigawatts, of solar power; 32 of
8 that hundred gigawatts is in Germany; 7.5 of the
9 gigawatts is in the United States. We can do it.
10 Germany has a plan by 2030 to be off of nuclear, and
11 they're going to be going with renewables.

12 It's time to change. And also to wrap up,
13 I've got document after document here of Edison's
14 deceitfulness, from falsified customer satisfaction
15 surveys, from falsifying health and safety issues, on
16 and on and on it goes. Here it is. If you would like
17 copies of it, I'll make you copies of it.

18 My old basketball coach used to tell me
19 "watch the belly button. The belly button can't go
20 left or right. If you keep your eye on the belly
21 button, you're going to watch them."

22 Well, keep your eye on Edison's belly
23 button, instead of their mouth.

24 (Audience clapping.)

25 ALJ DARLING: Thank you.

26 Mr. Bereczky.

27 STATEMENT OF MR. BERECZKY

28 MR. BERECZKY: I am Emil Bereczky, a

1 registered professional engineer in
2 California in two different disciplines, and
3 I have at least 50 years of what I believe is
4 relevant experience.

5 My wife and I are attending these meetings
6 to supported Edison in getting approval to start up
7 their plant -- or both plants as soon as practical.
8 The power is needed. The power these plants could
9 produce would reduce the chance of us facing brownouts
10 and blackouts in the near future.

11 In order to add credibility to ourselves and
12 our position, we would like to tell you that our home
13 is fairly close. It's in Placencia, which is, for
14 Mr. Florio's benefit, is adjacent to Yorba Linda. And
15 we have three married sons: One is East Anaheim, one
16 in Irvine, and one in Ladera Ranch. So should any
17 disaster occur, we could immediately be affected.

18 We would also like to note that no one, as
19 far as we know, in the history of nuclear power
20 generation in the United States have been killed by
21 radiation.

22 (Audience comments.)

23 ALJ DARLING: Please contain your
24 remarks until when you have an opportunity in
25 front of the podium. And give the speaker
26 respect. We would like to hear his comments,
27 just as we would like to hear everyone's
28 comments.

1 Please proceed.

2 MR. BERECHKY: And we would like to add
3 that as far as we know, the subject plant's
4 safety and radiation detection systems
5 worked, and no one inside the plant, much
6 less outside the plant, have been hurt by
7 radiation or exposures or any other reason.

8 Now, it has been reported that the
9 tube damage was due to vibration which is a
10 design error. It is not specific to nuclear
11 power plants. Tube vibration could be
12 petroleum refineries, fertilizer plants, or
13 even in a Hershey Chocolate Kiss
14 manufacturing plant. It is a design issue.

15 The single issue opponents of the plant
16 restart, and nuclear power I might add, should get
17 real -- realistic, put their emotions aside. Get out
18 of the way. They have no credible issue. It's a
19 song. As a show of sincerity --

20 (Audience comments.)

21 ALJ DARLING: Excuse me. I'm giving
22 him an extra few seconds because his time is
23 interrupted, as it is again. So I'm going to
24 give you about 30 seconds to wrap up.

25 MR. BERECHKY: That's enough. As a
26 show of sincerity and your good faith, the
27 single issue opponents should volunteer to
28 have Edison disconnect their power supply

1 whenever an electric shortage is predicted.
2 With the new smart meters, this should be
3 easy to accomplish. We request all
4 regulatory agencies to approve immediate
5 plant start-up. Thank you.

6 ALJ DARLING: Thank you. All right.
7 (Audience clapping.)

8 ALJ DARLING: The next speaker will be
9 Mindy Spatt. And the next five speakers to
10 come forward will be Patti Davis, Steven
11 Rose, Ruben Franco, Deanna -- oh, Deanna
12 spoke. Mel Kernahan and Armida Brashears.

13 (Audience comments.)

14 STATEMENT OF MS. SPATT

15 MS. SPATT: Thank you. TURN, The
16 Utility Reform Network, is a party in this
17 case and we appreciate this opportunity to
18 address the Commission and the public.

19 TURN has been representing California
20 consumers for 40 years. And our main goals are
21 affordable bills and accountable utilities, and those
22 are the two reasons we are here today.

23 Accountable utilities, that means
24 accountable for their mistakes, and Edison made a
25 colossal one, a \$665 million mistake that right now
26 customers are on the hook for.

27 Edison -- Edison's steam tubes are
28 defective. That's Edison's problem. We are demanding

1 immediate refunds for customers for Edison's mistakes.

2 (Audience clapping.)

3 MS. SPATT: The lives and costs of
4 replacement and power are an unfortunate
5 result of those mistakes. And, once again,
6 those are mistakes that Edison should be
7 health accountable for. Utility companies
8 must pay for their mistakes out of profits,
9 not out of rates.

10 And speaking of profits, everyone should be
11 aware that Edison is actually asking for profits as
12 well as costs of these defective steam tubes.

13 Customers should not have to pay a single
14 penny for costs incurred to own an inoperable nuclear
15 plant.

16 In addition, we would be very interested in
17 hearing from the other speakers how many of them have
18 received money from Edison in its community grant
19 program.

20 Thank you very much.

21 ALJ DARLING: Thank you.

22 Mr. Harvey Eder.

23 STATEMENT OF MR. EDER

24 MR. EDER: Good afternoon. My name is
25 Harvey Eder.

26 COMMISSIONER FLORIO: It's been a long
27 time, Mr. Eder.

28 MR. EDER: Yeah, it's been a long time.

1 We go back to TURN days with Sylvia Seagull,
2 when I was an expert witness for TURN in some
3 of the first solar hearings that were held,
4 and Commissioner Florio was an attorney with
5 TURN.

6 I've been working in solar energy
7 for close 40 to years. If this power plant
8 is not shut down and decommissioned, I'll
9 feel like I was in the desert for 40 years.
10 But the time has come now to use and to
11 implement solar energy.

12 (Audience clapping.)

13 MR. EDER: I'm with the Public Solar
14 Power Coalition. The \$600 million that's
15 been overcharged here, as well as another
16 half a billion dollars that's -- that was not
17 used for energy efficiency should be put into
18 a fund -- you know, a half a billion here, a
19 half a billion there, pretty soon you're
20 talking no money -- it should be used to
21 start public solar power.

22 You have -- as other gentlemen pointed out,
23 it's about 20 to 30 percent less expensive if using
24 conventional power. You have the price of solar
25 coming down. It's come down about two-thirds in the
26 last three years for photo voltaics. The price of
27 money has gone down. Interest rates are at the lowest
28 almost they've ever been. And when financing solar,

1 what's happening now is with photo voltaic systems,
2 third-party financing is coming in and people are
3 getting solar at less than what they're paying for
4 their electric utilities and they're saving money.

5 We're involved with litigation now with the
6 Air Pollution District to try to get them to implement
7 a solar conversion plan for their 2012 plant for the
8 South Coast District.

9 You have proceedings on storage under
10 Assembly Bill 2516, and it shows that we can use like
11 compressed air storage and underground, as well as
12 pump storage and other technologies. And you have
13 community choice aggregation hearings that you are
14 also involved with now. And these should all be used
15 and the money should be put into a fund and used for
16 public solar power conversion.

17 Thank you.

18 ALJ DARLING: Thank you.

19 (Audience clapping.)

20 Miss Patti Davis.

21 STATEMENT OF MS. DAVIS

22 MS. DAVIS: Hi. Thank you,
23 Commissioner Florio and Judge Darling. My
24 name is Patti Davis. I am a mother of three
25 children. I live in San Clemente. I'm a
26 long-time resident there, now 12 years. And
27 I can tell you that as a mom, I am very
28 involved in the PTA, very involved in all

1 kinds of civic organizations and groups. I
2 feel that \$54 million a month and counting of
3 ratepayer's money is not cost effective.
4 It's not cost-effective energy generation.

5 A nuclear power plant that has been down for
6 over a year, but still requires energy from the grid
7 to prevent a meltdown, that is not reliable energy.
8 Nuclear reactors that leak radiation is not safe
9 energy.

10 It appears, now, documents are coming out
11 leading us to believe that Edison knew about these
12 flawed designs before installing these steam
13 generators at the Unit 1 or Unit 2 and Unit 3. And
14 we're all waiting for that news. If that is correct,
15 that is a criminal act. And if it is, as Edison
16 states, when they say "we would not knowingly install
17 defective steam generators," that just points to
18 Edison being clueless. Either way, it's very bad.

19 And I am a mother that lives five miles away
20 from that nuclear power plant. I am depending on you
21 to be responsible to the public. It's the California
22 Public Utilities Commission. It is not the California
23 utility commission for the Edison or PG&E, it is for
24 the public. You need to represent us, me, my
25 children. Because I will tell you there is no safe
26 evacuation route.

27 All of the parents I speak to -- and I have
28 a lot of friends -- we all know, whether it's my

1 friends that are, you know, the volleyball moms, the
2 orchestra moms, the swim team moms, we all know -- you
3 ask any one of them: What would you do when the
4 sirens go off? They will tell you, "well, it's over."
5 They don't believe there is any safe evacuation route.

6 So I'm going to ask you to please make sure
7 that San Onofre be taken out of the ratepayer base
8 immediately, all costs be recovered. And I thank you
9 very much for your time. Thank you.

10 (Audience clapping.)

11 ALJ DARLING: Okay. We're going to
12 take two more speakers, and then we're going
13 to give our court reporter a break for about
14 ten minutes because she has been very
15 diligently taking down all your comments.
16 But we would like her to last throughout the
17 session.

18 So Mr. Rose and Mr. Franco, and then we will
19 take a ten-minute break.

20 STATEMENT OF MR. ROSE

21 MR. ROSE: Good afternoon. Steven
22 Rose, former mayor of the City of Culver
23 City. For your information, that's about 30
24 or 40 miles north of here.

25 As a mayor, the City of Culver City was the
26 first community in LA County to go all natural gas
27 buses. Our recycling leads the state. I guess you
28 can call me Earth friendly. I am also the 26-year

1 president of the Culver City Chamber of Commerce.

2 A reliable energy source is important for
3 not only business, but for the community. In case of
4 an emergency, our communications are based on reliable
5 electricity. If the city cannot have that, it has
6 nothing. I encourage you to review the facts, act on
7 the facts, and make a decision as soon as possible.

8 And thank you very much.

9 ALJ DARLING: Thank you.

10 Mr. Franco?

11 STATEMENT OF MR. FRANCO

12 MR. FRANCO: Thank you, Your Honor,
13 thank you, Commissioner, for allowing us the
14 opportunity to speak here today.

15 My name is Ruben Franco. I am the president
16 and CEO of the Orange County Hispanic Chamber of
17 Commerce. We represent the interests of over 30,000
18 businesses, which small and large, which employ over
19 200,000 people here in Orange County.

20 I'm here to voice support of the safe
21 restart of SONGS. Our businesses are concerned with
22 reliable energy, efficient energy, and the negative
23 economic impact potential blackouts might have. Our
24 businesses rely on those for their jobs. And if SONGS
25 is not allowed to restart, we're not sure what's going
26 to happen.

27 The business community here in Orange County
28 wants to continue this dialogue on SONGS. And please

1 feel free to reach out to us in the Hispanic community
2 to talk about this important issue.

3 Thank you for your time.

4 ALJ DARLING: Thank you. We will now
5 take a ten-minute break and be back at 5 til
6 4.

7 We will start with Mel Kernahan, Armida
8 Brashears, John Kaloper, Floyd Livingston, and Rhonda
9 Shader.

10 We are off the record.

11 (Recess taken.)

12 ALJ DARLING: Would everyone please
13 take a seat.

14 All right. I would like to go back on the
15 record.

16 Our next speaker, Mel Kernahan. We want to
17 hear you.

18 STATEMENT OF MS. KERNAHAN

19 MS. KERNAHAN: All right. You know,
20 CPUC, I'm very grateful that you're here to
21 hear us. I'm one of the emotional minority
22 ratepayers. But, you know, the greatest
23 public utility we have is the sun and the
24 wind. I don't know where this nonsense came
25 from that nuclear is more reliable than solar
26 and wind. Can you tell me of a single year
27 in the history of California where the sun
28 didn't shine and the wind didn't blow?

1 SONGS has been unable to provide any
2 electricity for 365 days during this outage.
3 There have been outages ever since the plant
4 was invented there. But I'm a captive Edison
5 customer. The rates we pay not only pay for
6 electric power, these rates provide Edison's
7 salaries, business expenses, performance
8 bonuses and a fortune in public relations
9 campaigns. Edison executives decide they're
10 worth millions in performance bonuses that we
11 must pay them whether or not their
12 performance is worth a nickel. What a racket.

13 Edison should pay us ratepayers a
14 big performance bonus for not lynching them
15 for the lies and incompetence. Edison must
16 refund these bonuses and put that money in
17 the decommission fund. Refund our electric
18 rates for the year.

19 Edison, you broke it. You pay to
20 decommission it. You refund our rates paid in good
21 faith for power that you are incompetent to provide.
22 End this dangerous nuclear charade.

23 Thank you very much.

24 (Audience clapping.)

25 ALJ DARLING: Armida Brashears.

26 STATEMENT OF MS. BRASHEARS

27 MS. BRASHEARS: Good afternoon. Thank
28 you, Judge Darling and Commissioner Florio.

1 I am Armida Brashears. I am a 77-year old
2 native of California. I am a 47-year
3 resident of Huntington Beach. I am a
4 grandmother and a great grandmother, and I
5 care about what kind of environment we are
6 going to be leaving for our great
7 grandchildren.

8 My primary concern is environmental
9 impact. That was supposed to be one of the
10 issues you are concerned with here. I am
11 concerned about the nuclear waste. We all
12 know about the radioactive waste that is
13 currently stored at Hanford, Washington, that
14 has been leaking into the soil and,
15 therefore, into the groundwater. And we
16 don't know how long it's been leaking. There
17 is radioactive waste at over 100 nuclear
18 power generators around the US, and we still
19 have no permanent storage. Nobody wants
20 radioactive waste in their backyard.

21 We all need clean, uncontaminated
22 water to drink. Our farmers need clean,
23 uncontaminated water to grow food, to raise
24 chickens, cows and pigs.

25 Germany, which is a very dynamic
26 economy in Europe, they have manufacturing.
27 They manufacture cars. They manufacture all
28 kinds of -- Siemens manufactures all kinds of

1 electrical generators, machines, all kinds of
2 things. And they have a plan to depend
3 completely on renewables by 2030. If they
4 can do it, I think we can, too.

5 (Audience clapping.)

6 MS. BRASHEARS: I lived in Australia
7 on March 11th, which happens to be my
8 birthday, when the tsunami shut down the
9 Fukushima nuclear generator. They finally
10 acknowledged that the evacuation zone should
11 be 50-mile radius, not 10-mile.

12 There also was an earthquake in February of
13 that same year that seriously damaged Christ's Church
14 in New Zealand. That event prompted their municipal
15 government to establish a plan for distributed
16 generation of electricity because they couldn't rely
17 on their electrical grid.

18 So I think there's another place where we
19 need to put our emphasis on distributed generation of
20 electricity so that we're not slaves to the electric
21 grid.

22 Thank you very much. I hope you will think
23 of the citizens and your grandchildren, too.

24 ALJ DARLING: Thank you.

25 (Off the record.)

26 ALJ DARLING: So Mr. John Kaloper, is
27 he here?

28 Mr. Livingston? Floyd Livingston?

1 Okay. Let me call the next five. Rhonda
2 Shader, Douglas Hughes, Steven Rosansky, William
3 Steiner and Berton Moldow.

4 Starting with Miss Shader.

5 STATEMENT OF MS. SHADER

6 MS. SHADER: Thank you. I'm Rhonda
7 Shader, the chair of the Fullerton Chamber of
8 Commerce. I'm representing 650 businesses in
9 Orange County. These businesses spend
10 hundreds of thousands of dollars a month on
11 electricity. Because of the nature of the
12 circumstances that the SONGS facility was
13 shut down, we appreciate and agree with
14 efforts to recover the extra costs from the
15 shutdown from insurance and other sources
16 before passing the costs on to customers.

17 We also want the Commission to be
18 aware that for many years now, Edison has had
19 a representative in our community to provide
20 communication and to answer questions to both
21 our citizens and our businesses. We hope
22 that the SONGS facility will be safely
23 reinstated so that businesses in our county
24 can continue to have reliable and affordable
25 electricity.

26 Thank you.

27 ALJ DARLING: Can I see by a show of
28 hands if that sound was better than the prior

1 speaker?

2 Are you having trouble hearing in the back?

3 UNIDENTIFIED AUDIENCE MEMBER: We hear
4 you well. We were having trouble hearing
5 her.

6 ALJ DARLING: You could not hear the
7 last speaker? Not as well?

8 Let's take a minute here. Off the record.
9 (Off the record.)

10 ALJ DARLING: Let's go back on the
11 record.

12 And, Mr. Hughes, please proceed.

13 STATEMENT OF MR. HUGHES

14 MR. HUGHES: Thank you, Commissioner,
15 Your Honor. And God bless America because
16 you and I can come up here and verse our
17 opinion. We're still a free people, and
18 thank God.

19 The reason I came here tonight, I
20 want to talk about the big one. Every year
21 this continent -- or I call California a
22 continent and, actually, it is. It is
23 supposed to move an inch. And if it doesn't,
24 then it just pushes against it and it's
25 trying to push it. And eventually, it's
26 going to give. And when that big one hits,
27 God help us.

28 Now, south of the border not too many years

1 ago, a year or two ago, we had an 8.5. The nuclear
2 plant here in San Onofre was built for a 7.5. Would
3 it be at that rate now? Three miles from it there is
4 a fault out in the ocean. Is that going to -- they
5 say, well, that fault is only a 7.5. They say. How
6 do they know? They don't.

7 We're gambling with life and disaster, a war
8 zone that you can't imagine. When that earthquake
9 hits -- and it's going to happen, only God knows
10 when -- it's just going to take everything and turn it
11 upside down. See my thumb? If that was nuclear waste
12 and it was laying in this room, we would all be dead
13 in a few minutes. And the nuclear waste is all the
14 way around the nuclear plant. It's that problem they
15 don't know what to do with it.

16 Now, with all the doctors degrees, the
17 engineers, the studies and everything they do, they
18 say we now, with new technology, we know what to do.
19 Well, they don't know what to do with the waste.
20 Inevitably they are gambling with your life and mine.

21 At 76, I am not really concerned that much
22 with my life. It's our young ones, our grandchildren.
23 We can't continue to roll.

24 If I had my choice, if I was in the power, I
25 would do this: I would right now start building a
26 natural gas plant right there where the nuclear plants
27 are, bring in a natural gas line to take care of it
28 and steam it. And just as soon as it's fired up,

1 start telling Edison you got 90 days -- that's a
2 quarter of a year -- to take it all, with all your
3 geniuses and your billions and millions of dollars,
4 and figure out where to put it and get rid of it. And
5 they got a big problem because they don't know what to
6 do with it, but they need to get it out of our
7 backyard and save our state. It's time we get some
8 foresight into our future and think smart.

9 Thank you very much.

10 ALJ DARLING: Thank you.

11 (Audience clapping.)

12 ALJ DARLING: Mr. Rosansky, Steven
13 Rosansky.

14 STATEMENT OF MR. ROSANSKY

15 MR. ROSANSKY: Thank you. Honorable
16 Chair and Commissioner Florio, my name is
17 Steven Rosansky, and I'm a former Newport
18 Beach city councilman and mayor, and the
19 current president and CEO of the Newport
20 Beach Chamber of Commerce. Thank you for the
21 opportunity to address you regarding the
22 current power down at the San Onofre Nuclear
23 Generation Station.

24 As a business owner and on behalf of 671
25 businesses that comprise the Newport Beach Chamber of
26 Commerce, I'm here to ask you to consider the safe
27 restart of the San Onofre plant. As businesses are
28 challenged by a stagnant economy and increases in all

1 types of costs, a reliable and clean source of
2 electrical energy at a reasonable price is essential
3 to the sustainability of the California economy.

4 Just the other night, President Obama
5 advocated for increasing the minimum wage. As of
6 January 1st, sales tax in California has risen. Last
7 week, Texas Governor Perry toured our state trying to
8 convince California companies to relocate to Texas
9 with the promise of lower taxes and lower operating
10 costs. Let's not add higher electrical rates to his
11 repertoire of reasons for businesses to exit this
12 state.

13 San Onofre is already here. It has been in
14 operation for almost four decades. Without it up and
15 running, we are forced to use old electrical
16 generation plants in Huntington Beach and Carlsbad
17 that pollute our environment and run on costly fossil
18 fuels. I don't think anyone is advocating doing
19 anything that would not be a hundred percent safe.

20 I think that we -- what we are advocating is
21 to have the state regulatory agencies working
22 cooperatively with Southern California Edison to
23 identify the problem, fix the problem, and get back to
24 generating the cheapest and cleanest energy we
25 possibly can.

26 Thank you.

27 ALJ DARLING: Thank you.

28 Next speaker will be Mr. William Steiner,

1 followed by -- let me call the next group of five.
2 There are a couple more speakers here. But Keith
3 Curry from -- mayor of Newport Beach, Gary Headrick,
4 Bruce Campbell, Randy Ziglar, and Bill Freeman. If
5 you would come forward, the public advisor staff will
6 assist you in getting your place at the microphone.

7 Mr. Steiner?

8 STATEMENT OF MR. STEINER

9 MR. STEINER: Thank you, Judge and
10 Commissioner. My name is William Steiner and
11 I am the former chairman of the Orange County
12 Board of Supervisors. And in that capacity,
13 we have many, many public hearings on all
14 sorts of public policy issues and often
15 involving contentious issues like this one.
16 And I did attend the NRC hearing down in
17 South County. And I learned over all those
18 years that there is a need for us to show
19 respect for people who have different
20 viewpoints, and we have many people with
21 different viewpoints today.

22 That said, I'm also Chairman of the
23 Board of the Community Foundation of Orange,
24 a parent of five growing children, have a
25 bunch of grandchildren, including
26 grandchildren that attend the Capistrano
27 Valley Unified School District schools. And
28 in that capacity, then, as far as a member of

1 the community and as a parent and
2 grandparent, it's never been my interest to
3 place this community or my own family at
4 risk.

5 While I was on the board of supervisors for
6 six years, we had exercises, we called them the SONGS
7 exercises. We went out to the Loma Ridge emergency
8 command center every year and we gathered together for
9 emergency preparedness with regard to SONGS, involving
10 our sheriff's department, our Orange County fire
11 authority, and our health care agency, public works
12 staff, and so forth, and we placed a very high
13 priority on that exercise and took it very seriously.

14 Our experiences led us to believe that we
15 had an organization and systems in place to meet our
16 responsibilities to the public. Certainly, it was our
17 impression over those years that Edison also had a
18 corporate sense of responsibility and that the San
19 Onofre plant was a good neighbor. Based on those past
20 experiences that we had and a few future reassurances
21 which we felt were credible, I'm hopeful that there
22 can be a restoration of this important power source.
23 And I certainly appreciate the fact that you are
24 concerned about the interests of the ratepayers and
25 will consider those issues carefully.

26 Thank you very much.

27 ALJ DARLING: Thank you.

28 Mr. Berton Moldow?

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STATEMENT OF MR. MOLDOW

MR. MOLDOW: Yes. Berton Moldow
from Laguna Woods.

And one thing I would like to ask is has the
committee -- or I would with like to see the
committee's hidden costs to San Onofre. I wonder if
you include the town's expenses of the towns around
the plant for the exercises that they have to perform.
I wonder if you consider the costs and the damage of
the ocean's ecology. I wonder if you consider the
cost that we're going to pay for the cancer studies
and, God forbid if they prove out, the liability that
would be paid. I understand we should be including
prolonged costs, slowly, but security that we maybe
have to pay over the next 200 years or more for that
fuel. Or the cost for the water towers that the Water
Commission is going to require by, what, 2022 now, at
the cost of \$2.3 billion.

NRC Commissioners have testified before that
there is no guarantee against another Fukushima or
another Chernobyl. In fact, it will happen. We know
it will happen. And we know that that plant, like
Fukushima, sits on the ocean. It is sitting near
faults; that it has had equipment failures; they have
had design errors. We have the issue of terrorism.
And we know that that plant's safety record is the
worst safety record of all plants operating in the
United States. So we have no guarantees.

1 Regarding, by the way, safety, and we rely
2 on the NRC for safety, we have seen a Commissioner --
3 not a Commissioner, but one of the people that were
4 performing a study, admit to me that the NRC missed
5 this one; that there should have been a hearing, okay,
6 and a relicensing of that plant based upon what they
7 knew.

8 Business owners, I can appreciate, have some
9 concern, but they're missing the boat. They've lost
10 perspective because they, just as well as many other
11 people in this county, would become victims if
12 something happened. They can't, just like I can't,
13 buy any nuclear insurance to protect myself against
14 total wipeout and loss against such an event.
15 However, they can buy solar panels, just like I did,
16 free, and put it on their roofs or wherever they can
17 put them, and reduce -- actually get energy at lower
18 cost than they're paying the power company.

19 So there is a way in which they can indeed
20 buy their insurance. Just close San Onofre and go
21 toward alternative energies.

22 Thank you.

23 ALJ DARLING: Okay. The next speaker,
24 Mr. Mayor Keith Curry from Newport Beach.

25 STATEMENT OF MR. CURRY

26 MR. CURRY: Thank you, Judge Darling
27 and Commissioner Florio. My name is Keith
28 Curry. I'm the mayor of Newport Beach. I'm

1 here today speaking for myself. And, first
2 of all, welcome to Orange County. Safe and
3 reliable energy is essential to a functioning
4 economy. Most of us remember the
5 difficulties caused by the power outages
6 resulting from the energy crisis of the last
7 decade. We simply cannot afford, as a matter
8 of economic necessity, public safety or
9 employment recovery to have the reliability
10 of our energy supply compromised.

11 We were fortunate this summer that because
12 the AES facility in Huntington Beach was able to be
13 operated, we avoided a potential power outage. I
14 understand that the regulatory and other factors, this
15 option will not exist during the Summer of 2013. That
16 is why we must have a safe restart of the San Onofre
17 Nuclear Power Station. This facility supplies 10
18 percent of the total power for Southern California,
19 and has been providing save, clean power for more than
20 38 years.

21 I do not believe there are any realistic or
22 affordable options in the short run that will allow us
23 to ignore the important role that SONGS plays in the
24 regional energy picture. Southern California energy
25 rates are already among the highest in the nation, and
26 failure to utilize this long-standing asset can only
27 cause our rates to increase, further exacerbating our
28 faltering economy. We need reliable power to grow our

1 economy, serve our tourists and visitors, protect our
2 community and promote job growth. I urge you to take
3 the only responsible course and support the safe
4 and speedy restart of SONGS as soon as possible.

5 Thank you.

6 ALJ DARLING: Thank you.

7 Mr. Gary Headrick?

8 STATEMENT OF MR. HEADRICK

9 MR. HEADRICK: Hello. My name's Gary
10 Headrick, and I represent myself and my wife
11 and my granddaughter, like you've heard
12 stories before. But also San Clemente Green
13 is a large group that is very concerned about
14 a number of factors, and cost and reliability
15 is, obviously, a big part of that. And
16 you've heard a lot of good testimony today,
17 and I'm glad you are taking it all in. I
18 just want to make a couple of points that are
19 a little different.

20 One is that I did some research having to do
21 with the way the NRC values the loss of a life. And
22 what I found out is that the EPA actually values a
23 life loss as \$6.1 million. And the GAO reported that
24 it is hard to justify below \$5 million. But the NRC
25 uses a figure of \$3 million to value the loss of a
26 life. So my question is how does this disparity
27 influence the CPUC? And is it appropriate for the
28 CPUC to have the NRC update their model? Their

1 financial model? And how does that affect your cost
2 effectiveness analysis? I think it would skew the
3 numbers in another way than where it might be
4 currently at 3 million.

5 Secondly, without pre-judging Commissioner
6 Peevey, who is not here, and I don't know him
7 personally and I don't mean this personally, but the
8 public sees a lot of delays happening in what we would
9 think would be an immediate step that the CPUC could
10 do to stop the bleeding of our ratepayer money into a
11 lost cause, basically. And the reason I bring it up
12 is because of President Peevey's history with Edison.
13 And you can't help but wonder: Is there some loyalty
14 to Edison lingering from the past?

15 And I'm basically asking that we ask
16 Commissioner Peevey to make a statement, give us some
17 examples of things that he's done that are not in the
18 interests of Edison, some way that we can be reassured
19 that his testimony and his judgment is not impaired by
20 his past relationship with Edison.

21 And, lastly, I would just like the CPUC to
22 weigh in, as Boxer and Markley have, demanding this
23 document that indicates whether Edison is culpable in
24 performing duties that put us at risk, our investments
25 and energy and the potential loss for -- if there was
26 a crisis, it would just -- it's insurmountable. So I
27 ask you to join in, the NRC and the CPUC, to demand
28 that those documents are made readily available. It

1 shouldn't take this long.

2 Thank you.

3 ALJ DARLING: Thank you.

4 (Audience clapping.)

5 ALJ DARLING: Mr. Campbell.

6 STATEMENT OF MR. CAMPBELL

7 MR. CAMPBELL: Good day, Judge. Judge
8 Darling and Commissioner Florio, I'm Bruce
9 Campbell from Los Angeles. First, I wish you
10 wouldn't use the term "SONGS." It's
11 essentially buying into the Edison PR
12 campaign. Speaking of Edison's PR campaign,
13 are ratepayers paying for SCE propaganda,
14 literature, newspaper ads and other so-called
15 meetings in their public affairs or other
16 funds? I don't think the ratepayers should
17 have to pay for that.

18 So the steam generators were not like to
19 like. However, and, thus, it should have prompted the
20 NRC license amendment process, but NRC was being --
21 anyway, but they didn't want to have evidentiary
22 hearings and, thus, wanted to have the quicker
23 process.

24 The ratepayer should not spend another penny
25 on any of the four defective steam generators. In
26 fact, they should be refunded every penny they spent
27 on four defective steam generators. The PUC must
28 insist on knowing the exact timing of when the

1 anti-vibration bar design team, which I believe had
2 SCE, Mitsubishi Heavy Industries people on it at
3 least, when it was formed and when they first met to
4 discuss the replacement steam generator issue.

5 Also, I remember -- I knew the legal
6 intervenor at San Onofre Unit 1, who is a retired
7 gentleman in Hawaii at this point, and I remember he
8 said that the PUC said we'll have to take it out of
9 the rate base unless you fire it up soon. And though
10 it leaked like a sieve, they wanted to recover the
11 funds. So they fired up fairly soon thereafter, but
12 then they had problems. So they finally shut down
13 Unit 1.

14 You should also study various
15 worst-case accident estimates for San Onofre,
16 including Skandia Labs' 1982 study which included
17 property damage estimates and San Onofre environmental
18 impact documents which may be from 1983.

19 Of course, if these city -- if a number of
20 these city folks who are from the business community
21 and giving SCE's line, if they actually support a fair
22 and transparent hearing, it makes me wonder about this
23 process, since it looks like SCE rented the building
24 and they are having these people saying they want a
25 fair and transparent hearing. We need all document --
26 I understand PUC called for the sealing of certain
27 documents. A full and transparent process would mean
28 we want to see all documents.

1 And also, San Onofre definitely has the
2 worst safety culture in the nation and the worst steam
3 generator situation in the nation. And we also should
4 avoid a lot of -- the once through cooling system, to
5 avoid impingement and entrainment of species if we
6 should shut it down and no longer fund it, to get it
7 shut down as soon as possible and decommissioned.

8 Thank you.

9 ALJ DARLING: All right. Thank you. I
10 would like to make one corrective statement.
11 Edison didn't rent this building. Actually,
12 Commissioner Florio and I had made the
13 decision to hold this meeting here because we
14 thought it would be a good facility for a
15 public meeting, with lots of open space, good
16 parking, and restrooms, and so forth. And it
17 was free from the City of Costa Mesa, so none
18 of your dollars are going towards this.

19 (Audience clapping.)

20 ALJ DARLING: Okay. Mr. Ziglar,
21 followed by Mr. Freeman.

22 Let me just give you the next five speakers:
23 Beverly Findlay-Kaneko, Carol Jahnkow, Rochelle
24 Becker, Mary Parsons and Vicki Pell, if you would like
25 to come forward, and that way the --

26 (Technical difficulties.)

27 ALJ DARLING: Off the record.

28 (Off the record.)

1 ALJ DARLING: Okay. Mr. Ziglar.

2 STATEMENT OF MR. ZIGLAR

3 MR. ZIGLAR: Yeah. My name is Randy
4 Ziglar. I live in Carlsbad, California,
5 pretty close to San Onofre. I'm here to keep
6 it closed. Close it down. Keep it closed,
7 decommission it. I don't have any problems
8 with paying Edison for whatever it takes to
9 make clean, reliable affordable, safe energy.
10 But when you're making radioactive waste, I
11 don't see it as meeting those criteria.

12 I think this is a very dangerous and
13 risky technology. It's unimaginable to me
14 what would happen to this state if there is
15 an accident like Fukushima. I mean, even the
16 people that work here with the Chamber of
17 Commerce and their beautiful businesses,
18 they'll want to work in Texas by then. Then
19 Perry will win.

20 I keep hearing the news reports and
21 I keep hearing how utterly the solar and wind
22 energy is going down in price. Meanwhile, I
23 keep hearing about how more and how terribly
24 expensive oil, gas and particularly nuclear
25 energy is without an accident.

26 You know, let's not reward Edison
27 for doing the wrong thing and going in and
28 gambling on dangerous energy. Let's reward

1 it for doing good things like clean, safe,
2 renewable, local solar, wind energy we just
3 heard.

4 (Audience clapping.)

5 MR. ZIGLAR: We just heard that the
6 sun keeps shining and the wind keeps blowing
7 regardless of what happens to San Onofre.
8 All I expect from the government, the federal
9 government, the state government, is to
10 safeguard us and to safeguard the future
11 generations. That's all I ask. Not to be
12 beholdng to money making at any price.
13 Let's not take the short-term money making
14 proposition. Let's think in terms of the
15 next generation and do the right thing and
16 get rid of all this pollution.

17 Thank you.

18 ALJ DARLING: Thank you, Mr. Ziglar.

19 Is our sound man still here? The sound
20 tech? All right. Well, let's give it a try.
21 Mr. Freeman?

22 What's this?

23 ALJ DARLING: What is this?

24 UNIDENTIFIED AUDIENCE MEMBER: This is
25 just the other microphone that was already
26 there.

27 STATEMENT OF MR. FREEMAN

28 MR. FREEMAN: My name is Bill Freeman.

1 I am a local business person. My office is
2 about one mile south of here. My concern is
3 jobs. San Onofre not only employs hundreds
4 of people directly, but indirectly hundreds
5 of more goods and services to the area.
6 Think about the fact that the Irvine Spectrum
7 Center -- it probably wouldn't be here if not
8 for SONGS.

9 Think about the suburbs that are
10 from here to Oceanside and inland. Probably
11 wouldn't be here if it was not for SONGS.
12 You would probably still have bean fields and
13 you would probably still have orchards in
14 this area if it was not Southern California
15 Edison's energy that was being used to supply
16 the services that's necessary for the homes
17 and businesses in these areas.

18 Now, you say that we should not pay
19 for the kind of problems that Edison has with
20 its power systems. Edison paid to develop
21 those systems and put them in place for your
22 use. What would happen if Edison left and
23 you had to bring in some other power company
24 to develop a new source of power?

25 Consider the fact that people were
26 not happy in Redondo Beach. Redondo Beach
27 closed. People were not happy with Mojave;
28 it closed. Palles Verdes, closed.

1 If you want to know how much money you're
2 going to have to pay, think about the fact that
3 nuclear energy is the cheapest energy that you can
4 buy.

5 (Audience laughing.)

6 MR. FREEMAN: Laugh if you wish. Think
7 about the fact that there have never been --
8 or, by comparison, the hundreds of lives lost
9 in black lung disease from fossil fuel plants
10 and the number of plants that have died from
11 oil and gas fired plants. And then think
12 about the green impact. Make a comparison.
13 Stop coming from an emotional point of view
14 and come from a knowledgeable point of view.

15 Thank you.

16 ALJ DARLING: Thank you.

17 Miss Beverly Findlay?

18 Let's go off the record for a moment to
19 switch out the microphone.

20 (Off the record.)

21 ALJ DARLING: Okay. Let's go back on
22 the record.

23 Would you like to introduce yourself?

24 STATEMENT OF MS. FINDLAY-KANEKO

25 MS. FINDLAY-KANEKO: Yes. Your Honor
26 and Commissioner, my name is Beverly
27 Findlay-Kaneko. And I hope that today I am
28 coming from a knowledgeable as well as an

1 emotional point of view. The reason why is
2 because I am an evacuee from Japan in the
3 wake of Fukushima. I know what it is like to
4 sit at home and wonder where the radioactive
5 plume is traveling and whether it is safe to
6 go outside.

7 Since last year's shutdown of San
8 Onofre, my interest in this protracted and
9 dangerous situation has grown. I have
10 genuine concerns about how Southern
11 California Edison's electric power monopoly
12 uses funds designated for community outreach.
13 My experience as an extremely concerned
14 citizen seeking help and answers through
15 local government has been that Edison's
16 version of outreach involves heavily lobbying
17 government officials and community groups.

18 For example, they use specious
19 materials such as an e-mail blast, just in
20 the past couple of days, to local law makers
21 connecting to a propaganda video about grid
22 reliability. In my own city there was a
23 conscious effort to circumvent public
24 participation in local government on this
25 issue.

26 It is extremely disappointing, coming from
27 my standpoint, as someone who is really genuinely
28 seeking help from local officials, it's disappointing

1 to walk into a city council meeting and see a council
2 member that you have tried for months to get a meeting
3 with glad-handing two members of the Southern
4 California Edison PR team, or during that meeting,
5 during the meeting where the resolution is on the
6 agenda, to hear yet another council member, who has
7 refused to meet with you again and again, apologize to
8 the Southern California Edison representative for
9 causing her to postpone her vacation.

10 Our ratepayer dollars are going towards
11 polishing the tarnished image of Southern California
12 Edison and currying favor for nuclear power, not
13 toward actual community outreach. As a customer, I
14 would expect community outreach to include things like
15 disaster preparation and awareness through the 50-mile
16 zone that was required by our embassy in Japan.

17 As someone who has firsthand experience with
18 a nuclear disaster, I know that we are not ready for
19 any kind of incident. And I also believe that we need
20 a conservation campaign that actually reaches the
21 public and doesn't get shredded with the rest of the
22 junk mail.

23 I encourage the CPUC to investigate these
24 issues further.

25 Thank you very much for your time.

26 (Audience clapping.)

27 ALJ DARLING: Thank you.

28 Carol Jahnkow?

STATEMENT OF MS. JAHNKOW

1
2 MS. JAHNKOW: Hello. I'm Carol
3 Jahnkow, and I am the representative today
4 for the Peace Resource Center of San Diego.
5 We are a 501(c)(3) nonprofit education group.
6 And we are a conglomeration of individual
7 members, church memberships, and other
8 non-profits in the San Diego area. And I
9 want to thank you very much for the
10 opportunity today to address you. I'm also
11 very glad that you will be holding a meeting
12 in the future in San Diego because there is
13 great interest there.

14 We are not just looking at the 10-mile zone.
15 We are looking at how far down radiation might reach
16 us in San Diego. And our mayor recently became very
17 concerned about that. Our new mayor, Bob Fillner, has
18 written to the Nuclear Regulatory Commission on the
19 issue. You would have a copy of that letter in a
20 packet that was left for you. But he's basically
21 asking the NRC not to authorize the restart of SONGS
22 until both a full license amendment hearing has been
23 conducted by the NRC and until your study is done. So
24 he is very concerned about that, and I'm sure he will
25 be addressing your representative when you are in San
26 Diego.

27 I, myself, live in Encinitas. I'm 26 miles
28 from the plant. I was very interested today to hear

1 about the community outreach providing information. I
2 will tell you that in all the years that I have lived
3 in San Diego County, which are getting more and more
4 numerous, I have never received at my home anything
5 from the industry about any kind of sheltering in
6 place, anything that I would need to know if there was
7 an emergency, if there was an accident and the
8 radiation went beyond the 10-mile limit that it's
9 supposed to stop at, and it may not know that.

10 So I'm a little concerned about that. I'm
11 going to go home and check my telephone book and see
12 if there is indeed something in there, because that
13 was news to me. And I would question that as a very
14 reliable way to get the information out, especially in
15 a county like San Diego where we have such diverse
16 ethnicity and languages.

17 I see I only have a minute. Let me just add
18 that I want to add my voice to those saying stop the
19 bleeding. I do not think it is reasonable to expect
20 the ratepayers to pay for a demonstrated defective
21 nuclear reactor. We need our refund. And I would
22 pose that instead of looking at whether we're going to
23 pay the cost for the mistakes that Edison made and the
24 decisions that were made that have proved to be wrong,
25 let's have the shareholders start to pay for some of
26 this instead of the public.

27 (Audience clapping.)

28 MS. JAHNKOW: You know, let Edison pay

1 for it. Let the shareholders pay for it.

2 And, secondly, I just want to say I don't
3 think it's prudent to put any more dollars into a
4 reactor that has shown itself to be unreliable. We
5 are looking at a long life term on this. And I think
6 if any more dollars are going to be spent on San
7 Onofre, they should be for decommissioning. Thank
8 you.

9 (Audience clapping.)

10 ALJ DARLING: Thank you.

11 Rochelle Becker?

12 STATEMENT OF MS. BECKER

13 MS. BECKER: Thank you. And thank you
14 very much for being here and also agreeing to
15 go to San Diego. We pay 20 percent of the
16 rates and we deserve to be heard as well down
17 there.

18 What I would like to bring up today is the
19 news in the last year -- actually, this year, but
20 since San Onofre went down, that there are several
21 other nuclear power plants that are no longer going to
22 be operating. So we actually have concrete evidence
23 that we can roll into this record.

24 There is the Kiwani (phonetic) plant that is
25 no longer open, and Comanche Peak -- not Comanche
26 Peak. Crystal River. Crystal River, last week the
27 news was, from the people who live there, the same
28 chambers of commerce, the same city officials

1 basically saying "please don't think of our city just
2 as a place that used to have a nuclear plant. There's
3 beaches here, there are other things here," to bring
4 people to our community.

5 So the same people that were very much in
6 favor of this nuclear power plant and restarting this
7 nuclear power plant for three years, when it didn't
8 operate, are now saying, "well, it's not going to be
9 here any longer. What is our community going to do?"

10 Last week the Board -- not last week,
11 Tuesday, the Board of Supervisors in San Luis Obispo
12 voted to do their own study of what San Luis Obispo
13 would do if they lost the Diablo Canyon nuclear plant.
14 That's what's not being done locally.

15 They are asking you to do a lot. But
16 locally, if they lose these jobs, if they lose this
17 energy, they have to do some planning themselves. So
18 it's really beholden on everyone in the State of
19 California to do what's best for everyone in the State
20 of California. Not just for Edison, not just for the
21 local community, but for the State of California.
22 Where is our future power? Where are our jobs? Where
23 is the infrastructure that's going to be needed? And
24 look at the other communities that have lost theirs
25 and see what happened there.

26 Thank you.

27 ALJ DARLING: Thank you.

28 Our next speaker is Mary Parsons. The five

1 speakers following in order: Vicki Pell, Hugh Moore,
2 Torgen Johnson, Donald Kelly, and Lyn Harris-Hicks.
3 If you would come forward to the front.

4 And Mary Parsons, are you here?

5 No Mary Parsons.

6 Okay. Vicki Pell?

7 Hugh Moore? Mr. Moore.

8 STATEMENT OF MR. MOORE

9 MR. MOORE: Good afternoon. Thank you
10 for the time. My name is Hugh Moore. I'm
11 speaking for the San Diego County Green
12 Party. A couple of years ago, the California
13 Public Utilities Commission was asked to
14 evaluate a plan to replace steam generators
15 at the Edison plant at San Onofre.

16 You agreed at that time that the cost of
17 expense, the risk of running a nuclear power plant,
18 and the financial costs would be outweighed by the
19 benefits of operating that plant. At that time,
20 however, you went a step further than saying that it
21 would be beneficial. You said that the cost just made
22 it; in other words, if the cost was any greater, it
23 wouldn't have meant the benefit was greater than the
24 risk. Well, that was when you were going to have two
25 operating plants operating at a hundred percent. Now
26 you have one that might be able to operate at
27 70 percent. That's considerably less than the
28 130 percent that you had to add before.

1 You have no choice but to close this plant.
2 Your own report shows that it is not beneficial to the
3 public. You represent the public. Your prior report
4 proves that it is not effective, beneficial. If you
5 take the risks and the costs, the benefit doesn't
6 outweigh the risk. You have no choice but to close
7 the plant.

8 Thank you very much.

9 (Audience clapping.)

10 ALJ DARLING: Mr. Johnson?

11 STATEMENT OF MR. JOHNSON

12 MR. JOHNSON: My name is Torgen
13 Johnson. I am from North County, San Diego.
14 I hold two graduate planning degrees from
15 Harvard. I'm not speaking from an emotional
16 standpoint. I'm speaking from a very
17 rational concern about cost and reliability
18 of San Onofre.

19 I heard the chief nuclear officer of
20 Edison, Peter Dietrich, talk about his public
21 outreach, public affairs efforts. They are
22 extensive. They are large. They are
23 expensive. And I think it's unusual that
24 Edison put so much public relations promoting
25 San Onofre with those funds rather than
26 explaining to the public the nature of the
27 safety issues at the facility.

28 So in terms of the efficacy of the public

1 outreach programs, I think that the CPUC needs to look
2 more closely what Edison is doing with that money.
3 And also whether or not the outcome of all that
4 outreach work is not cheerleading, but rather
5 informing the public of the extensive costs to society
6 when those plants become very unreliable. Tepka
7 learned that the unreliability of the Fukushima
8 Daiichi plant ran them into bankruptcy. It also
9 brought the fourth largest economy in the world to its
10 knees.

11 So when we talk about public outreach and
12 safety, I think we need to be realistic about what we
13 are talking about. There are, of course, ratepayer
14 costs and there are other costs that are associated
15 with extreme unreliability of a plant such as the
16 steam generator failures we are looking at. This is
17 the third set of steam generators we are looking at.
18 The first set failed early. The second set was
19 produced and it went in, and it failed. And it looks
20 like Edison would like to do a second -- I'm sorry, a
21 third set of steam generators. And each time we are
22 looking at over a billion dollars of cost to the
23 public and unreliability of power when the facility is
24 down.

25 I want to say that you provide a very
26 important function in a regulated monopoly. The
27 monopoly is afforded to Edison because it is
28 supposedly providing a benefit to society that is so

1 extreme and so important that they were given
2 protection from the state. But as some people here
3 said, we want you to cooperate with Edison. I would
4 say maybe, but not too much. You're the regulator.
5 And as a regulator, you are representing the public
6 and the public interests. And the public interest is
7 not being served by Edison right now trying to charge
8 these steam generator defects back to the ratepayers.

9 We're strapped to this company through this
10 arrangement that we have of a regulating monopoly. We
11 have no choice. Please protect us. Please protect
12 our money. Our money means a lot to us. I just said
13 outside earlier that our school collects funds from
14 all the parents for crayons and pencils and paper for
15 our students. And, yet, Edison, with their very
16 inflated payroll of upper management, has no problem
17 charging over a billion dollars back to ratepayers for
18 something that we are not responsible for.

19 Thank you.

20 (Audience clapping.)

21 ALJ DARLING: Mr. Donald Kelly?

22 STATEMENT OF MR. KELLY

23 MR. KELLY: Good afternoon, and thank
24 you for having this hearing. My name is
25 Donald Kelly. I am the executive director of
26 You Can. We are a party to the matter.

27 I would like to thank you for agreeing to
28 hold a public participation hearing in San Diego. I

1 would also urge you to hold it in Phase 1 as an
2 opposed to later phases. I do think the public's
3 input in San Diego is important and to hear it as soon
4 as possible in the OII process.

5 I would also urge you -- I would also urge
6 both of you to consider the prior record that was made
7 when the steam generators were replaced the first
8 time. I would like you to actually examine the
9 evidence that was presented and the promises
10 specifically that were made by Southern California
11 Edison.

12 At the time, the generators were supposed to
13 last a couple of decades. They have not lasted
14 respectively in one and two years. I think it would
15 be informative in the process if you consider the
16 record and the promises that were made by Southern
17 California Edison before considering whether or not
18 they should get new funding to redo it again.

19 Thank you.

20 ALJ DARLING: Thank you.

21 (Audience clapping.)

22 ALJ DARLING: Next speaker is Lyn
23 Harris-Hicks. The next speakers following
24 will be Mr. Kernahan, Miss Valorie Johnson,
25 Miss Hartfield and Mr. Kramer. And those
26 will be the final speakers for the afternoon
27 session.

28 Miss Hicks? Miss Harris-Hicks?

1 STATEMENT OF MS. HARRIS-HICKS

2 MS. HARRIS-HICKS: I'm Lyn
3 Harris-Hicks, and I have been living two
4 miles away from San Onofre for about
5 44 years. We were there before it came in,
6 of course, but I want to -- I want you to
7 know that I am just as much concerned about
8 my children and grandchildren and your
9 grandchildren and great grandchildren as I am
10 my own.

11 And this is something that we have to right
12 now just kind of look over that and say that for the
13 sake of the nation and the world, we must make this a
14 thorough -- a thorough. And most of us are thinking
15 we have to cut it off right now because of the hazards
16 and all that. But what we do here may have great
17 impact on what happens in the United States and what
18 happens in other places and the world, because the
19 world is watching us after Fukushima, whether we'll
20 pay attention to the lessons there and whether we pay
21 attention to the lessons of what things are happening
22 with Chernobyl and the other places.

23 But the reason I say that is that I'm old
24 enough that I watched this go on for -- well, I'm 85.
25 Maybe it's been 50 years or so that I have been
26 interested in it. But I saw the same process going on
27 in the failure of the first -- the first unit there.
28 The Edison followed the same practices preventing

1 people from knowing what's happening, and going to the
2 business people and saying we really need this
3 electricity; don't let them turn it off. That sort of
4 thing. And we hear it now again. In each session we
5 go to, they'll have the workmen in their orange shirts
6 all saying we really need our jobs, and so forth.

7 And it's much more than that because when
8 they closed down Unit 1, the Edison was pretty much in
9 control just like now. And they made a deal with them
10 that they could charge to the ratepayers anything that
11 was -- they spent on it. And we were four years
12 paying what they called their expanded investments.
13 Four years. And we know that the Commission made the
14 agreement with Edison when they approved the steam
15 generators, that they can charge the ratepayers
16 anything they spent on it. And you're reaping that
17 now.

18 And when you look at the charges that they
19 bring in that are so excessive -- and it isn't
20 something that matters whether it's excessive or not,
21 you made the agreement. And so it's going to be a
22 problem. And that problem I think we must all think
23 about because they call this -- they call this the
24 problems that they have there. But they are not
25 problems. They're multiple failures. They were
26 designed for a simple pipe break, to be able to
27 withstand a simple pipe break.

28 And these problems that we have had again

1 and again, there will be several things that happen
2 that make a difference and make it much more serious,
3 much more dangerous. And so we mustn't let them
4 continue to do that. They say there was a small leak
5 and that they're working on it. And in August, the
6 president of Edison said "We're going to restart it in
7 October 19th." Nice. Okay.

8 And then they -- that Nuclear Regulatory
9 Commission says "We won't let them start it until
10 we're really sure that it's safe." And they've been
11 telling us all the years we're really sure that it's
12 safe. No matter what happens in Chernobyl or
13 Fukushima or whatever, they say we assure the safety
14 of the public. But they're not doing it now. Because
15 I read a book just the other day that was put out
16 telling people about the Regulatory Commission -- I
17 mean the Nuclear Regulatory Commission, and they used
18 the word -- let's see -- they used the word that they
19 are responsible -- they don't have undue hazards.
20 Okay. You figure out what "undue" is. But in our
21 world, they've been past that a long, long time ago.

22 ALJ DARLING: All right. Thank you
23 very much.

24 (Audience clapping.)

25 ALJ DARLING: Galal Kernahan.

26 Did I get that right?

27 STATEMENT OF MR. KERNAHAN

28 MR. KERNAHAN: Yes, Galal Kernahan.

1 First, I would like to start out with a
2 little disclaimer. I don't have second sight
3 and I don't transport or have visions of the
4 future or anything like that. And I make
5 that statement because about almost two years
6 ago, Southern California Edison had a meeting
7 where it cultivated the Latino leadership of
8 Orange County. It was over at the Marriott
9 near the airport. Really fine. Really, they
10 laid out things great. I'm not even Latino
11 and, boy, you know, they convinced me. And I
12 had a wonderful time there. But we heard the
13 CEO of Southern California Edison talk to us.

14 I don't know what the Public Utilities
15 Commission can do about really major things like, you
16 know, if the earth splits in half or something.
17 That's a little beyond you. But I did raise a
18 question there with the CEO from Southern California.
19 I said what happens if there is a really, really, good
20 sized, once every 500 years or whatever tsunami? And
21 he explained to me, you know. I thought he'd say "We
22 all run to the church and pray." But, no, no. But
23 you look where San Onofre is, you look at the little
24 wall there and you wonder about things like that.

25 But in any event, went home afterward. They
26 fed us. Great. Boy, I mean, if Southern California
27 Edison is out to cultivate people, man, they do it
28 right. And we had a great, great time, and people

1 were fine and we felt good about it.

2 I got a call that evening from one of my
3 Latino friends and he said, "geez, what did you know
4 that we didn't know?" And I said what happened? He
5 said, "there was a tsunami that just took out the
6 Fukushima nuclear plant in Japan." Well, so it does
7 say it does happen. It doesn't happen maybe right
8 where you thought it might happen. But you never know
9 when it might happen there.

10 So the reason I mention this, and I have one
11 minute to tell you, that I have been through it. I
12 have seen what a tsunami would do to San Onofre.
13 Fifty years ago, the daddy governor of the present
14 governor of the State of California appointed me --
15 what a mistake -- as the regional administrator of the
16 California Disaster Office. The balloon goes up,
17 buddy, and you're in charge.

18 Well, so they had a little exercise. And
19 these exercises were already developed by all kinds of
20 people and got all these things on the radio. And I
21 had radio things on all of the frequencies of Southern
22 California and everybody else, public works and
23 whatever. And so they're feeding all this information
24 and we're supposed to figure out what to do about it.
25 And the information is there is an enormous wave, and
26 it's come in and it's cut Pacific Coast Highway and in
27 12 places, including up to San Onofre. Well, what's
28 that about? What nuclear weapon had gone off under

1 water off Point Loma? That was our exercise.

2 A couple of weeks later I thought, man, this
3 isn't for me, not even to imagine, and I went on to
4 better things. The only point that I'm making is
5 these things happen very rarely, but once is enough.
6 And the point is we already have something we know
7 that's not economic, we know that it is a bad deal,
8 that it is dangerous. And if the wheel of fortune
9 turns just a little bit more beyond the wrong point,
10 people, we have a disaster area.

11 We have earthquake faults. We know what a
12 tsunami is, and we would really learn about it if we
13 had the one that I had to go through an exercise on
14 when I was young and sturdy and could solve the
15 problems of the world.

16 Thank you.

17 ALJ DARLING: Thank you.

18 (Audience clapping.)

19 Valorie Johnson? Miss Johnson?

20 STATEMENT OF MS. JOHNSON

21 MS. JOHNSON: Hello. My name's Valorie
22 Johnson. I'm not an elected official. I
23 don't come from the corporate world or the
24 scientific community, but I most definitely
25 am a stakeholder because I surf at San Onofre
26 on an almost daily basis. And I could tell
27 you about the beauty of the place and the
28 creatures that live in the ocean, but

1 unfortunately, my eyes have been opened.
2 Perhaps it sounds cynical, but I realize that
3 many of the people who are in charge of these
4 decisions that affect all our lives look only
5 at the bottom line. So let's look at the
6 bottom line for a moment, shall we?

7 California's economy is driven by real
8 estate, by tourism and by recreation. If you think
9 just alone of the companies that make surfboards, wet
10 suits, trunks, bikinis, all kinds of what you would
11 call life-style products that are headquartered in
12 Orange and San Diego counties, the value of those
13 businesses alone would thwart Edison's investment,
14 even before we start to look at tourism, at hotels, at
15 real estate, million dollar beach-front homes.

16 We hear a lot about the technical
17 information about steam generators and tubes. None of
18 that technical information would matter at all if we
19 had a major earthquake and tsunami that washed
20 radioactive material out into our ocean. In fact, the
21 mere perception -- even if we were assured that it was
22 safe, the mere perception by people across the country
23 and world that Southern California and its beaches had
24 somehow become unsafe would completely tank our
25 economy. So let's think about the economy.

26 I really, truly think that there is no such
27 thing as an acceptable risk for keeping San Onofre
28 nuclear power plant open.

1 (Audience clapping.)

2 MS. JOHNSON: There is no such thing as
3 an acceptable risk. We hear things about the
4 evacuation plan. Well, let's suppose that
5 things actually worked and we were actually
6 able to evacuate people in the case of a
7 meltdown. Then what? What if we couldn't
8 return to our homes? What if we couldn't
9 return to our businesses? People who think
10 of jobs don't think of the fact that the jobs
11 would be the least of their worries if they
12 couldn't even live in Southern California in
13 that 50-mile radius.

14 I want to say that I do very much support
15 the workers of the plant. I am a proud union member
16 myself. I understand their concerns. But I think
17 that what needs to happen is that those people should
18 be first in line for the jobs needed to decommission
19 the plant and to truck the toxic awful that it has
20 already generated as far away as possible from our
21 precious and beautiful ocean.

22 Thank you.

23 (Audience clapping.)

24 ALJ DARLING: Sheila Hartfield? Miss
25 Hartfield, are you still here?

26 STATEMENT OF MS. HARTFIELD

27 MS. HARTFIELD: Hi. I'm Sheila
28 Hartfield. I'm with the -- I'm in Whittier.

1 I'm with the League of Women Voters and
2 Women's International League for Peace and
3 Freedom, and as a representative, I am
4 speaking for us all.

5 It's time to take the Governor Brown's goal
6 of clean, renewable energy and energy efficiency
7 seriously. We can accelerate the effort and make
8 California the world's clean energy leader by
9 eliminating the money pit of California's nuclear
10 power. California could have cleaner, cheaper, more
11 reliable power without San Onofre.

12 San Onofre is old and unreliable. We can
13 never depend on it. And we should invest in clean
14 energy and energy efficiency. And the CPUC should
15 plan replacement resources in a transparent process.
16 Energy efficiency would lower costs in the short term,
17 and renewable energy would keep costs low in the long
18 term, while gas and nuclear costs can only continue to
19 accelerate.

20 Clean resources would accelerate California
21 job growth. California should convene an inter-agency
22 working group to determine in a public transparent
23 process how to use targeted clean resources and energy
24 efficiency to replace San Onofre's lost power, and
25 particularly energy efficiency, demand response,
26 rooftop solar and storage.

27 A November 2012 decision by CPUC, energy
28 efficiency case ordered Edison and San Diego Gas and

1 Electric to use efficiency to replace San Onofre, but
2 it lacks any details.

3 In February 2013 -- that's recent -- for the
4 first time ever, CPUC's decision in a long-term
5 procurement case ordered Edison to use efficiency
6 demand response and local renewables to offset the
7 need for local power supplies, but it put Edison in
8 charge of figuring out how to make that work.

9 Edison has, obviously, conflicts of
10 interest. So the Commission should launch a public
11 process with independent experts. Edison should not
12 be in charge of the process.

13 (Audience clapping.)

14 ALJ DARLING: All right. The last
15 speaker of the afternoon session, Mr. Al
16 Kramer.

17 STATEMENT OF MR. KRAMER

18 MR. KRAMER: You must welcome my
19 appearance, then, being the last speaker.

20 Your Honor, Commissioner, first of
21 all, let me congratulate you on your stamina.
22 I have served as a city councilor and
23 legislative and as a judge for 18 years, and
24 have been there listening to different
25 testimony. And I must say after three hours,
26 you have done so with great competence,
27 ability and attentiveness, and I think we all
28 appreciate that very much. Pardon my attire.

1 I didn't intend to speak. But having
2 listened to what occurred here, I thought I
3 would add a voice.

4 I listened with great interest to
5 very sincere business people coming forward
6 concerned about their employees, concerned
7 about their business, who have basically said
8 that they wanted reliable, inexpensive and
9 safe energy. And I heard one gentleman
10 correctly say that they weren't advocating
11 anything that wasn't safe, and they relied on
12 the regulatory agencies to make sure that it
13 would be.

14 And so I have to ask one question.
15 What is it about Fukushima we just don't
16 understand?

17 (Audience clapping.)

18 MR. KRAMER: It bears repeating. What
19 is it about Fukushima we just don't
20 understand? Do they really believe the
21 regulatory agencies can provide safety? Do
22 they really believe a 10-mile limit will
23 provide safety? Do they really believe that
24 an evacuation plan, even if it works,
25 provides safety? Do they really believe that
26 California doesn't have earthquakes? Do they
27 really believe that the San Onofre doesn't
28 lie between two faults?

1 Yes, it is a small risk, but it is a risk of
2 great harm and it happens. And when it happens, it is
3 a disaster that doesn't help employees or anybody
4 else.

5 One minute. Thank you very much. I'll
6 extend that one minute and 25 seconds because somebody
7 just heckled me out there.

8 The idea that it's reliable is kind of
9 almost like a joke. We have something that's
10 decommissioned and shut down, and we're talking about
11 it being reliable. It's strange.

12 Talk about not having costs. Of course it's
13 not costly if you defray all the incompetence and
14 mistakes onto ratepayers. Of course it's not costly
15 if the billions of dollars of a disaster is picked up
16 by all taxpayers. If you add up all the costs,
17 including the handling of waste and everything else,
18 this is probably the most costly system you could have
19 for energy --

20 (Audience clapping.)

21 MR. KRAMER: And we look forward to
22 renewable energy. And as people so elegantly
23 had put it -- the time is up. I'm just
24 reading the sign.

25 It is very clear where history is going.
26 And I think all the people are asking you to do is be
27 on the side of history. It's time for renewable
28 energy, safe energy, reliable energy, and eventually

1 inexpensive energy.

2 Thank you for all your attention to this
3 matter.

4 (Audience clapping.)

5 COMMISSIONER FLORIO: I very much
6 appreciate all of the dialogue this
7 afternoon. We'll be taking all of it into
8 consideration in our actions going forward.
9 Again, it will be the NRC that will decide
10 whether the plant is allowed to reopen or
11 not. But regardless of what side of the
12 issue you're on, if the plant is not
13 available this summer, we are all going to
14 need to conserve energy. And I just hope
15 that message resonates with everyone, is we
16 don't know if it's going to be back or not.
17 But if it's not, it really takes a
18 ground-level community effort, not undue
19 hardship, but really prudent careful use of
20 energy if we find ourselves in that
21 situation.

22 As I said earlier, we will be making
23 contingency plans if the plant doesn't come back. If
24 it does, it won't be forever. So, you know, there's a
25 lot of work ahead for us. But it's really helpful to
26 see the diversity of views. I appreciate that people
27 were knowledgeable and courteous to each other. And
28 we will continue this this evening. Thank you.

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(Audience clapping.)

(Whereupon, at the hour of 5:11
p.m., this matter having been continued
to 6:00 p.m., at Costa Mesa,
California, the Commission adjourned.)

* * * * *

1 EVENING SESSION

2 * * * * *

3 ADMINISTRATIVE LAW JUDGE DARLING: Good
4 afternoon, good evening, actually. I'm
5 Melanie Darling. I'm the administrative law
6 judge that is assigned to this proceeding.

7 Today's date is February 21st, 2013.
8 This is a public participation hearing
9 scheduled as part of the California Public
10 Utilities Commission Investigation No.
11 13-10-013, relating to the shutdown of the
12 two nuclear units at San Onofre as a result
13 of operational problems with new steam
14 generators supplied by Mitsubishi Heavy
15 Industries.

16 As many of you know, deciding
17 whether or not SCE may restart either unit
18 under its federal operating license is the
19 authority of the Nuclear Regulatory
20 Commission. We are not the Nuclear
21 Regulatory Commission. We have a different
22 jurisdiction. Our own investigation will
23 look at what actions Edison took relative to
24 the new generator project, and what Edison
25 has done since the company became aware of
26 the damage at SONGS.

27 I want to just briefly explain that.
28 "SONGS" is a common acronym used in the

1 industry for San Onofre Nuclear Generating
2 Station. If you hear "SONGS," we are talking
3 about San Onofre's units.

4 Edison has collected and spent money
5 for SONGS in several categories since January
6 2012, including planned operation and
7 maintenance cost, capital expenditures, and
8 post-outage expenses, including the cost of
9 the purchasing replacement power for the
10 power lost through the shutdown. In addition
11 the entire cost of the steam generator
12 replacement project, including whether
13 repairs or replacements are cost-effective
14 for ratepayers, will be included in our
15 investigation and review.

16 Furthermore, state law allows the
17 Commission to remove nonoperating generation
18 facilities from the rate base. If the
19 Commission decides to do that, or finds that
20 any of these expenditures are unreasonable,
21 we can order refunds to ratepayers.

22 The Commission, and I believe the
23 count is 26 intervening parties in this
24 proceeding, will closely examine Edison's
25 testimony on these various matters at
26 evidentiary hearings we will be holding later
27 this year. Our focus may evolve as new
28 information is obtained.

1 Today we have asked Edison to spend
2 just a very few minutes to describe its
3 efforts, particularly after the shutdown;
4 about how it has been communicating with its
5 neighbors, local governments, and community
6 organizations; and preparing for coordinated
7 responses in the event of a hazardous
8 condition at SONGS.

9 I would like -- following that
10 portion of the hearing, we will proceed with
11 individual members of the public.

12 I would like to introduce Karen
13 Miller who this Commission's Public Advisor.
14 The Public Advisor's Office exists to help
15 you, the public, become more informed and to
16 have an input into proceedings. She is going
17 to describe a little bit about what her
18 office does, what is going on today, how the
19 speaking will work.

20 STATEMENT OF MS. MILLER

21 MS. MILLER: Good evening. Thank you
22 for coming.

23 As the Judge said, I'm Karen Miller.
24 I'm the Public Advisor at the California
25 Public Utilities Commission. And first I'd
26 like to ask everybody to put their cell
27 phones on silent. Thank you.

28 And my office facilitates the public

1 participation hearings, and we also provide
2 procedural information to people who might
3 want to get involved in the proceeding. And
4 we will talk to people about whether they
5 want to be involved at an informal level, or
6 formal level, and help people understand the
7 best way that they might be involved.

8 And we are really glad that you can
9 join us tonight. Public participation is
10 very important to the Commission. Our
11 decision makers here, the other
12 commissioners, they rely on the information
13 from public participation hearings and public
14 comments as part of their decision-making
15 process. It lets them know what the
16 community is feeling about these issues.

17 And we have agendas outside at our
18 sign-up table, and on the back of the agenda
19 we have addresses for you to send us written
20 comments. I told some of the people earlier
21 that even if they provide oral comments
22 today, they are also welcome to provide
23 written or e-mail comments to the Public
24 Advisor's Office. We take these comments and
25 circulate them to all five commissioners and
26 the judge. So they do get a lot of scrutiny.

27 Let's see. And we are going to have
28 a maximum of three minutes. And let's see if

1 I missed anything here.

2 And so we also have a way that you
3 can follow the proceedings. It is very
4 simple. It is called a subscription service.
5 On the back of the agenda we have the
6 information. We also have some brochures out
7 there. Can you sign up on the subscription
8 service. For example, with this proceeding
9 you can put in the proceeding name, and the
10 Commission will send you e-mail messages when
11 documents are filed, proposed decisions are
12 filed, things like that. So you don't have
13 to go looking for it though, but you know
14 that something has happened, and you just
15 link on it and get it.

16 So if you have any questions at all
17 about anything I'm over here, and my staff is
18 out at the table. Please come and ask us.
19 Thank you.

20 ALJ DARLING: Before we proceed, I
21 would like to introduce you to Commissioner
22 Mike Florio who is the assigned commissioner
23 for this proceeding.

24 COMMISSIONER FLORIO: Thank you all
25 very much for coming out tonight. We had
26 about a three-hour session this afternoon
27 with about the same number of people, and
28 there clearly are diverse views in the

1 community about this situation. But I think
2 we are all equally concerned about safety,
3 reliability, the environment, and of course
4 cost to consumers.

5 The Nuclear Regulatory Commission
6 will make the decision whether San Onofre is
7 allowed to come back online or not. We at
8 the Public Utilities Commission deal
9 primarily with the economic issues and also
10 the reliability of the electric system.

11 And San Onofre has been the hub of
12 the Southern California electric system for
13 the duration of its existence. And its
14 absence creates challenges that, you know,
15 led to appeals for conservation last summer.
16 And if the plant is not restarted, there will
17 be similar appeals this summer. We hope that
18 everyone takes that to heart and, if
19 necessary, that people conserve as much as
20 reasonably practical, especially on hot days
21 when the air conditioners are there socking
22 up the juice.

23 We have extended the proceeding at
24 the Commission looking at various aspects of
25 the San Onofre situation that involve
26 technical hearings with Edison
27 representatives, our Division of Ratepayer
28 Advocates, and a wide variety of other

1 interested parties.

2 This event is your opportunity to
3 speak. It is difficult for the Commission,
4 the large entity to travel; but we do like to
5 have these sessions on important issues of
6 public concern to hear your voices. I take
7 that back, and Judge Darling and I will be
8 working together on the various decisions
9 that come out in this docket. So you are
10 talking to the people who will have the lead
11 role in putting together any Commission
12 decisions.

13 Our colleagues also get a
14 transcript. Be mindful of our court
15 reporter. She is working very hard here to
16 get everything down so all members of the
17 Commission can get the transcript of what
18 happens today.

19 But I look forward to further lively
20 discussion, urge everyone to be courteous.
21 We did pretty well on that score this
22 afternoon, and I hope we can keep it up. We
23 understand there is strongly held views, and
24 that is what the debate is about. It is kind
25 of democracy in action here.

26 So thank you all and look forward to
27 your comments.

28 ALJ DARLING: We do have a court

1 reporter here, as noted, and that means that
2 she is going to be taking down what the
3 speakers have to say. So I would urge you to
4 identify yourself and speak clearly into the
5 microphone. We will not be transcribing
6 comments that might be spoken from the
7 audience. So there is really no point to do
8 that.

9 I will also say that we did issue a
10 special invitation to local government
11 representatives, because we wanted to get
12 some additional information about what is the
13 cooperation level between Edison's
14 representatives and local governments in the
15 area of emergency preparedness, an issue that
16 is very important to those who live and work
17 in the area.

18 I'm going to start with asking
19 Mr. Dietrich from Edison to give us just a
20 few minutes on the outreach that you are
21 doing in the local communities in this area
22 of emergency preparedness related to issues
23 at SONGS. Thank you.

24 STATEMENT OF MR. DIETRICH

25 MR. DIETRICH: Thank you, Commissioner
26 Florio and ALJ Darling, appreciate the
27 opportunity; and members of the public,
28 appreciate the opportunity to speak with you

1 tonight.

2 In addressing the outreach and the
3 emergency planning efforts that Southern
4 California Edison has undertaken, I thought
5 it would be appropriate to start with a brief
6 status on the plants for where we are today.

7 As we know, both Unit 2 and Unit 3
8 have been off-line for over a year now. Unit
9 2 was taken off-line for a normally planned
10 refueling outage, last January 9th shut down
11 for normal inspection and refueling. On
12 January 31st, Unit 3 experienced a small tube
13 leak. Our operators promptly identified,
14 detected and safely shut down the unit,
15 isolated the leak, and prevented any hazard
16 or challenge to the public health and safety.
17 The units both remain shut down.

18 Since the time we have the shut
19 units down, we have completed a very thorough
20 and comprehensive analysis of the situation
21 that led to the tube leak on Unit 3. And we
22 used extensive experts, support from around
23 the world in helping us reach our
24 conclusions. Those conclusions were
25 necessary to respond to the Confirmatory
26 Action Letter that the Nuclear Regulatory
27 Commission and Southern California Edison
28 agreed to, and we summarized all of our

1 conclusions and analysis, and our
2 conservative decision making in the
3 Confirmatory Action Letter response that we
4 submitted in October. Submitted that
5 Confirmatory Action Letter response to the
6 Nuclear Regulatory Commission, and today we
7 are working through the technical evaluation
8 and review process associated with the
9 Confirmatory Action Letter response.

10 The outreach that we have conducted,
11 we take very seriously our responsibility to
12 provide information to the public and to
13 local public officials to ensure that people
14 understand the conclusions and direction that
15 Southern California Edison seeks to take with
16 our nuclear units.

17 We have established a website,
18 www.songscommunity.com. We've also engaged
19 extensively in social media. We've also had
20 over 500 meetings with elected officials,
21 over 100 meetings with community and
22 businesses in the local area, and 15
23 briefings at city councils and county board
24 meetings.

25 Ron Litzinger, the President of
26 Southern California Edison, and I have
27 briefed the local elected officials within 30
28 miles of San Onofre on specific elements of

1 our analysis, our conclusions, and our
2 proposal for safely restarting San Onofre.
3 Also, we have conducted open houses in the
4 local communities where we bring in employees
5 with information and set ourselves up in the
6 community center, something like this, where
7 members of the public can come in and ask
8 questions and participate with our employees
9 and in discussions with us and others on San
10 Onofre to serve as an education base for
11 folks.

12 We conducted three of those last
13 year from the time we submitted the
14 Confirmatory Action Letter to the end of the
15 year. We have another, we have several more
16 planned this year next. The next one will
17 occur on March 20.

18 Our employees, as I mentioned, by
19 participating in open houses, serve as our
20 ambassadors. They carry that information
21 back into local communities in areas where
22 they live and where they contribute to the
23 local communities. Our employees are also a
24 key part of our emergency preparedness
25 organization, our emergency response
26 organization. Our responsibility is to
27 protect the health and safety of the public
28 is demonstrated through our emergency

1 preparedness and our emergency response
2 organization. We take that responsibility
3 quite seriously as well.

4 Those employees serve on the
5 emergency response organization and are
6 assigned duty positions where they are on
7 call 24 hours a day, seven days a week, 52
8 weeks a year. To respond to the plan,
9 respond to the facility, and be able to
10 activate our emergency response organization
11 which ensures prompt communication with all
12 of the local jurisdictions and areas. And
13 ensures prompt communication with the Nuclear
14 Regulatory Commission, California Public
15 Utilities Commission, and other groups. So
16 it is those employees that serve in those
17 areas and serve in those functions.

18 We recognize that there are many in
19 our community who do not have English as
20 their first language, and all of our
21 materials, all of our communications are
22 geared towards those who may not have English
23 as their first language.

24 In that regard, we have prepared and
25 sent out the emergency planning brochure that
26 has been sent to all 60,000 businesses and
27 residences within 10 miles of the plant, that
28 is called our Emergency Planning Zone. We

1 have also done outreach presentations
2 associated with that emergency planning
3 brochure with the local jurisdictions and
4 groups within the area.

5 In addition, because we are a tenant
6 of Camp Pendleton we -- the property that we
7 occupy as part of the Naval Department's
8 property on Camp Pendleton, we have put
9 together a supplement to our emergency
10 planning brochure related to the military
11 families, the Marines and others who live on
12 Camp Pendleton, to make sure they have a
13 clear understanding and direction on our
14 emergency response organization.

15 Schools in the local area, we work
16 with Capistrano Unified School District in
17 providing the cascading brochure to allow
18 teachers, students, and parents to understand
19 the elements of our emergency response
20 procedures and how to appropriately work
21 through a situation like that. We went over
22 that in overview presentations with the
23 Capistrano Unified School District Parent
24 Teachers Association, and we've also invited
25 those teachers and students to visit our
26 plant and come visit our control room
27 simulator.

28 We've participated in multiple

1 emergency planning forums in Southern
2 California, primarily as a part of the
3 Interjurisdictional Planning Committee, which
4 is a group of nine local governmental and
5 community organizations that serve to form
6 the communications base and the response base
7 for our emergency planning.

8 As being a member of the
9 Jurisdictional Planning Committee we also
10 participate in monthly meetings associated
11 with that. We perform quarterly drills, also
12 siren tests for the emergency planned sirens.
13 We communicate with the public and local
14 officials about those sirens as they are
15 coming up on the calendar.

16 Lastly, I would say we recognize
17 that not all of those communications are
18 likely to get to everyone, despite our
19 efforts. So we worked with the AT&T White
20 Pages to put a special section in the White
21 Pages related to the emergency response plan
22 associated with San Onofre. We've ensured
23 that these White Pages have gone to all of
24 the residents and businesses within our
25 10-mile emergency planning zone around the
26 facility.

27 We view the safety and public
28 interactions that we are obligated to

1 undertake, and we look forward to
2 undertaking, we view those very, very
3 seriously, take pride in what we do. And we
4 take pride in protecting the health and
5 safety of the public.

6 Lastly, all this information that
7 I've talked about tonight as well as our
8 Confirmatory Action Letter response is
9 available on our website, and that website
10 again is www.songscommunity.com.

11 Thank you very much.

12 ALJ DARLING: Thank you very much.

13 I'd like to invite Stephen
14 Mensinger, Mayor Pro Tem, City of Costa Mesa
15 to join us. Since this is our host city, we
16 are very grateful for the facilities being
17 provided to the Commission for the public to
18 come forward today. Mr. Mensinger.

19 STATEMENT OF MR. MENSINGER

20 MR. MENSINGER: Thank you very much.

21 First, I want to welcome everybody
22 to the city of Costa Mesa, and I want to
23 welcome you to our downtown community center.
24 If you haven't been here before, this is just
25 part of Costa Mesa. It is a beautiful city
26 of 116,000 people. We were very proud of it.

27 By the way, we are experiencing a
28 little bit of economic growth here in the

1 community. Retail sales are up, Southwest
2 Plaza is our \$2 billion retail giant that
3 generates a lot of revenue. We are grateful
4 to partners like that in helping enhance our
5 tax base.

6 On that note, I welcome Edison here.
7 Edison has been a great partner for the City
8 of Costa Mesa, especially as it relates to
9 energy conservation. And I can speak for a
10 lot of the community, especially the business
11 community. We are very supportive of nuclear
12 power, clean, reliable, and efficient power
13 for our city. We have a lot of businesses,
14 and we have a lot of folks here dependent
15 upon that energy to keep their job base here
16 in Costa Mesa and also in Southern
17 California.

18 With that, I would like to say thank
19 you for coming; and PUC, thank you very much
20 for being here.

21 COMMISSIONER FLORIO: Thank you.

22 ALJ DARLING: Next speaker the Mayor of
23 Santa Ana, Mayor Miguel Pulido.

24 If I mispronounce anyone's name,
25 please correct me.

26 STATEMENT OF MR. PULIDO

27 MR. PULIDO: Thank you. Thank you,
28 both to you, your Honor, and to the members

1 here of the PUC.

2 I just want to tell you that we are
3 concerned about your decision as to what to
4 do on San Onofre. As best I understand, our
5 good friends at Edison are doing the best
6 they can, but this is an old facility. It is
7 a facility that many of us believe it has had
8 its active use. And now the plans are to
9 operate at 35 percent power potentially.
10 And, you know, the concern is that at some
11 point we have to go beyond its useful life.

12 I believe that this is a good
13 opportunity for us to potentially consider
14 some type of a feed-in tariff, for example,
15 for alternative energy. We have done a lot
16 of good things with Edison to look at energy
17 conservation, to look at, you know, solar, to
18 look at energy efficiency, to look at better
19 insulation in buildings, to look at
20 residential programs. In essence, to do
21 things that will not only reduce our carbon
22 footprint that we must do. Because the path
23 that we are on is a very, very difficult one
24 to sustain. And so sometimes when you come
25 to decision points like this it is an
26 opportunity to go, I believe, in a better
27 direction.

28 We can begin to decentralize. There

1 is a lot of demand potentially to have small
2 storage throughout the community. We are a
3 city of about 350,000 people. Our load is
4 about 600 megawatts. And we've done a lot to
5 reduce already in terms of trash by weight.
6 We are down by 50 percent.

7 In our fleet we have five hydrogen
8 vehicles. I myself have over 300,000 miles.
9 Why does anybody have to travel that much?
10 But 300,000 miles on a plug-in hybrid that we
11 have been working at for about eight years
12 with South Coast Energy Management District.
13 We have a good partnership with our friends
14 at the California Air Resources Board to try
15 to reduce, you know, all mobile emissions and
16 all that. And so power plants become very,
17 very important.

18 And to the extent we can say, look,
19 we are at a point, let's work with our
20 friends at Edison. Let's figure out how to
21 move beyond San Onofre. We still have issues
22 there. What are we going to do with the
23 spent rods, what are we going to do with the
24 buildings that are becoming older and more
25 brittle?

26 We don't have to talk about the
27 steam generators and the vibration and the
28 pipes. That is for the Nuclear Regulatory

1 Commission. But as the Public Utilities
2 Commission, you guys have tough decisions. I
3 so much thank you. I'm a public servant as
4 well as you. It is tough. It is tough. You
5 go around, you go to different places, you
6 talk to different forks. You try to take it
7 all in, and you try to make a good decision.
8 Look, the folks over at Harvard couldn't come
9 up with better case studies than the
10 real-life studies of the situations we get
11 into.

12 So again, thank you so much for your
13 consideration, for your public service, for
14 your time. Here I really appeal to you.
15 Let's think out of the box. Let's think out
16 of the container in this case, and let's try
17 to move forward.

18 To the extent that you need anything
19 from us, I'm Chair of the Energy Committee
20 for the United States Conference of Mayors.
21 I can help you. I can get to mayors from
22 around the state and around the country, for
23 that matter. But particularly in California,
24 we have a very good communication between the
25 10 largest cities in the state. If there is
26 initiatives you want to try, whether they are
27 in the PG&E territory, SDG&E or here in
28 Southern Cal Edison, we are here to help you.

1 We think you have a very tough job,
2 but you are doing a very good job under chair
3 Mike Peevey and others in the past. You've
4 really moved the ball forward. You've become
5 leaders in the country, and a lot of folks
6 look towards you for leadership. So please
7 continue to lead us in a good direction.

8 Thank you very, very much.

9 ALJ DARLING: Thank you.

10 The next speaker Mr. Dean Grose from
11 Los Alamitos council.

12 STATEMENT OF MR. GROSE

13 MR. GROSE: Good afternoon, welcome to
14 Southern California.

15 My name is Dean Grose. And while
16 I'm a member of the city council in one of
17 Orange County's smallest cities, I'm here on
18 behalf of those that elected me to serve and
19 seeking to address the issues of concerns
20 over the viability and need for San Onofre
21 Nuclear Generating Station.

22 I didn't have an opportunity to
23 participate in one of the briefings that they
24 had down at SONGS, and the county information
25 and the diligence that Southern California
26 Edison has exercised thus far looking at Unit
27 2 and trying to solve issues that exist for
28 Unit 3 to be reasonable business decisions

1 and good stewards from the standpoint of the
2 needs of the communities in terms of power.

3 I understand that the requirement
4 has been opposed by Edison to meet
5 alternative power needs such as solar and
6 wind. The fact remains that the greater
7 Southern California area is heavily dependent
8 on electrical power, and for all of us that
9 output is SONGS. It exists, and has for more
10 many decades, has operated safely supplying
11 the power needs for the growing southland
12 area. To lose that at this particular stage
13 is going to be a major problem, because you
14 can't produce alternate power in a swift,
15 easy manner.

16 I know that SCE is working on
17 alternative generation. The time and
18 consuming logistics just aren't going to
19 happen quickly. So we have to look at what
20 is within our existing reach in this
21 particular case.

22 We've succeeded to get through the
23 peak demands of last summer without rolling
24 blackouts. We experienced those several
25 years back under Governor Gray Davis. The
26 public wasn't happy then about increased rate
27 spikes or the fatal delivery of power. It
28 cost him his job. We have to do this

1 correctly.

2 As we face the challenges of SONGS,
3 Unit 2 was shut down for routine maintenance
4 and has now been inspected and is ready to go
5 back online, according to the people who are
6 much smarter than I am. While there have
7 been issues with turbines at Mitsubishi,
8 solutions are being formulated. We need to
9 assure that Unit 2 is ready to go and get
10 back into service.

11 We are talking about grid stability.
12 The infrastructure to import additional power
13 to service the area from San Onofre isn't
14 easily accomplished. In fact, several
15 hundreds of thousands of dollars have already
16 been spent by Southern California Edison just
17 in power since Unit 2 has been down.

18 The most important issue I think
19 before the PUC today is what are the
20 contingency plans for SONGS, how do our
21 citizens and constituents know that they are
22 going to have stability as we approach higher
23 demand months that are coming. We have
24 businesses and residents in our community
25 that have critical needs, and a reliable grid
26 source must be assured, such as Unit 2.

27 I installed solar on my house three
28 years ago, so I'm doing my part to try and

1 help in maintaining the grid in the process.
2 But even here in California the sun doesn't
3 shine all the time. When it doesn't I, like
4 so many of my citizens and residents and
5 businesses, and I'm in business in Los
6 Alamitos, half depend on the power grid. My
7 question is: What are going to be the
8 contingency plans?

9 Thank you very much.

10 ALJ DARLING: Thank you.

11 COMMISSIONER FLORIO: I should take
12 this opportunity to mention that the
13 California Independent System Operator that
14 manages the electrical grid is in the process
15 of completing what I think is the first ever
16 study of how the grid could operate long term
17 in the absence of San Onofre. As soon as
18 that is completed, we are going to be opening
19 a proceeding to look at those contingency
20 plans.

21 People haven't been sitting on their
22 hands. Within a week of the original outage,
23 the governor's office put together a
24 multiagency team that worked on a number of
25 initiatives that we were able to get in place
26 last summer, including bringing back the
27 Huntington Beach plant for one more year.
28 That is no longer available as a generating

1 facility, but we are working on a plan to
2 reconfigure that to provide voltage support
3 even though it can no longer -- no longer
4 permitted for air emissions.

5 There are a variety of things that
6 Edison is doing with its transmission grid,
7 generally minor upgrades that can provide
8 pretty quickly. But again, as I said
9 earlier, if San Onofre is out this summer,
10 there will be calls for conservation and
11 programs available that customers can
12 participate in.

13 But as soon as that ISO study is
14 completed, we are expecting it late March or
15 early April, we will be looking at that.
16 Edison and San Diego Gas & Electric will give
17 us their comments. There will be an open
18 proceeding for other parties to come in and
19 give their thoughts as well.

20 As we are dealing with the economic
21 issues we are never losing sight of the
22 importance of the reliability of the grid for
23 Southern California.

24 ALJ DARLING: Okay. The next speaker,
25 Barbara Kogerman, Mayor of Laguna Hills.

26 STATEMENT OF MS. KOGERMAN

27 MS. KOGERMAN: Thank you, Commissioner
28 Florio and Judge Darling.

1 I am Barbara Kogerman, Mayor of
2 Laguna Hills. I have now had the opportunity
3 to attend briefings at SONGS, and I think
4 "briefings" is probably a misnomer. They
5 have been quite lengthy and quite
6 informative. And I've been very impressed by
7 the thoughtful deliberative process that
8 Southern California Edison is undertaking.

9 I am concerned about fear mongering
10 and half truths on the safety front. Nuclear
11 activists will talk about fear for public
12 safety, but what they don't tell you is that
13 there has never been an event at San Onofre
14 that resulted in a need of public action.
15 There are some nuclear plants around the
16 country that have been shut down for safety
17 reasons, but San Onofre is not one of them.

18 The NRC has never shut down SONGS
19 for safety reasons. And on January 31, 2012,
20 when operators detected a leak, they operated
21 quickly and safely to shut down the unit.
22 The system worked exactly as it should have
23 worked and no one was injured.

24 Now, SCE is fully cooperating with
25 the NRC to ensure that San Onofre is safely
26 brought back online. As the mayor of Laguna
27 Hills, I support a safe restart of Unit 2.
28 The NRC has a good process, and I say let the

1 process work. We are interested in safety
2 and reliability. I understand that is your
3 purview. And in the interest of safety and
4 reliability,.

5 I encourage you, again, to let the
6 process work. Thank you.

7 ALJ DARLING: Thank you.

8 Mr. Ron Garcia, the Mayor of Brea.

9 STATEMENT OF MR. GARCIA

10 MR. GARCIA: Judge, Commissioner, thank
11 you very much.

12 As you may know, Brea is at the
13 north end. We like to think of ourselves the
14 gatekeeper for those LA County folks. We
15 have a mall there, and we try to stop them
16 there to spend as much money as we can.

17 I'm a native Californian, born and
18 raised in California. I remember driving
19 down the freeway when the plants were first
20 being built. It is interesting that I've
21 come full circle, because I remember as a
22 young boy, I'm 65 now, a young boy of 17 or
23 18, remembering that my parents said, well,
24 as we pass this nuclear facility you have to
25 hold your breath because you can't breathe in
26 the air. And not having a big lung capacity,
27 I was wondering how long I would have to.
28 Here it is 65 or 50 years later, I'm standing

1 in front in support of good, clean, safe
2 start-up of nuclear facility there.

3 I served my country in the United
4 States Navy, stationed in San Diego. Went to
5 boot camp there, and had to -- attended a
6 program out of Coronado Island before I went
7 and served in Vietnam. I served 2-1/2 years
8 in Vietnam from the time I left at 18, 19
9 years old. I saw that facility being built.
10 And while I was gone, I, in fact, I had to
11 become a nuclear potential cleanup person on
12 the vessels that I served on. I came home
13 late '68 and '69 and saw that the facilities
14 were completed. Today, as was indicated, I'm
15 the mayor of the city.

16 We are not on this particular grid,
17 but we look at it holistically. Our
18 community is proud to say that we are the
19 largest producer, municipal producer of solar
20 energy in all of Orange County, but we are
21 only 40,000 community. We only are about
22 nine miles. We just started this process
23 about a year and a half ago. We've reduced
24 our carbon footprint by 40 percent going
25 solar.

26 So it is obvious that somewhere in
27 the future there will be a cleaner source.
28 At this particular point now, we have a plant

1 that is down there. As stated earlier by
2 speakers, the problem was determined by the
3 engineers and the people that were
4 responsible there to shut the facility down.
5 Nobody came in and said you needed to do
6 this. So the system worked.

7 We are, of course, asking -- or what
8 they are asking and we are supportive of is
9 that there would be a five-month period, from
10 what I understand, and go up to a maximum of
11 70 percent capacity. That certainly seems
12 like a reasonable capacity and reasonable
13 amount of time for you in the capacity, that
14 capacity that you sit in and the agencies
15 that have responsibility and authority to
16 observe this process and evaluate it. I
17 think you are going to find that the Southern
18 California Edison Company will meet their
19 goals of being able to continue on. Again, I
20 said we are not on the grid, but we are part
21 of the system, an ecological system. The
22 energy is there.

23 We've done our share up in Brea. We
24 know that that energy -- the bullet went over
25 our head last summer. I can't guarantee,
26 nobody can guarantee that that one fact will
27 occur again. If my fellow communities out
28 there need that energy source, they are going

1 to have to get it.

2 I sit as Vice Chair for the National
3 League of Cities, Community Economic
4 Development Committee. That encompasses part
5 of what we refer to as regional housing needs
6 assessment projects. There are going to be a
7 lot of houses that are going to be built
8 right away.

9 There has been a pent-up demand. In
10 fact, we are supportive of a bill, Bill 116.
11 That would extend the tentative track
12 approval for houses that have been approved
13 but haven't been built because of the
14 economy, and we were asking for that
15 tentative approval to be extended. Because
16 when it turns around, we need those sticks to
17 go in the ground as soon as they can so the
18 energy requirements for those houses to be
19 built is going to be there. There is a turn
20 around. We certainly don't want that to be
21 held up. We certainly want the energy to be
22 there for those houses and those families and
23 those roofs to be over those children's
24 heads.

25 I'm not speaking as the Mayor of
26 Brea, but as a citizen, somebody who used to
27 holding their breath. I breathe all the way
28 through there now. So I'm very comfortable

1 with it, but we want the oversight. Trust
2 and verify. That is what we would like.

3 So I am personally supportive of
4 this. The five-month period seems
5 reasonable, but -- to reach its full
6 capacity. We ask that your folks to do their
7 job and make sure that it is safe. We
8 support it.

9 Thank you for your time. Thank you
10 for the hard work that you are going to put
11 in this. It is nice to be on this end here
12 as opposed to your end for this evening.
13 Thank you again for your time and your work.

14 ALJ DARLING: Thank you. You are to be
15 congratulated for those conservation
16 achievements.

17 MR. GARCIA: They were expensive, but
18 it was worth it.

19 ALJ DARLING: Mr. Matthew Harper, City
20 Council, City of Huntington Beach.

21 STATEMENT OF MR. HARPER

22 MR. HARPER: My name is Matthew Harper.
23 I'm a son of a veteran that trained there in
24 Camp Pendleton before he served in Vietnam.
25 I currently am the Mayor Pro Tem of the City
26 of Huntington Beach.

27 The City of Huntington Beach is, of
28 course, the only city here in Orange County

1 where more electricity is generated than
2 consumed. I think it is important to point
3 out a few things that will help put this into
4 context, and that is that many of our
5 citizens agree, that don't force us to carry
6 the entire burden of electricity within
7 Orange County.

8 Our power plant allows -- it is such
9 an institution and such a part of the history
10 of city of Huntington Beach, that actually
11 the nearby high school is Edison High School
12 named for the previous owner. And, in fact,
13 their mascot is the Chargers. So I want to
14 note that we've been carrying the burden for
15 quite some time. It is very important that
16 that burden is shared across the region. I
17 think that has been represented to other
18 organizations about what may or may not be
19 the position.

20 Our counsel has not taken a position
21 with regards to SONGS. I'm here speaking
22 today. I would point out that because of our
23 relationship with the AES Power Plant, if our
24 councilmembers, in fact, took a position
25 against SONGS that they would face certain
26 defeat at the next election because of how
27 many people are aware of their nearby
28 neighbor with AES.

1 I think it is important to note just
2 that Huntington Beach and San Onofre together
3 allow the remaining cities of Orange County
4 to be able to enjoy our electrical grid
5 without having to have full-sized power
6 plants distributed throughout the county in
7 order to maintain the grid.

8 I would like to urge you to work
9 with Edison to bring back San Onofre Nuclear
10 Generating Station so we can have the
11 reliability across the region so the burden
12 is indeed shared across the region.

13 Thank you.

14 ALJ DARLING: Thank you.

15 We will be proceeding with
16 individual members of the public. You will
17 have three minutes each to speak. I'm going
18 to read out several names at a time, probably
19 about five, have you come forward so the
20 Public Advisor's staff can facilitate the
21 most efficient use of time in making sure
22 everyone gets up and speak.

23 The first five speakers, Faith
24 Bautista, Joe Como, Tim Keenan, Uma Kuchmia
25 and Weston Labar. Please come forward,
26 starting with Ms. Bautista.

27 STATEMENT OF MS. BAUTISTA

28 MS. BAUTISTA: Good evening,

1 Commissioner Florio and Judge Darling. I
2 appreciate the opportunity to speak here
3 today on behalf of San Diegans and
4 Californians who are unclear on the impact of
5 the nuclear energy.

6 As the testimony we filed on
7 February 8th in this case states, we just
8 completed a survey of 160 San Diego
9 ratepayers on San Onofre nuclear power.
10 Since the survey appears to be the only
11 survey made of Southern California residents'
12 reactions to San Onofre nuclear issues, I
13 would like to briefly discuss it.

14 First, I want to thank the
15 Commissioner for recognizing the importance
16 of utility education and outreach to all
17 consumers and ratepayers of Edison and SDG&E.

18 Fifty San Diego ratepayers asked me
19 as the President of National Asian American
20 Coalition to testify for them as well. I'll
21 be submitting their 50 names. I hope this
22 will, therefore, provide more times for
23 others who wish to testify. And by the way,
24 San Diegans also wants to have a hearing
25 since they are part of this case.

26 The recent nuclear disaster in Japan
27 demonstrates the importance of an educated
28 public. My personal experience in the PG&E

1 San Bruno gas explosion case also
2 demonstrates this. The perception of safety
3 is often as important as safety itself.

4 I appreciate the report of Southern
5 California Edison under public -- under
6 outreach; but sadly, they need to do more to
7 recognize the importance. But I have
8 confidence that CEO Jessie Knight and
9 President Ron Litzinger after this hearing,
10 they will move forward with comprehensive
11 community education and outreach program.

12 I just want to make a comment that
13 on the White Pages, I don't remember the last
14 time I even opened White Pages. I don't even
15 know whether people look at the White Pages.
16 So I think it might not be really effective
17 type of outreach.

18 And for the Southern California,
19 just like today we met with the Burmese
20 community. There are 300,000 Burmese in
21 Southern California, Cambodian, Laotian,
22 Filipino, Vietnamese. They have to be really
23 mindful of the subethnic group, especially
24 when you spoke about the English as a second
25 language. I think the importance of that has
26 to be a top priority.

27 So the NAAC survey completed in
28 January in San Diego County surveyed 161 San

1 Diego ratepayers. In summary, this is what
2 the people had to say.

3 Ninety-seven percent stated they had
4 no information or needed far more information
5 relating to the impact of nuclear plants,
6 including rate increases and safety. None
7 said they had enough information.

8 Number two, when asked if they
9 favored nuclear energy as a source of
10 electricity, two-thirds said they did not
11 have enough information.

12 Number 3, over 90 percent surveyed
13 said no one from any utility provided them
14 with sufficient information on nuclear energy
15 as it affected their electricity bills or
16 safety.

17 Number four, this is very
18 frightening, 91 percent said that they did
19 not even know how to get the information on
20 what to do in a nuclear emergency.

21 So in a nutshell, this hearing is
22 wonderful, but they have to do a massive
23 outreach in every language, especially for
24 the immigrants as English as a second
25 language.

26 Thank you so much.

27 ALJ DARLING: Next speaker Mr. Joe
28 Como, Acting Director of the Division of

1 Ratepayer Advocates. It is a division
2 that -- I guess I'll let you describe it.
3 I'll give you an extra 30 seconds. But they
4 are a division that has ratepayers' interests
5 first and foremost. So he is your rep here
6 in the proceeding.

7 Mr. Como.

8 STATEMENT OF MR. COMO

9 MR. COMO: Thank you, Judge Darling for
10 that compliment. Thank you, Commissioner
11 Florio.

12 DRA, as the judge said, is the
13 ratepayer advocate. We were a division at
14 the California Public Utilities Commission --
15 (Mr. Como turns to address audience) -- I
16 feel like I should be talking to the people.

17 ALJ DARLING: Sure.

18 MR. COMO: That -- we represent the
19 people, ratepayers of investor-owned
20 utilities. And it is our mission, our
21 statutory mission to advocate for the lowest
22 possible rates consistent with safe and
23 reliable service levels.

24 Since we were a party and very
25 active, and actually I thank ALJ Darling and
26 Commission Florio for doing a great job in
27 trying to figure out these issues. I wanted
28 to say that -- I'll just keep it to two

1 issues.

2 One is that the -- I ask you not to
3 rush the CPUC's investigation in this. The
4 NRC is coming out with their report probably
5 in April or May, I understand. And so we
6 would like you to fully digest that before
7 you come to the conclusion which you will
8 come to.

9 The more major point I want to make
10 is something I've made before, in that under
11 traditional ratemaking principles, as you
12 know, a utility has to demonstrate that their
13 facilities are useful before they can go into
14 rate base. What that means in normal
15 parlance is that they are not supposed to be
16 charging money to the public unless they are
17 actually providing a service. When a plant
18 doesn't generate electricity --

19 (Applause)

20 MR. COMO: The point I want to make is
21 a year has gone by. I've asked the
22 Commission to please take it out of rate
23 base. Because if the plant was being built
24 and was not generating electricity, you would
25 not put it into rate base in the first place.
26 There is no reason for it to be in rate base
27 now.

28 About a billion dollars has gone

1 sort of under the bridge already on the
2 amount of money that is still being collected
3 for San Onofre from both Southern California
4 Edison and San Diego Gas & Electric. It is
5 about \$700 million for Edison and about \$200
6 million for San Diego Gas & Electric.

7 I know you are going to address this
8 issue, but there is no reason not to take it
9 out of rate base now for the foreseeable
10 future, because the only issue that has to be
11 determined is if the plant is operating or
12 not.

13 As Mr. Dietrich had said before, the
14 units are shut down. It is a no brainer, as
15 far as I'm concerned as far as from this day
16 on, until the plant either comes into service
17 or retires.

18 Thank you.

19 ALJ DARLING: Mr. Keenan.

20 STATEMENT OF MR. KEENAN

21 MR. KEENAN: Good evening. My name is
22 Tim Keenan. I'm the former mayor for the
23 City of Cypress, California, in Orange
24 County. I'm currently the Chairman of the
25 Board of the Cypress Chamber of Commerce
26 representing 250 members and 20,000
27 businesses. I'm a businessowner myself in
28 the city of Cypress.

1 I'm here to thank you for this
2 process, because you need to hear from all
3 the constituents that are involved in this,
4 and that the -- our energy users.

5 While I support conservation and I
6 support efforts for alternative energy,
7 getting away from carbon base to energy is
8 important. And I think that that is why I
9 support the bringing back SONGS online,
10 because nuclear energy is clearly one of the
11 best ways to get away from the carbon-based
12 energy process.

13 The PUC says that we need to be
14 prudent and conserve, but the reality is we
15 are a growing county. We are the fifth most
16 populous county in the nation, 3 million
17 people and growing here in Orange County. It
18 will continue to grow. Because we are the
19 Southern California Basin, and because of
20 concerns about air quality. There will
21 never, ever, ever be another generating plant
22 built here on the basin.

23 So yes, we can look at solar and
24 when the sun shines, yes we can look at wind
25 when the wind blows. But the reality is that
26 we need SONGS back online if it is determined
27 to be safe, because we need that consistent
28 power for our businesses, for the reliability

1 of energy. And we are concerned about the
2 cost of energy to live here in Southern
3 California. It is expensive, and this is
4 just one of the ongoing costs of being here.

5 So that is what I have to say.
6 Thank you very much.

7 ALJ DARLING: Thank you.

8 Uma Kuchmia.

9 STATEMENT OF MS. KUCHMIA

10 MS. KUCHMIA: Kuchmia, and you did a
11 very good job. Thank you.

12 I want to thank you both for coming
13 in, sitting through this arduous process.
14 You have many stakeholders to satisfy, and I
15 know there is not too much new I can tell you
16 from what you've heard today.

17 However, there is something I want
18 to remind you of is that the old future is
19 gone. We cannot continue the way we have
20 been continuing, that should be obvious to
21 everybody. Any house that is built now
22 should be totally economic in terms of its
23 use of energy sources. So conservation is
24 the thing that should be our next step. It
25 is the easiest step, because everybody can do
26 it and everybody understands it.

27 I want to also remind you that there
28 are a number of bottom lines. SCE has its

1 own bottom. It's a personal bottom line if
2 there is an accident. How many people in
3 this room would survive? We have no idea.
4 The environment is a bottom line. How much
5 of our land that grows crops or services for
6 others would be destroyed? How many animals
7 would be destroyed? The economy is a bottom
8 line. How many businesses would be
9 destroyed? What value would the land have
10 to the landowners if there was an accident?

11 So I think I heard that your job is
12 to provide sensible options for the future?
13 I may be putting words into your mouths. I
14 wanted to say that nuclear is not a sensible
15 option. Is there any other industry where --
16 that can't dispose of its waste and can't
17 dispose of its waste for a million years?
18 I'm not sure what the timeline is, but it is
19 certainly beyond our lifetime.

20 And I know that Southern California
21 Edison is trying very hard. However, what
22 industry has to work so hard to protect the
23 public from its own -- very own danger? See,
24 this doesn't compute. Yeah, we are working
25 hard to protect you, but why do you have to
26 protect us against ourselves? I mean we are
27 in a human mind warp here. This is not a
28 safe form of energy, and we can't dispose of

1 the waste. That is not a sensible
2 alternative for the future. It is not a
3 sensible alternative for now.

4 (Applause)

5 MS. KUCHMIA: As far as protecting us
6 from the danger, well, yeah, we haven't had a
7 nuclear accident yet. But we have a very
8 dangerous situation in which a steam
9 generator and the coup de maître that were
10 put in place didn't work, you know? So we
11 had just a little accident this time, but
12 that is the danger. We've already
13 experienced the danger. We can fix it this
14 time, but what will it be next time? This is
15 not a sensible alternative for the future,
16 and putting more money into nuclear energy
17 means we are not exploring other resources.

18 I cannot believe that just the few
19 things that we've thought of already, you
20 know, the solar power and wind power and
21 everything is everything that human beings
22 can come up with? I'm sure there is a lot
23 more in the pipeline that I don't know about.
24 I'm not a scientist, but every so often I
25 hear about, wow, somebody is making oil out
26 of microbes, you know? There must be more.

27 But as long as we can keep going
28 down this path and saying, you know, we've

1 got to do it this way, it is not the way.
2 What we are doing is going down a murderous
3 path. We are murdering ourselves. We are
4 destroying ourselves. One accident, as you
5 saw in Fukushima, is all it takes.

6 So thank you very much.

7 ALJ DARLING: Mr. Weston Labar.

8 STATEMENT OF MR. LABAR

9 MR. LABAR: I'm Weston Labar. I'm here
10 representing the Long Beach Area Chamber of
11 Commerce. I'm their consultant for public
12 policy and economic development. And our
13 over 1100 members support bringing SONGS back
14 online.

15 We have serious concerns with the
16 energy future in California, both the rates
17 and the reliability. Moving forward, right
18 now businesses are just struggling to get out
19 of an economic recession. And by adding more
20 rate costs makes it hard for them to employ
21 more Californians. And as we know,
22 Californians are lagging behind in the
23 recovery process nationwide.

24 The other thing I'd like to bring up
25 is through AB -- we support Long Beach as one
26 of our members. And through AB 32, they are
27 actively pursuing ways to green the corp and
28 reduce their carbon footprint. One of the

1 things they are going to be doing is plugging
2 in the ships as opposed to having them run
3 into ports. That is going to be a huge
4 consumption of energy. We don't know what
5 that is going to be exactly.

6 As they look at closing different
7 power, as Cal ISO determines where the grid
8 is going to be drawn, they look at other
9 plants that I've gotten to look at. I know
10 AES has a Redondo Beach plant, Hunting is
11 going off-line. As we look at these other
12 plants that might be shutting down, it makes
13 commonsense to us right now to extend and
14 renew the SONGS power plant. And we really
15 hope that you will consider that, because our
16 business community is fearful of the cost
17 that it is going to have for them, especially
18 the small businesses.

19 Thank you.

20 ALJ DARLING: Thank you.

21 The next speaker will be Larry
22 Kramer, City Council of San Juan Capistrano.

23 I just want to go ahead and identify
24 the following five speakers to come forward,
25 Yoko Collin, Steven Mendoza, Mike Aguirre, Ed
26 Fawcett, and Dr. Marilyn Ditty.

27 Let me take a moment to check in
28 with our court reporter.

1 (Off the record discussion)

2 ALJ DARLING: Thank you.

3 STATEMENT OF MR. KRAMER

4 MR. KRAMER: Thank you. My name is
5 Larry Kramer. I'm the former mayor and
6 currently on the city council from San Juan
7 Capistrano. So I live in fairly close
8 proximity of San Onofre. Also, my wife works
9 in San Clemente every day as a volunteer.
10 I'm speaking for myself this evening.

11 As a background, I have a degree in
12 electrical engineering, and I served in the
13 Navy for 30 years in nuclear submarines,
14 including three commanding submarines for
15 three times.

16 I've attended every local meeting
17 the NRC held on SONGS since the leak
18 occurred. I believe that some persons made
19 mistakes, but I'm hopeful we won't have to
20 suffer as a result of those errors. I'm also
21 hopeful the NRC will find it is safe to
22 restart SONGS Unit 2 and it will be up and
23 running by this summer.

24 From what I have learned, Edison is
25 taking precautions to ensure that what
26 happened with Unit 3 will not happen with
27 Unit 2, in addition, proposing operating only
28 70 percent. They have conducted excessive

1 testing in Plug 2, the area where the damage
2 was found in Unit 3.

3 Nothing is without some risk. We do
4 not live in a risk-free society. The human
5 race has never lived in a risk-free society.
6 There is always the possibility there would
7 be another tube leak, but the operators of
8 SONGS demonstrated they are very capable of
9 taking quick and corrective action should it
10 occur.

11 The amount of radiation that leaked
12 from before was not hazardous to the workers
13 of SONGS or the general public. If people
14 are really worried about radiation, they
15 probably shouldn't fly in an aircraft. They
16 are probably going to receive more radiation
17 from one flight across the country than they
18 will receive in their entire life living
19 somewhere near SONGS.

20 Not starting up SONGS would have
21 significant short-term and long-term negative
22 consequences. Last summer we had a power
23 station at Huntington Beach to cushion the
24 loss of power and also to provide
25 stabilization. That is not available this
26 summer. This summer, this past summer was
27 not terribly hot. We had pretty good
28 weather, so power demand was not excessive.

1 There were no major fires which interferes
2 with any of the transmission lines last year.
3 It is one of the few years we haven't had
4 major fires.

5 I've lived for many years in
6 countries that had frequent interruptions of
7 power. It is not pleasant, nor is it good
8 for any aspects of the economy. Our economy
9 in the United States is just coming back. In
10 San Juan Capistrano we are facing major
11 economic challenge for the next couple of
12 years as our major freeway interchange is
13 being rebuilt, which cuts our town pretty
14 much in half. Thus, if we had a problem with
15 power, it would be extremely challenging to
16 our small city. The addition of unreliable
17 power would keep our business community back
18 for many years.

19 Some people talk about conservation,
20 which is great, and alternate source of
21 power, which I support. Conservation only
22 goes so far. And as our population and
23 economy recovers and grows, at best we will
24 see the rise of power demand lessen but will
25 still continue to go up.

26 Federals are pushing for more
27 electrical vehicles. People talked about
28 they have plug-in vehicles. That is all

1 coming off the grid. That demand will
2 increase significantly as we try to keep
3 pollution down in California.

4 In looking at alternative source of
5 power, we require sources that are
6 baseloaded. Solar and wind are nice, but are
7 only good when the sun shines and wind blows.
8 Why when they have a lot of solar power they
9 are now restricting its installation, since
10 when the sun goes behind cloud there is a
11 rapid need for some baseload to come up very
12 quickly. We have to be very careful we don't
13 depend on those intermittent sources of
14 power.

15 Electricity generated and used, as
16 you are well aware of there is very little
17 storage of it. There is no limit. The only
18 way I know is pump storage, which is a plant
19 that I worked with at one time, and
20 batteries. Also, alternatives must either be
21 coal, oil, or gas-fueled power plants. All
22 of these emit greenhouse gases. And if you
23 believe they contribute to global warming,
24 then you would not find them to be a viable
25 alternative.

26 Hydroelectric power is clean but
27 very limited in California. The possibility
28 of getting licensed for any of those in

1 California will likely take years.

2 I don't know how many people around
3 here want another power plant nearby. I
4 think that would take a while. They
5 attempted to put in a peaker plant in Ladera
6 Ranch and that was protested strongly, and
7 they did not put that in.

8 Other alternatives are to bring in
9 power from outside our state where the
10 environmental laws are less stringent than
11 they are here. How many people want more
12 power lines going through their neighborhood,
13 through their cities? We were in the
14 process -- or San Diego Gas & Electric wants
15 to upgrade some of our transmission lines
16 within San Juan Capistrano, and that is
17 meeting significant opposition. All of these
18 things take many years to accomplish. We can
19 always go out and purchase our own
20 gas-powered generators. If you like
21 pollution, you will love those generators.

22 In terms of working with SONGS, with
23 respect to if there is an action or something
24 like this goes along, our working
25 relationship with SONGS has been excellent
26 over the years and continues to be. We meet
27 with them on a very frequent basis to make
28 sure we are up to date and know exactly what

1 is going on.

2 In my opinion, nuclear power plants
3 have a great track record in the United
4 States, it is safe, baseloaded, a clean
5 source of energy. And I urge the NRC to
6 allow SONGS to restart Unit 2.

7 Thank you very much.

8 ALJ DARLING: Ms. Collin.

9 STATEMENT OF MS. COLLIN

10 MS. COLLIN: My name is Yoko Collin. I
11 live in Lake Forest.

12 After attending the CPUC public
13 hearing, I was very concerned about how
14 people don't understand about the danger of
15 the nuclear energy. Nuclear spent fields are
16 extremely radioactive, and they need to be
17 stored more than 50,000 years, I'm not sure,
18 100,000 years. Think about the dangers of
19 our civilization, human civilization,
20 culture, maybe about 4,000 years or so.

21 In this country we even don't have
22 cities to storage nuclear waste. We don't
23 have technology for remove the toxin out of
24 the spent field. There is no manmade
25 building that lasts long enough.

26 Chernobyl accident happened about 27
27 years ago and the building is already in bad
28 shape. They are making another cover over

1 the old one.

2 We already have so much nuclear
3 waste in this country. Do you think it is
4 okay to create more nuclear waste and give
5 all the burden to our children? Or is it the
6 time that we need to shift to renewable
7 energy? How about we change our lifestyle.

8 Do you know what happened on March
9 11th, 2011? Nuclear accident of Fukushima
10 Daiichi Power Plant. It is not over yet. It
11 is still releasing huge amount of radiation
12 into the air and into the Pacific Ocean.

13 And then from last year there are
14 about 38,000 children under 18 in Fukushima
15 have tested for thyroid abnormalities, and
16 then by December more than 40,000 of those
17 children have some kind of thyroid
18 normalities.

19 And then I just get latest news that
20 Fukushima Prefecture just released on
21 February 13th, out of 1300 tested children
22 now 3 children have cancer. And now have
23 more 7 positive cases. They conducted second
24 test and positive. So more than 90
25 percentage they have thyroid cancer. And
26 then in the world wide, thyroid cancer is
27 known very rarely happen in children, 1 in 1
28 million or less. So how many percentage is

1 going to happen? And then the study show
2 more than 50 children possibly have thyroid,
3 some kind of cancer.

4 My family live Tokyo, which is more
5 than 180 miles away from Fukushima Daiichi,
6 but the land is (inaudible). And I don't
7 feel safe to take my children there to see my
8 family. I lost my home country who is no
9 longer safe over there. I lost my food
10 culture as well.

11 Did you know taking x-rays and
12 inhaling radioactive particle are not same
13 thing? When accident happened, all those
14 dangerous radioactive isotopes are released
15 into the air. (Inaudible) all over and they
16 will blow up again. And we are going to
17 inhale them, those radiation, and we eat
18 them. And I call radiation explosion.

19 ALJ DARLING: Ms. Collin, can you wrap
20 it up, please.

21 MS. COLLIN: Almost finished.

22 ALJ DARLING: Time is up.

23 MS. COLLIN: Nuclear accident can
24 happened everywhere, but San Onofre Nuclear
25 Plant is the most expected as the next
26 danger. We don't have evacuation plan, nor a
27 way out. Fifty miles is not enough.

28 So can we evacuate safe? Can we use

1 free waste? How can we protect our children?
2 We must shut down San Onofre Nuclear Power
3 Plant.

4 ALJ DARLING: Mr. Steven Mendoza.

5 STATEMENT OF MR. MENDOZA

6 MR. MENDOZA: Thank you, your Honor,
7 and Commissioner.

8 I'm here to talk about reliable
9 energy. I want to take a moment to describe
10 how stable grid is important to our city and
11 the City of Los Alamitos.

12 Los Alamitos is on that grid, who
13 else is on that grid with us? The Joint
14 Forces Training Base. They provide core
15 emergency response to all of California, the
16 hub of California International Guard. Who
17 else is on the grid in California? Los
18 Alamitos Medical Center. They provide key
19 emergency services to West Orange County,
20 including all seniors and Leisure World.
21 Aerospace employers are in Los Alamitos,
22 necessary street lights and traffic signals
23 and all of the cities that have spoken today.

24 Energy is necessary, local energy is
25 even more necessary. The City of Los
26 Alamitos, its base, hospitals, schools,
27 employers and citizens rely upon a stable
28 grid. Again, reliable electricity is

1 necessary for us.

2 In lieu of optional sites that all
3 parties can agree upon, Orange County is ill
4 prepared to offer replacement locations for
5 new generating stations. We've heard that a
6 few times today. Until there is a
7 replacement plan for future generating
8 stations that could obtain countywide
9 support, or even support of all parties in
10 this room, all current forms of electricity
11 should remain available.

12 Thank you.

13 ALJ DARLING: Mr. Aguirre.

14 STATEMENT OF MR. AGUIRRE

15 MR. AGUIRRE: I'm here in my capacity
16 as a ratepayer in San Diego.

17 I want to explain to you from the
18 heart why the public has no confidence in you
19 to make the decisions or to protect the
20 public. Why the public has no confidence in
21 you to protect the public interest.

22 First of all, it was the PUC that
23 approved this debacle. You are the ones that
24 authorized four new steam generators for the
25 old ones, because the old ones had two
26 problems than new ones and worsening two
27 problems. And that was done on your watch,
28 and you are responsible for having made

1 mistakes.

2 Secondly, you allowed Southern Cal
3 Edison and continue to allow them to charge
4 in rates the full cost of the steam
5 generators even though they had completed
6 installation in February 2011. And they were
7 supposed to come back under the order that
8 you are not enforcing, your own order, upon
9 completion, and that hasn't happened. And
10 you are allowing them to charge hundreds of
11 millions of dollars without complying with
12 your own orders.

13 ALJ Darling, during the general rate
14 case you failed to initiate an OII. You knew
15 about what happened with San Onofre in
16 January. You should have taken action then.
17 You used the lame excuse that testimony had
18 been completed. And in so acting you gave
19 SCE -- you gave SCE the opportunity -- you
20 gave SCE the opportunity to argue that rates
21 can't be -- that costs can't be taken out of
22 rates until 2015, because you didn't bring it
23 up in the 2012 general rate case.

24 Now, SCE is making a mockery out of
25 these proceedings. First of all, you didn't
26 pay for this building. You didn't pay
27 anything. The only party that paid anything
28 to be in any of these facilities here was

1 SCE. Yes, yes, you didn't pay a dime. Not
2 only that, they are providing meals to
3 security officers, peace officers in their
4 private little club back here. That is a
5 mockery.

6 Last week SCE, or at least its
7 contractor Shaw Stone and Webster, gave
8 Costco cards through the San Diego County
9 Federation of Labor to get a bunch of
10 laborers that don't even work at SCE to come
11 up.

12 We are going to have to go to court,
13 and we are going to have to go to court right
14 away. Because the public can't take the risk
15 of more disfunction, more failure to protect
16 the public interest by allowing you to
17 continue. You may win, but we will make the
18 effort to take you to court and to make the
19 case that you have violated mandatory duties.

20 Thank you.

21 ALJ DARLING: There were several
22 misstatements of fact in that, which I'm
23 going to address only a couple them.

24 One, this is not a matter for the
25 general rate case. An ALJ has no authority
26 to initiate an OII. That was initiated by
27 the full Commission following statute 455.5
28 of the Public Utilities Code.

1 This investigation was driven by
2 Commissioner Florio from the moment that the
3 authority arose, and we are proceeding on all
4 of these fronts, as I described, if you had
5 been here at the beginning.

6 Second of all, no one paid this, no
7 ratepayers' money, no utility money. This is
8 a free venue provided by the City of Costa
9 Mesa. And it was chosen because it was free,
10 and because it has good parking, and because
11 it is easy to find. I want to make that
12 clear.

13 I don't know who is buying food for
14 who, and that is not anything to do with the
15 Commission.

16 But those two particular facts I
17 wanted to address.

18 I think Commissioner Florio has a
19 comment or two about the OII.

20 COMMISSIONER FLORIO: Yes. Again, the
21 timing of the proceeding was driven by a
22 statute. We actually moved a few weeks
23 earlier than the statute to get the
24 proceeding under way.

25 I will leave it at that.

26 ALJ DARLING: Mr. Fawcett.

27 STATEMENT OF MR. FAWCETT

28 MR. FAWCETT: Your Honor, Commissioner,

1 my name is Ed Fawcett, President of the Costa
2 Mesa Chamber of Commerce. Thanks for this
3 opportunity to speak regarding San Onofre
4 Nuclear Generating Station.

5 Rather than restating a myriad of
6 statistics regarding SONGS' generating stats,
7 the large number of nuclear generating
8 stations operating safely throughout the
9 United States, or any of the stats that
10 demonstrate the need for SONGS Unit 2 reactor
11 to be returned to operation in a safe and
12 controlled manner, instead, I want to speak
13 first as a businessperson concerned about
14 California's recovery from a recession that
15 has truly not gone away. Also, as a lifetime
16 resident of Southern California, one who
17 watched the building of San Onofre and has
18 benefited by its safe operations all of those
19 subsequent years.

20 Businesses and residents both
21 benefit by the reliable 24 power -- 24 hour
22 power generation provided -- that was
23 provided by San Onofre power that cannot be
24 adequately replaced by alternatives that
25 require wind or sun. There is a place for
26 wind and solar generation, but not to replace
27 nuclear. In fact, only with SONGS on line do
28 we have the opportunity to explore

1 alternative sources of energy.

2 In addition, San Onofre cannot be
3 replaced by bringing on line less efficient
4 AG air polluting plants in Huntington Beach
5 and Carlsbad. These plants were retired for
6 good reason. Without reliable power that San
7 Onofre brings to Southern California,
8 businesses cannot be assured of their needs
9 being met, jobs will not be created, workers
10 will not find employment, and the region will
11 continue to suffer in a recession that need
12 not be.

13 Southern California Edison has
14 served the electrical needs of this area
15 quite well. Personally, I would bet on their
16 performance record to safely bring Unit 2
17 reactor back online in a controlled fashion
18 that Edison has proposed. The longer SONGS
19 remains off-line, the longer the recession
20 will brutalize California businesses and
21 residents.

22 Please do what you have to do to
23 work with Edison to bring Unit 2 back online
24 in a safe and controlled manner.

25 ALJ DARLING: Thank you.

26 Mayor of City of South El Monte,
27 Mr. Louis Aguinaga. I'm sorry, did I miss
28 you? Doctor?

1 MS. DITTY: Marilyn Ditty.

2 ALJ DARLING: I'm sorry, my mistake.

3 STATEMENT OF MS. DITTY

4 MS. DITTY: Thank you.

5 Judge Darling and Commissioner
6 Florio, I'm Dr. Marilyn Ditty. I'm the CEO
7 of Age Well Senior Services. We provide all
8 the county support services for 14 cities
9 from Costa Mesa actually down to San
10 Clemente.

11 This is my 35th year. I have been
12 down to the plant many, many times. And
13 we've worked with Southern California Edison
14 to come up with what they considered a
15 reasonable evacuation plan in case of an
16 emergency, because we know where all the
17 homebound seniors are. We do all the Meals
18 on Wheels in-home support services.

19 We actually never have had to
20 exercise that evacuation plan. Everything
21 has continued in a very safe manner. The
22 only time we ever had to do any evacuations
23 was in Laguna Beach when they had the fires
24 in 1993, but nobody died. We were able to
25 get them out.

26 The biggest concern when you have
27 any kind of emergency is what are these
28 people going to do that are on oxygen? What

1 are these people going to do that are
2 dependent on all these medical devices? We
3 have the largest number of the oldest old in
4 Southern California region. People started
5 retiring here post-World War II, about 1952.
6 And we have the oldest of old. We have over
7 3,000 seniors right now that are over 80
8 years old in this county.

9 So I'm concerned about safe energy.
10 And I have a personal concern, because I
11 actually have severe respiratory problems.
12 And I belong to a large group out of the two
13 hospitals in our area that actually help
14 people with clean air. We have to have the
15 air cleaned in our office, in our homes, with
16 electrical devices, otherwise you can't
17 breathe.

18 So I'm concerned. I mean the
19 carbon, when I first moved to, you know,
20 Orange County, it was terrible air quality.
21 And I had been all over the world. I've been
22 to these small countries. I've been to Japan
23 and China. All of them have terrible air
24 quality, and they don't have the Nuclear
25 Regulatory Commission or the Public Utilities
26 Commission as oversight. So I thank you for
27 the job that you do, and I praise you.

28 I hope we can get Unit 2 back

1 online. Thank you.

2 ALJ DARLING: Thank you.

3 Dr. Ditty, I want to personally
4 thank you for the work you do with seniors.
5 My father is an 87-year-old resident of
6 Orange County. He is in your scope. I
7 appreciate the work you do.

8 One more speaker, and then we will
9 take a break for our reporter. That would be
10 Mr. Louie Aguinaga, Mayor of South El Monte
11 who signed in? There you are. Please tell
12 me if I blew your name.

13 MR. AGUINANA: No, you said it right.

14 ALJ DARLING: Good.

15 STATEMENT OF MR. AGUINAGA

16 MR. AGUINANA: Good evening
17 commissioners, Commissioner Florio and
18 Commissioner Darling, right?

19 ALJ DARLING: I'm Judge Darling.

20 MR. AGUINANA: Oh, Judge Darling.

21 I understand the interest in safety
22 that relates to nuclear power, to the power
23 plants. My only comment about the clean air
24 is, you know, I'm in favor of wind, solar
25 and, at best, intermittent sources of
26 electricity. But they are intermittent.

27 When the wind doesn't blow, no
28 electricity. When there is no sun, there is

1 no electricity. So we need stable 24/7
2 electricity. And we know nuclear power is
3 safe. It has been proven in the past. So
4 the only comment -- that was my only comment.

5 If San Onofre has always been -- has
6 always been -- has been operating clean, has
7 been working safely, you know, and just based
8 on -- excuse me.

9 Let's be honest, it would be
10 replaced with natural gas, little
11 old-fashioned carbon-based fossil fuels.
12 That would mean more green gas emissions, and
13 that would raise questions about global
14 warming as well as the health. Increasing of
15 use of fossil fuels just seems to me like
16 instead of going forward we are going
17 backwards.

18 You guys are doing a fantastic job.
19 Let's just get this thing back online and
20 have some clean energy.

21 Thank you.

22 ALJ DARLING: Thank you very much.

23 We will go off the record until
24 7:40. Thank you.

25 (Recess taken)

26 ALJ DARLING: I'd like to announce the
27 next five speakers and ask them to come
28 forward, Caroline Cavecche, Marty Peterson,

1 Christina Imhoof, Jennifer Massey, and Thomas
2 English.

3 STATEMENT OF MS. CAVECCHÉ

4 MS. CAVECCHÉ: You are one of the few
5 people who have ever pronounced my name
6 correctly.

7 ALJ DARLING: I try.

8 MS. CAVECCHÉ: Judge and Commissioner,
9 it is a pleasure to be here. Thank you very
10 much, for putting in the amount of effort and
11 time you have today.

12 My name is Carolyn Cavecche. I'm
13 the former mayor of the City of Orange. I
14 served 12 years on the city council, the last
15 six as the directly elected mayor. The city
16 of Orange is north of here, a little bit
17 north of Santa Ana.

18 And before I go into my prepared
19 statement I just wanted to let you know over
20 the 12 years that I served, Edison has done a
21 phenomenal job of coming in and keeping us
22 briefed on what is happening down at SONGS
23 and just issues within the grid and issues
24 with the company completely.

25 So we've heard about the drills. We
26 know what is going on. In fact, their rep
27 attends most of our city council meetings.
28 When she is not there, we get a little

1 worried about her. She especially -- with
2 what happened this last summer, she was there
3 making announcements about what needed to be
4 done for conservation in our community. I
5 wanted to let you know that.

6 I left office in December. I'm
7 currently the CEO -- I'm loving it, by the
8 way -- I'm currently the President and CEO of
9 the Orange County Taxpayers Association. It
10 is the only countywide taxpayer group that
11 advocates on behalf of businesses and
12 taxpayers on tax issues, governmental
13 services issues.

14 We are actually very concerned. As
15 a former public official -- I now represent a
16 lot of businesses in the county. The state
17 of California, like the entire country, is
18 really digging itself out finally after a
19 very hard fiscal crisis. The worst really
20 since The Depression.

21 I'm read Orange County seems to be
22 leading the way on this. Our unemployment
23 level is down, I think rank number two for
24 jobs and businesses in the state of
25 California. We are really trying to do best.

26 I'm practically a native to Orange
27 County. Moved here when I was five years
28 old. I grew up, it has been -- I forget how

1 long it was, but it has been how long time
2 since I was five years old. I remember not
3 being able to go play on the playground
4 because of the smog alerts back in Southern
5 California at that time, especially in Orange
6 County. We've really done a wonderful job in
7 this state over the years in being able to
8 finally provide clean energy, to try to put
9 some different rules in place.

10 But my fear is that the state has
11 become very restrictive. It has become very
12 restrictive. It is a very poor regulatory
13 climate in our country, especially the state
14 of California. And the problem is going to
15 be that, as much as you would all like to
16 have multiple sources of clean alternative
17 energy, it truly is not going to happen for a
18 while here in California.

19 One of the other speakers talked a
20 little about it, following some of the issues
21 as far as putting in transmission lines,
22 there are communities all over our county
23 that do not want that to take place here. It
24 is going to be a problem for us.

25 Our businesses truly cannot survive.
26 We did great last summer, but I'm very
27 concerned about going forward if this plant
28 remains off-line completely. I do not think

1 we are going to have the capability of
2 producing energy to keep the economy moving
3 in California. I'm specifically worried
4 about what is going to happen in Orange
5 County. We are not going to get smaller. We
6 are going to continue to grow. I believe
7 Orange County is leading the way.

8 My specific request is do your due
9 diligence. Thank you for your efforts.
10 Let's try to keep the state growing, but
11 especially for me, keep the businesses in
12 Orange County booming. We need energy to do
13 that.

14 ALJ DARLING: Marty Peterson.

15 STATEMENT OF MR. PETERSON

16 MR. PETERSON: Thank you for giving me
17 this opportunity to speak today.

18 My name is Marty Peterson. I'm the
19 Vice President of Operations with the Santa
20 Ana Chamber of Commerce. We represent 475
21 member businesses in and around Santa Ana.

22 Santa Ana is home to many
23 manufacturers, many hundreds of them. And a
24 consistent source of affordable power is very
25 important to them, and consistent power, you
26 know, it has a bad effect many times on their
27 machinery and systems when there is peaks and
28 outages and things like that, as well as down

1 times when things do go down.

2 Between I and the chamber president
3 we've attended three of the public NRC
4 meetings and listened to both sides very
5 carefully. And we feel that Southern
6 California Edison and the NRC are doing a
7 really good job of getting to the route
8 causes of what is going on. And with the --
9 it seems prudent that they shut down the one
10 reactor, and it seems like they have a good
11 basis to start the other reactor.

12 Also, we are concerned with the --
13 not only the consistent source of power, but
14 there is a couple of thousand jobs in the
15 area that are at stake at that plant too.
16 Not only the jobs there but the goods and
17 services that are fed by local companies also
18 are very important.

19 So I just wanted to say that we
20 would be in favor of them being able to start
21 up that reactor at the lower levels that they
22 are talking about.

23 Thank you very much.

24 ALJ DARLING: Thank you. Christina
25 Imhoof.

26 STATEMENT OF MS. IMHOOF

27 MS. IMHOOF: Hello. I'm Christina
28 Imhoof from San Diego. I'm a ratepayer.

1 Your Honor, Commissioner --

2 UNIDENTIFIED SPEAKER: Speak into the
3 microphone, please.

4 MS. IMHOOF: Sorry, can you hear me
5 now? Sorry.

6 So I'm a ratepayer from San Diego.
7 I've heard you say several times,
8 Commissioner, that -- you are trying to warn
9 us of not having enough electricity in the
10 summer and the heat. I'll take that heat any
11 time as opposed to living -- what the lady
12 from Japan testified to, I don't want my
13 17-year-old daughter or myself to die of
14 radiation prematurely. It is as simple as
15 that. I don't think there is much debate on
16 that issue.

17 I notice, as I understand it, you
18 are responsible for making sure our money is
19 spent wisely. So I'm wondering why we are
20 paying? We've been paying for a year for
21 this being off-line, this SONGS being
22 off-line because of the problems.

23 I just have not -- I've not heard
24 anything that addresses that question. I'm
25 angry, and I'm really proposing that the
26 ratepayers take out that percentage of their
27 bill that go to Edison's operations, or
28 whatever they are doing with our money. Do

1 you know what they are doing with our money?
2 Do you keep tabs on, you know, what our funds
3 are actually being used for?

4 ALJ DARLING: Yes, and we are in the
5 process --

6 MS. IMHOOF: We would like to know if
7 you can publicize that. I think it should be
8 a transparent process.

9 ALJ DARLING: I would direct your
10 attention to Edison's website. They are
11 required by our order to post all of their
12 filings related to this on their website, not
13 just for parties of the proceeding, but to
14 absolutely everyone in the public.

15 One of the things that they are
16 required to do is to put in monthly reports
17 about where the expenditures are. And they
18 have filed their first report dated February
19 1st. I urge you to take a look at that.
20 That will tell you where the expenditures are
21 both for operating capital, outage related.

22 That is the focus of our evidentiary
23 hearings coming up where we are going to be
24 examining those costs to see if they were
25 reasonable or not, given the outage.

26 MS. IMHOOF: So after the fact there is
27 an oversight on your part but not beforehand,
28 not really supervising.

1 ALJ DARLING: What happens is we have
2 to have a record. That is what this -- we
3 have a judicial process in which a record is
4 established. The first step says what they
5 spend. The second step is 26 parties
6 intervene and come in and say that is not
7 right, that is not right, that is not right.

8 Then the Commission makes a
9 decision. We are moving pretty quickly on
10 that. There is a couple of legal issues that
11 are being fleshed out as to timing, because
12 the statute has some ambiguity in it about
13 the refund timing. But this is -- so this is
14 absolutely front and center in front of the
15 Commission and in front of this proceeding
16 right now.

17 The difficulty is some have an
18 interest in just the Commission just acting
19 arbitrarily and saying let's take X amount of
20 dollars out of rate base. That is something
21 that is -- what would happen is Edison would
22 go to court, charge us for all the fees, and
23 we would lose. Because we have to have a
24 record. We can't just pick a number out of
25 thin air.

26 MS. IMHOOF: That doesn't answer the
27 question of why we've been paying for nothing
28 for a year, right?

1 COMMISSIONER FLORIO: Our order made
2 all of that subject to refunds. So if the
3 determination ends up being that that money
4 should not have been charged, people will get
5 it back.

6 MS. IMHOOF: Good news. Thank you. We
7 will stay on top of this as ratepayers. We
8 look forward to hearing from you on your
9 oversight responsibilities.

10 Today's hearing, I understand, is to
11 find out whether you should remove the value
12 of any portion of SONGS facility from the
13 rate base. And I agree with the taxpayer
14 representative, it is a no brainer, of course
15 you should.

16 Secondly, whether CPUC should
17 disallow rate recovery of any expenses
18 related to the operation of SONGS. I think
19 that means rate recovery by us or by Edison?
20 I don't know.

21 COMMISSIONER FLORIO: By Edison from
22 customers.

23 MS. IMHOOF: No way, no way, no way.
24 Also a no brainer.

25 So why, you know, I mean these are
26 things that -- this is your job. So I would
27 hope that you would determine this based on
28 logic.

1 The third thing, whether you should
2 make any findings directing SCE to take
3 specific actions. Yes, refund the hundreds
4 of millions of dollars already paid through
5 electricity bills for the defective steam
6 generators. Refund the hundreds of millions
7 of dollars already paid through electricity
8 bills for all the inspections, regulatory
9 costs, replacement power that Edison's
10 defective steam generator design has cost us.

11 I'd like to see more transparency
12 and more concern. You see, in an ordinary
13 business sense a businessowner makes a
14 massive mistake, and he starts charging his
15 customers to make up for the money he lost.
16 We are the customers. We can walk from a
17 business like that. Can we walk from Edison?
18 No, they are a monopoly. So who is between
19 them and us? You. So do your jobs.

20 Thanks.

21 ALJ DARLING: Jennifer Massey.

22 STATEMENT OF MS. MASSEY

23 MS. MASSEY: Thank you very, very much
24 for your time, your thoughtfulness and
25 consideration. We very much appreciate it.

26 We hope that you will not only
27 consider ratepayer costs but the safety
28 issue. We are constantly reassured by Edison

1 that safety is their number one concern. We
2 contend San Onofre safely, but it cannot
3 protect us from earthquakes, tsunamis, fire,
4 terrorist attacks, human error, et cetera.
5 Additionally, evacuations in the event of a
6 disaster is impossible, just impossible.

7 They say that they've given the
8 school districts and everything else
9 instructions, and whatever else they called
10 it, and so far and so on, about what to do.
11 There is nothing they could do. It is
12 absolutely hopeless.

13 So the safety issue really seems to
14 be more about Edison's profit to me. That is
15 the safety they are most worried about. That
16 is what it seems to me.

17 What are the chamber of commerce and
18 some city councilmembers who spoke earlier
19 thinking when they asked you to let Edison
20 restart the defective plant with a worst,
21 worst record of all 104 nuclear plants in
22 America? They spoke about how their cities,
23 businesses need reliable energy. Don't they
24 take into consideration what would happen to
25 those businesses if there should be a
26 meltdown of San Onofre?

27 (Applause)

28 MS. MASSEY: They not only would be

1 allowed to return to their businesses, they
2 would have no insurance. So they would
3 have -- so they would lose all the equities
4 in those businesses and those homes. So they
5 are really looking at very short term. I'm
6 staggered, shocked, appalled at the -- I
7 don't know what call it.

8 UNIDENTIFIED SPEAKER: Ignorance.

9 MS. MASSEY: Narrow minded. I don't
10 think they are ignorant. I think they are
11 protecting -- they are not protecting us.

12 ALJ DARLING: Could I ask the audience
13 to refrain so that this lovely lady can
14 continue her comments, and we can hear them
15 and get them on the transcript. Thank you.

16 MS. MASSEY: Finally, the lady who was
17 just before, she was exceptionally
18 articulate. She basically took away my final
19 short little paragraph here. I'll just
20 repeat, because I don't know what else to
21 say.

22 Why has Edison been allowed to bill
23 us for over a year for power we haven't
24 received? What kind of governance is this?
25 It is not demographic. It doesn't seem fair
26 or reasonable. I would like to ask you to
27 direct Edison to refund all the charges to
28 ratepayers for the past year, and for the

1 close to \$1 billion dollars for the faulty
2 generators.

3 And I do appreciate your comments in
4 response to her. I'll take that into
5 consideration. I appreciate very much what
6 is going to, I believe -- I believe in my
7 heart, my instincts -- my husband doesn't
8 believe in that, but a lot of people do -- my
9 instincts tell me you are going to do the
10 right thing. I appreciate that in advance.
11 Thank you very much.

12 ALJ DARLING: Next speaker, Mr. Thomas
13 English.

14 And then the five speakers following
15 please come forward, Jeremy Harris, Myla
16 Reson, Frank Forbaath, Valentin Poiset, and
17 Melissa Levine. Thank you.

18 Mr. English.

19 STATEMENT OF MR. ENGLISH

20 MR. MASSEY: Yes, hi. My name is Tom
21 English. I'm from Hollywood. I'm here
22 because everyone in Los Angeles is down wind
23 of San Onofre too, no matter how much they
24 want to be in denial.

25 Mr. Kramer mentioned that, you know,
26 he was talking about all the precautions,
27 nothing goes without risk, nothing comes
28 without risk. Solar power comes without risk

1 and wind comes without risk. And the whole
2 thing that there is no need for all of this
3 except a few people make profit is just the
4 most outrageous, insane thing imaginable.

5 So I have something to say. It is
6 very brief. It is two and a half minutes
7 long. And it has to do -- I would like to
8 just basically ask this question: In honor
9 of my wonderful business friends who are so
10 concerned about their businesses, what would
11 they do if the thing blows the next day?

12 (Singing):

13 What part of Fukushima do you not
14 understand? When nuclear contamination hits
15 the fan. Plutonium is everywhere, it is in
16 the sea, it is in the air, and we don't even
17 have any evacuation plan.

18 What part of Fukushima do you not
19 understand? What part of Fukushima did you
20 somehow miss? When surely shooting every
21 time with things like this. Destruction
22 rages like a flame, officials play and spin
23 the blame, and all of us are bracing, racing
24 facing the abyss.

25 What part of Fukushima did you
26 somehow miss? Human kind is human kind and
27 we all make mistakes. Hard sometimes to not
28 be blind and fall for fakes. But even now,

1 before our eyes, it is in the sea, it is the
2 skies. You know we can prioritize, air,
3 water, come on guys.

4 What part of Fukushima do you need
5 clarified? What happens when the plate
6 tectonics slip and slide? And when it blows,
7 what happens then? It isn't if, you know
8 it's when. And we are going to be petrified,
9 we are going to run, we are going to hide.

10 What part of Fukushima do you not
11 understand? How then can even FEMA ever lend
12 a hand. The time to make the break is now,
13 to wind and wave and solar power. If we are
14 going to live, nuclear power must be banned.

15 Wrap your mind around Fukushima. It
16 is no time to be a dreamer. It is no time to
17 be a schemer.

18 Google Fukushima, take a stand.

19 ALJ DARLING: Thank you, Mr. English,
20 for the most creative presentation today.

21 COMMISSIONER FLORIO: When you said you
22 were from Hollywood I should have seen that
23 coming.

24 (Laughter)

25 MR. MASSEY: You saw it coming.

26 ALJ DARLING: Mr. Harris.

27 STATEMENT OF MR. HARRIS

28 MR. HARRIS: It is my pleasure to

1 follow that act.

2 ALJ DARLING: Do you dance?

3 (Laughter)

4 MR. HARRIS: Good evening, Commissioner
5 Florio and Judge Darling. Thank you again
6 for your service and being here tonight to
7 allow us to be in front of you.

8 My name is Jeremy Harris. I'm the
9 President and CEO of Garden Grove Chamber of
10 Commerce. We are a 325 member strong,
11 Central Orange County here. Here tonight to
12 speak to you regarding San Onofre, of course,
13 and Edison's plan to restart SONGS, and the
14 impact it has on our community and our
15 businesses.

16 As you are all aware, nuclear energy
17 continues to be offered at nearly unlimited
18 production, low-cost electricity to a lot of
19 the businesses throughout our good community.
20 We believe that Southern California Edison
21 provides reliable energy service and has
22 always been on the forefront of new
23 technologies, has also been there for
24 businesses in order to help businesses save
25 on costs. For example, the chambers are on
26 record supporting Edison's smart metering
27 program, its utility's energy efficient
28 programs, enhanced electrician -- electric

1 transportation systems and established smart
2 grids.

3 This is just another example how we
4 believe in Garden Grove Edison is staying
5 ahead of the curve in allowing the utility to
6 remain competitive while offering its
7 customers with more accurate and timely usage
8 information, again once for their members and
9 their customers.

10 Furthermore, I believe SONGS is a
11 critical part of the overall electricity
12 network and -- that many of us depend on,
13 including us in Garden Grove. Now Edison is
14 currently in the steps of instituting safe,
15 reliable affordable electricity by outlining
16 their plan to restart SONGS.

17 We in Garden Grove understand the
18 necessary precautions used to take when
19 dealing with nuclear energy as well. We also
20 understand the regional impact that SONGS can
21 have on the greater regional economy due to
22 many businesses watching and counting every
23 dollar and penny they earn, especially when
24 it comes to their bills.

25 Our chamber is the leader when comes
26 to business in our community. We also know
27 that in order to lead we need to ensure that
28 not only the business community is protected,

1 but residences and communities that are
2 surrounding Garden Grove help enhance us to
3 do business. We urge the Commission to
4 consider Edison's plan for SONGS with the
5 mindset of success for all, and with the
6 understanding that this is a serious issue
7 with critical impacts for many stakeholders,
8 including business.

9 We take considerable pride in making
10 sure businesses are protected from
11 unreasonable rate increases. We know there
12 is also a cost of doing business as well.

13 Edison can be commended for paving
14 the way for more efficient, sustainable
15 consumer-friendly market throughout our
16 region. And it is a testament to what
17 they've done in Garden Grove. We hope this
18 will continue, and you will take this into
19 consideration with your decision.

20 Thanks for your time tonight.

21 ALJ DARLING: Thank you.

22 Next speaker is Myla Reson.

23 STATEMENT OF MS. RESON

24 MS. RESON: Good evening.

25 You know, I've got to say I've been
26 sitting here since this afternoon. And I get
27 this feeling that I'm in this sort of
28 modern-day surreal enactment of that old

1 children's story *The King's New Clothes*.
2 Where everybody knew that the king was butt
3 naked, and yet it took a child to say, "What
4 clothes?" Here we could call the story
5 nuclear power is safe instead of *The King's*
6 *New Clothes*. Because we all know that the
7 term "safe nuclear energy" is a total
8 oxymoron.

9 It is safe we hear from chamber of
10 commerce representative after chamber of
11 commerce representative. It is safe we hear
12 from Pete Dietrich. It is safe we hear from
13 various officials. It is safe until it is
14 not safe. It is safe until it is not.

15 We are almost two years past
16 Fukushima. The NRC was supposed to or is in
17 the process of looking at lessons learned
18 from Fukushima. They gave their first report
19 back recently within the last couple of
20 weeks, and they say they have not yet gotten
21 to addressing beyond design events. "Beyond
22 design events" are events like earthquakes
23 greater than the plants are designed to
24 withstand.

25 There -- San Onofre sits on, what,
26 three earthquake faults, in a tsunami zone.
27 One of the most irresponsible things done in
28 this state and in this country was to allow

1 Diablo Canyon and San Onofre to start
2 generating high-level, radioactive waste on
3 fault lines in Southern California and Diablo
4 Canyon.

5 We've got decades and decades of
6 high-level waste crammed into overcrowded
7 cooling ponds that require constant cooling
8 to prevent meltdown. What happens if we get
9 that great shaking quake? What happens when
10 we get that tsunami? We cannot allow Edison
11 to generate anymore waste.

12 Pete Dietrich talked about everybody
13 is prepared for these emergencies, as other
14 people have said. But we are not prepared
15 for an 8.0 at San Onofre and a core meltdown.
16 We are not prepared for that. There is no
17 evacuation plan. It is utterly
18 irresponsible, criminally irresponsible, to
19 go forward. Thank you.

20 ALJ DARLING: Thank you.

21 Next speaker, Frank Forbaath.

22 STATEMENT OF MR. FORBAATH

23 MR. FORBAATH: Appreciate you all being
24 here.

25 I'm Frank Forbaath. I've lived my
26 full life, with the couple of exceptions, in
27 California rather, LA and Orange County.
28 With time in the Navy, World War II, naval

1 officer, and a few other things, et cetera.
2 But anyway, I'm trying to say I'm a little
3 bit older than some here, and I may stutter
4 along the way.

5 But I have several thoughts here,
6 but everybody has covered most of those so
7 well. Let me start, let me essentially say
8 that I was surprised how -- that you had a
9 fairly good audience out here with lots of
10 people from various areas. But I found out
11 about this through TURN, the utility reform
12 group. The *LA Times*, they sent it to me in a
13 card. The *LA Times* talked about the utility,
14 public utility -- I'm sorry, the federal, the
15 federal...

16 ALJ DARLING: The NRC?

17 MS. FORBAATH: NRC was speaking, but
18 that is the only message I got except through
19 TURN, which surprised me. It may have been
20 the *Pilot*. We read almost all of that, but
21 the *LA Times* didn't see to cover it. They
22 cover -- but anyway. The LA -- I'm sorry.

23 ALJ DARLING: Let me ask you,
24 Mr. Forbaath: You are an Edison customer?

25 MR. FORBAATH: I am.

26 ALJ DARLING: You did get a notice in
27 your bill. Did you see that?

28 MR. FORBAATH: I did not.

1 ALJ DARLING: I take your point that a
2 lot of people don't see the bill insert. I
3 did want to make sure, or at least determine
4 whether you are an Edison customer. Thank
5 you.

6 MR. FORBAATH: Let me ask you: What
7 was the statement in there? I don't care
8 about the exact wording. Was it a big notice
9 come to the meeting or was it a little notice
10 somewhere? How was it presented?

11 ALJ DARLING: Is it half page,
12 Mr. Worden?

13 MR. WORDEN: It is a folded page. It
14 is a stand-alone piece of paper inside the
15 bill.

16 ALJ DARLING: Our Public Advisor's
17 Office approves the language and the format
18 and the font type. It was our direction that
19 Edison put that bill notice to every single
20 customer, not just those in the immediate
21 area. But I take your point that not
22 everyone, in fact a lot of people don't see
23 those notices.

24 MR. FORBAATH: Related to that, we have
25 sons, one of our several sons, kids, lives in
26 San Clemente within less than a mile from
27 that. He was surprised. He works there in
28 Costa Mesa. He is a lawyer. He didn't know

1 about it. So I'm glad it came about the two
2 sets of meetings.

3 So that is answered much in my
4 problem. But I would just like to point out
5 that you obviously got mayors' attention,
6 because there were a number of mayors here.
7 But I called, not knowing who was going to be
8 there, even the scope of this. But anyway,
9 the city clerk's office, they checked with
10 several secretaries of the various
11 departments. They said there was nobody on
12 record, nobody, had no record of any in the
13 city council, et cetera. Mr. Messenger was
14 here, so he obviously heard about it. But
15 none of the secretaries knew about it. That
16 was one of my concerns.

17 And secondly, I'm interested in --
18 was interested in the scope of this, because
19 the comment I got, I'm not sure how much that
20 was said by Edison, but I had no idea. And I
21 checked with a couple of other people here,
22 City of Costa Mesa people, primarily my son.
23 I would like to point out that that needs to
24 be highlighted so the people know not only
25 when but what is the scope, what is the
26 purpose of it? I'll get a partial answer,
27 thanks to you, but the purpose ought to be
28 clearly stated.

1 If I could urge you to do that in
2 the future. Because -- anyway, I'm now
3 repeating myself of my knowledge. Maybe the
4 announcement in the Edison was specific about
5 the scope. But I can see that that might be
6 missing based on -- I'm just being skeptical,
7 but I will not accuse them. Anyway, I don't
8 understand the scope, because I have
9 information I was going to discuss about some
10 of the technical aspects of this. I'm a bit
11 of a technocrat, background with a few
12 degrees, et cetera. I'm just concerned about
13 some areas which I won't touch about, because
14 the scope didn't allow me to decide whether I
15 should come.

16 But I think that is all I should
17 say. Please answer.

18 ALJ DARLING: Yes. A couple of things,
19 Mr. Forbaath.

20 One, I appreciate you letting us
21 know about the fact that this information
22 came late to you and was hard to find. We
23 have been working a lot on trying to expand
24 our notice to the public. We undertook an
25 outreach to local governments. We undertook
26 an outreach to community groups and to the
27 local press, both print and broadcast, to try
28 to get coverage of this. I have seen some

1 articles in the paper.

2 My experience --

3 MR. FORBAATH: In local papers that
4 cover Orange County?

5 ALJ DARLING: Yes.

6 MR. FORBAATH: The *Register* may have
7 covered that.

8 ALJ DARLING: The *Register* did do
9 something.

10 But it has been my experience at
11 public participation hearings that most
12 people hear about it from an organization or
13 from the newspaper or some media form rather
14 than their notice. And I think that we are
15 trying to work on that and make sure that we
16 dovetail with the notices. The notices that
17 go into the bill, the bill inserts, is the
18 only way we know for sure that everyone has
19 an opportunity to have the notice because it
20 goes to everyone.

21 Recognizing that that has its
22 limitations, and your remarks only amplify
23 that, that we do need to do more about using
24 the press and the media and community groups
25 to get the word out. I appreciate your
26 comments about that.

27 Second, you said you had some
28 additional comments. I would like to

1 encourage you to speak with the Public
2 Advisor outside. They will take written
3 comments. They will tell you how to submit
4 those by e-mail or letter so it gets to us
5 and the commissioners, other than
6 Commissioner Florio. We would love to hear
7 what you have to say.

8 So if you want to take your time and
9 put something in writing to us, we are happy
10 to read it.

11 MR. FORBAATH: I have nothing magic to
12 say. Some people who are obviously better
13 qualified in technical areas, but I will let
14 it go at that time.

15 Just one last response to you, what
16 you just said. I did hear it was 6 o'clock.
17 I was late. I heard it on the 6 o'clock news
18 that there was this meeting here. Now, this
19 is -- this was -- we were out this morning.
20 I heard the news several times today, but I
21 never heard that. And 6 o'clock tonight
22 about a meeting tonight when you also had one
23 in the afternoon, it may have been on the
24 news this afternoon because there is a lot of
25 repetition, but I heard it on PBS radio, on
26 the air. That was pretty late to be heard.

27 So I would throw it out, maybe you
28 need to do a more complete job. Let me let

1 it go at that.

2 ALJ DARLING: We have a bit of a hard
3 time interesting media ahead of time.

4 But I absolutely agree with you that
5 more could be done to get the information
6 out. I'm very appreciative, we are both very
7 appreciative that you came today to provide
8 the comments that you have. I encourage you
9 to consider getting into our subscription
10 service. You get further announcements about
11 proceedings.

12 MR. FORBAATH: What is that?

13 ALJ DARLING: You can talk to the
14 Public Advisor. They are up here at the
15 table. They will let you know how you can
16 sign up to get notices about what is going on
17 in this proceeding.

18 MR. FORBAATH: It would be nice if they
19 had a form here.

20 ALJ DARLING: They do.

21 MR. FORBAATH: In the way -- form for
22 that?

23 ALJ DARLING: Yes.

24 MR. FORBAATH: It would have been nice
25 if you had been explicit on what exactly what
26 you had, what the scope of this meeting was
27 going to be. I realize you gave me a partial
28 answer to that. I don't want to push that

1 further. I think that is very important,
2 because we all various skills and various
3 time limits.

4 ALJ DARLING: Thank you very much for
5 coming on short notice. We appreciate your
6 time.

7 MR. FORBAATH: Thank you.

8 COMMISSIONER FLORIO: I would just say
9 to everyone here, I mean we struggle as a
10 state agency to figure out the best way to
11 get information out to the public. And
12 anybody that has good ideas about how we can
13 do better, the lovely lady in red over here,
14 Karen Miller, you can call her, e-mail her,
15 talk to her this evening. If you think of
16 something tomorrow, you know, send us an
17 e-mail and note, because it is something that
18 we continue to try to work on to do better.
19 And it is just tough in a state with over 30
20 million people to try to make sure everybody
21 knows what is going on. Our process is
22 inevitably better as we get input from the
23 public.

24 Thank you all very much.

25 ALJ DARLING: The next speaker,
26 Valentin Poiset. Tell me that was close.

27 STATEMENT OF MR. POISET

28 MR. POISET: That was close.

1 I want to begin by thanking the
2 California Public Utilities Commission for
3 holding this hearing and for seeking public
4 input on the San Onofre investigation.

5 My question relates to the hearing
6 held last month sponsored by the Nuclear
7 Regulatory Commission, which was attended by
8 SDG&E, Edison, and presumably by a
9 representative of the CPUC.

10 At the hearing I specifically asked
11 the panel from the NRC if the information
12 they obtained regarding the San Onofre
13 Nuclear Generating Station, commonly referred
14 to as SONGS, was disseminated equally among
15 the stakeholders as defined in public
16 citizen's guide. Stakeholders are defined as
17 the public, the media, the Congress, NRC
18 licensees, such as SDG&E as well as Edison,
19 other federal agencies and departments, also
20 federal, state, tribal, and local
21 organizations, as well as the international
22 community.

23 In the light of this comprehensive
24 list, I believe it is safe to presume that
25 the CPUC is considered an important
26 stakeholder the NRC would recognize as
27 instrumental in maintaining effective
28 relations and communications.

1 Senator Boxer has stated in an open
2 published letter that the operators of SONGS
3 knew that the steam generators were flawed
4 before they installed -- before they were
5 installed in the plant. Specifically,
6 Senator Boxer refers to the document --
7 refers in the document to the manufacturers
8 of the generators, Mitsubishi Heavy
9 Industries. According to Senator Boxer, the
10 document shows that Southern California
11 Edison, the operative and majority owner of
12 the plant. And Mitsubishi wrote, quote,
13 serious problems with the design of the steam
14 generators before they were installed almost
15 four years ago in 2009 and 2010.

16 My question is two-fold. First of
17 all, in light of this report and the
18 disclosure by our esteemed senators was, and
19 if so, when was California Public Utilities
20 Commission informed there were, quote,
21 serious problems? If the CPUC was informed,
22 why did they not disclose this information to
23 the public as required in California Public
24 Utilities Commission Code?

25 As well, if they were, excuse the
26 pun, kept the dark, why would CPUC even
27 consider the ratepayers responsible for
28 something that SDG&E knew were flawed before

1 they installed the steam generators and kept
2 hidden from the public for four years?

3 Thank you.

4 ALJ DARLING: Two things in response to
5 your comments. One, I want to assure you
6 that the California Public Utilities
7 Commission is very closely monitoring all of
8 the action at the Nuclear Regulatory
9 Commission regarding SONGS, both the Energy
10 Division, the director is here today, as well
11 as our Safety and Enforcement Division is on
12 the lookout for anything that would fall
13 within their purview. So there is very close
14 monitoring and cooperation in terms of
15 getting information.

16 Now, with respect to that particular
17 report by Mitsubishi, the vendor of the
18 generators, that is something that this
19 Commission has been asking for. I think
20 parties in the proceeding have been asking
21 for it.

22 So the last, as I understand,
23 perhaps Mr. Randolph can correct me if you've
24 got more updated information, my
25 understanding is that there has been a
26 representation to the Energy Division that
27 the report would be released soon in it is
28 partially redacted form because there is some

1 proprietary information, they claim. We
2 don't know what is there. We don't know what
3 would be redacted. We want it so we can look
4 at it, and then we might wind up complaining
5 about what has been redacted. We don't know
6 what is in it. We haven't seen it yet.

7 We've contacted everyone from
8 Senator Boxer's office forward to try to get
9 that report. We understand the process is
10 under way to get it released.

11 Mr. Randolph, do you have anything
12 more recent about that?

13 MR. RANDOLPH: No. We still haven't
14 received the letter. We are trying to get
15 the letter.

16 ALJ DARLING: So when we get it, we
17 will make sure that we can make it as public
18 as possible and certainly will refer it to
19 both our Energy Division and our Safety and
20 Enforcement Division.

21 MR. POISET: So as of now you guys have
22 no idea what is in the letter, redacted or
23 not?

24 ALJ DARLING: We have not seen the
25 Mitsubishi report. We have only seen a press
26 report of the statement and letter from
27 Senator Boxer to the NRC.

28 As I said, we immediately contacted

1 Senator Boxer's office, and they were not
2 able to provide the report to us. So we went
3 straight to the NRC. We have a variety of
4 avenues being pursued to get that report. We
5 have representation from NRC that they will
6 be releasing it to us and to the public.

7 MR. POISET: Thank you.

8 ALJ DARLING: All right. Melissa
9 Levine.

10 STATEMENT OF MS. LEVINE

11 MS. LEVINE: I'm a native Californian
12 also. And -- but I'm a bit of a beginner's
13 mind with this, because my specialty, or what
14 I have a website on is
15 stopsmartmetersirvine.com.

16 Right now I'm paying an opt-out fee
17 for carcinogenic smart meter from being on my
18 house. And I think that what the DRA -- I'm
19 also finding out that I'm paying in my bill
20 for San Onofre, which is off-line. And I
21 think that -- I agree with the DRA that they
22 should definitely do refunds. I'm glad you
23 are investigating that.

24 I think I was about 10 years old
25 when they built San Onofre. I just remember
26 sitting in my fourth grade classroom and
27 looking at a picture that they had in the
28 book telling us about the miracle of nuclear

1 power, that this is going to be so wonderful.
2 I remember that. This is the time of the
3 Vietnam War.

4 But -- and as I said, this is not my
5 expertise, but that my gut is we've got a
6 nuclear power plant that cannot withstand an
7 earthquake more than 7. And we have what
8 happened in Japan, and I'm very concerned.
9 And then the letter from Barbara Boxer saying
10 that Edison knew that these steam generators
11 were defective.

12 So I do not support San Onofre being
13 restarted. I support that it be shut down
14 permanently. So that --

15 (Applause)

16 MS. LEVINE: All the representatives
17 from the -- I was really surprised by all the
18 suits from the city councils who are -- I
19 also am in support of business. I'm in
20 support of the businesses being able to
21 survive here.

22 And also I have a lovely home in
23 Irvine, and I want to stay in Irvine. I
24 don't want my children or everybody to have
25 to leave. This is such a beautiful place.

26 And so anyway and also -- yeah, that
27 is it. Thank you.

28 ALJ DARLING: The next speak is Matthew

1 Poiset, John Black, Bob Simpson, Jerry
2 Collamer. Come forward, please.

3 STATEMENT OF MR. POISET

4 MR. POISET: How are you?

5 ALJ DARLING: Fine.

6 MR. POISET: I've prepared some remarks
7 here. I wanted to start by saying my family
8 has been ratepayers here in San Diego since
9 1947 where my dad first moved out to -- after
10 World War II. I've been born and raised in
11 San Diego.

12 I would like to say that, maybe to
13 the chagrin to some of the people here in the
14 audience, that as a child I drove past San
15 Onofre thousands of times. And I look upon
16 it still to this day just driving up here
17 from San Diego that -- in amazement. I think
18 it is a remarkable sign of our ingenuity and
19 our technological prowess. It makes me
20 personally proud to be an American to see
21 such an amazing facility.

22 It was sort of poetic. I was
23 driving up and -- just as the sun was setting
24 over the plant. And I was amazed to hear for
25 the first time just a couple of months ago
26 that approximately a year ago radioactive
27 steam was released from San Onofre.

28 And as I'm sure you are well aware

1 of, approximately one week ago the Chairman
2 of the United States Senate Committee on
3 Environmental Public Works and California's
4 own U.S. esteemed representative issued an
5 open letter to the chairman of the Regulatory
6 Commission directing the NRC to initiate an
7 investigation concerning a report issued by
8 Mitsubishi Heavy Industry called Route Cause
9 Analysis Report for a tube identified in Unit
10 2 and Unit 3 steam generators in San Onofre
11 Generating Station.

12 According to Senator Boxer, the
13 report was issued by Mitsubishi in 2012. The
14 report states that California Edison
15 licensee, which you are charged to oversee,
16 knew there were serious problems with design
17 of SONGS before they were installed.
18 However, according to Senator Boxer based on
19 the report SCE and Mitsubishi rejected
20 enhanced safety modifications. According to
21 this report, SCE and Mitsubishi did so for
22 your nuclear regulatory agencies regulatory
23 authority.

24 According to this report you did
25 this to avoid more rigorous license and
26 safety review process. By all the
27 appearances, if a licensee rejected enhanced
28 safety modifications because of unacceptable

1 consequences, they buried this information
2 deliberately to circumvent authority. At a
3 minimum, this undermines the public
4 confidence, and at the worst possible, to
5 have certain criminal implications. This
6 report has not yet been released to the
7 public, but the NRC promised now to disclose
8 the report, albeit in redacted form, sometime
9 in the future.

10 The trouble, in some aspect of the
11 NRC, as you are well aware, held a five-hour
12 public meeting 10 miles from here less than
13 three weeks ago in January under the auspices
14 of informing the public.

15 My question to the Commissioner is
16 this: When do the licensees, Edison,
17 Southern California Edison, San Diego Gas &
18 Electric, inform the Public Utilities
19 Commission that the licensees were aware of
20 serious design problems? If and when the
21 California Public Utilities Commission
22 receive copy of the report?

23 I believe you answered that earlier
24 saying you've never received the report; is
25 that correct.

26 ALJ DARLING: That is right. As I
27 understand, that is something that the NRC
28 got from Mitsubishi.

1 MR. POISET: How long ago, do you know?

2 ALJ DARLING: I do not know.

3 MR. POISET: Some time ago?

4 ALJ DARLING: I've only seen the press
5 report.

6 MR. POISET: Yeah, that is crazy.

7 ALJ DARLING: Mitsubishi didn't give it
8 to us.

9 MR. POISET: Right. Additionally, how
10 can the California Public Utilities
11 Commission adhere to their responsibilities
12 of informing the public when they are either
13 not informed or information is deliberately
14 withheld pertaining to public safety?

15 It should not be a questioned that
16 the California Public Utilities Commission
17 should remove the value of any of the SONGS
18 facility from the rate base, which I believe
19 is the issue of this hearing. The question
20 should be what recommendations to the
21 Governor as well as State Attorney General of
22 fees, fines, sanctions and possible removal
23 of licenses from Edison and subsidiaries?

24 ALJ DARLING: All right.

25 MR. POISET: So I think what we need to
26 do here, from my opinion, is disconnect the
27 power plant in the sense it being stand-alone
28 facility.

1 And Edison, I don't understand why
2 somebody that would -- if this report is
3 correct, they are thwarting your authority.
4 They are thumbing their noses at you, or the
5 Nuclear Regulatory Commission is withholding
6 this information. And they need to be
7 removed as licensees of this -- I mean I
8 don't understand. I don't know why we are
9 actually contemplating paying them for hiding
10 this information from us.

11 I really appreciate -- I know you
12 guys are doing yeoman's effort here. This is
13 a lot of work. I appreciate you holding this
14 hearing, taking the time to listen what I
15 have to say.

16 Thank you very much.

17 ALJ DARLING: Thank you.

18 Mr. John Black.

19 STATEMENT OF MR. BLACK

20 MR. BLACK: Hi. John Black, long-time
21 resident of Southern California right here in
22 Orange County.

23 My heart goes out to the people that
24 are involved with Fukushima. I would like to
25 suggest we have a moment of silence for the
26 dead and injured from the nuclear
27 catastrophe. Not only there, but in --
28 people are still having ongoing problems from

1 Chernobyl also and Three Mile Island, those
2 now and in the future that will be dealing
3 with the ongoing problems from radiation
4 exposure.

5 (Moment of silence)

6 MR. BLACK: We've done fine without San
7 Onofre for over a year without any power from
8 that ticking time bomb down there in our
9 backyard.

10 And I really take offense to the
11 people that come in and read their scripts,
12 and you can see a pattern there after a
13 while. I wasn't here this afternoon,
14 probably more of a pattern. I've seen that
15 at the smart meters too. There was a
16 different administrative law judge there in
17 San Clemente in early December. You could
18 see the same kind of pattern going there. I
19 think it is very interesting.

20 I feel that Southern California
21 Edison should be held accountable for
22 delaying two years after it told the investor
23 community that the steam generator
24 replacement project was completed, to file
25 the actual costs incurred as ordered by the
26 CPUC.

27 The captive customers of the
28 monopoly of Southern California Edison and

1 SDG&E should be refunded the hundreds of
2 millions of dollars, we've already paid
3 through our electricity bills for those
4 defective steam generators, and be let off
5 the hook for the rest of the 700 million cost
6 of these flawed design steam generators now.
7 We should also be refunded the hundreds of
8 millions of dollars we have already paid
9 through our electric bill for all the
10 inspections, regulatory costs, and
11 replacement power that Edison's defective
12 design for these replacement steam generators
13 has cost us over the past year, and be let
14 off the hook in the future for that also.

15 Edison must be stopped from running
16 up the bills in the hundreds of millions of
17 dollars to get defective San Onofre Unit No.
18 2 nuclear reactor ready to restart in advance
19 of the requisite approval by the USNRC. Both
20 of these defective nuclear reactors must be
21 decommissioned now rather than continue as a
22 financial burden to Edison's and SDG&E's
23 captive customers, and to hinder California's
24 deliberate innovations toward a renewable
25 economy. We've already paid \$3 billion, it
26 is my understanding, into decommissioning
27 trust fund for this nuclear power plant
28 through our electric bills.

1 We need the California Public
2 Utilities Commission to act promptly to
3 protect Californians from unreasonable rates
4 for and unreliable service from these
5 defective nuclear reactors.

6 Thank you.

7 ALJ DARLING: Thank you.

8 Mr. Bob Simpson.

9 STATEMENT OF MR. SIMPSON

10 MR. SIMPSON: Thank you, your Honor,
11 Commissioner. I'm Bob Simpson, President of
12 Cypress College.

13 I, like others who have spoken
14 tonight, am interested in low rates, reliable
15 and safe electricity. But I'm not an expert
16 on nuclear reactors, electrical power
17 generation, or rate determination. I find it
18 necessary to rely upon the integrity and
19 expertise of our regulators, commissioners,
20 and SCE to appropriately address the issues
21 and concerns related to operations at San
22 Onofre.

23 What I wish to address this evening
24 is SCE's positive and productive involvement
25 with our local community and with Cypress
26 College specifically. They have supported
27 the college, and they've supported our
28 students with personal involvement, with

1 professional expertise, and with financial
2 support. I believe these actions exemplify a
3 responsible and involved community partner.

4 Throughout this process of review I
5 believe SCE has likewise acted responsibly
6 and demonstrated genuine concern for public
7 safety. I believe SCE has demonstrated the
8 ability to work cooperatively with the
9 Commission and the nuclear -- with the Public
10 Utilities Commission and Nuclear Regulatory
11 Commission moving forward.

12 I appreciate your presence and the
13 opportunity to speak. Thank you.

14 ALJ DARLING: Thank you.

15 Mr. Jerry Collamer.

16 STATEMENT OF MR. COLLAMER

17 MR. COLLAMER: Good evening. Sincere
18 thank you, guys, for being here, spending an
19 entire day listening to all this. I wasn't
20 here earlier, but I know a lot of people
21 were. So I know everything has been covered
22 25 times to Tuesday.

23 I live in San Clemente. My wife and
24 I are native Californians. We were here
25 before SONGS, and we are here now with SONGS.
26 I've been to all of these conversations for
27 the past 10 years when they used to be --
28 when these rooms used to be mostly empty.

1 The word that I would like to have
2 removed from the dialogue if I were king and
3 we were talking about SONGS, exclusively
4 SONGS, is the word "reliable." I would like
5 to take that out of the conversation, because
6 it has not been reliable. It is turned off.
7 It might never be turned back on. I hope it
8 will never be turned back on.

9 So what concerns me, we are talking
10 about energy here. We are talking about
11 electrical energy and talking about public
12 energy. And what SONGS is doing for the
13 minuscule amount of electricity that it
14 produces, even when it is running, if they
15 were running the one generator 70 percent it
16 would produce 2-1/2 percent of its output for
17 the danger of the 1400 tons nuclear waste
18 sitting there on top of three earthquake
19 faults. This is crazy. The plant must be
20 shut down and not turned back on.

21 I will tell you all accolades to the
22 SONGS people for not letting that thing blow
23 up, because we know it is a creaky, leaky,
24 rusty thing. And it has got bad -- they put
25 bad mechanisms into it knowing it. So this
26 is what it has done. It is sucking the
27 public energy.

28 We can do everything else if we

1 could just -- and Edison can do this because
2 they are a brilliant company. If we can get
3 off this nuclear thing in California and put
4 all of our energy into every other kind of
5 energy. This SONGS thing is sucking us dry.
6 It is killing us. Thank you.

7 ALJ DARLING: Thank you. Is there
8 anyone here who has not previously addressed
9 this proceeding, made statements at this
10 public hearing that would like to at this
11 time?

12 STATEMENT OF MS. SULLIVAN

13 MS. SULLIVAN: I signed up to speak as
14 an individual, not as a representative.

15 ALJ DARLING: You are Ms. Sullivan,
16 right? Do you have something that doesn't
17 repeat what you said before? You have new
18 information?

19 MS. SULLIVAN: Yes.

20 ALJ DARLING: You did speak before.

21 MR. SULLIVAN: I was representing Kevin
22 Beiser, Vice President of the San Diego
23 Unified School District. I would like to
24 speak as an individual ratepayer.

25 ALJ DARLING: Sure, that is fine. I
26 want to make sure that no else that hasn't
27 had an opportunity to speak. All right. You
28 may come up.

1 Martha Sullivan.

2 MS. SULLIVAN: Thank you. I appreciate
3 it.

4 Again, my name is Martha Sullivan.
5 I am an SDG&E ratepayer. I'm also a small
6 businessowner in San Diego. I would like to
7 address a few things that I've heard
8 throughout the afternoon and evening by
9 supporters of Edison and restarting Unit 2.

10 It cannot be a coincidence that
11 Edison's rates are 50 percent higher than the
12 Sacramento Municipal Utility District which
13 has no nuclear power. It cannot be a
14 coincidence that the second highest rates of
15 California after Edison is SDG&E, which has a
16 higher ownership percentage than LADWP, which
17 is about 7 percent of nuclear power plant and
18 is still 50 percent lower rates than Edison.
19 So I want to make that really strong point.
20 Everybody keeps talking about how San Onofre
21 keeps rates low isn't doing their math.

22 Secondly, we do need to rethink
23 this. We need to move forward. I've got a
24 report here that talks about large
25 corporations who are installing fuel cells on
26 sites at their facilities so that they have
27 independent power on site. For example, a
28 400 kilowatt UTC Power cell at San Diego

1 Albertson is estimated to prevent 478 metric
2 tons of CO2 emissions per year, while a Whole
3 Foods in Fairfield, Connecticut provides 90
4 percent of the store's power while creating
5 therm energy for the store heating, cooling,
6 and refrigeration. This will prevent the
7 release of more than 847 metric tons of CO2
8 annually.

9 Fuel Cells 2000 says it has
10 identified 24 new companies using the
11 technology since its last report in 2010.

12 So there are other ways for us to
13 generate our electricity and meet
14 California's 33 Percent Renewable Portfolio
15 Standard, as well as keep greenhouse gases
16 down. We don't have to rely on an antiquated
17 technology that students don't even want to
18 learn about, because they can see there is no
19 future in it.

20 Finally, I would like to cite the
21 Commission itself which last summer reported
22 that California is now generating 1255
23 megawatts of electricity from over 122,000
24 rooftops, which is more than generated by one
25 of the San Onofre units when it was
26 operating. Rooftop solar installation can be
27 done in a matter of months, not the years the
28 power plant construction requires.

1 I would also like to point out that
2 in 2010 the California Air Resources Board
3 estimated that 150 permanent jobs are created
4 for each 100 megawatts of local solar. In
5 San Diego County alone, we've only installed
6 2 percent of our rooftop and parking lot
7 capacity. There is a huge growth potential
8 here.

9 So all this business about we've got
10 to have San Onofre to meet our electricity
11 needs is not true at all. They need to be
12 thinking forward and not looking back.

13 ALJ DARLING: All right. I see a hand
14 back there. Both of you gentlemen have
15 spoken before. I'll give you one minute
16 each. Our rental time is just about done, or
17 our allotted time. You may have one
18 additional minute since you've addressed this
19 hearing before. If you have something
20 additional to say that is new, that is
21 different, you've got a minute.

22 STATEMENT OF MR. EDER

23 MR. EDER: I gave up a minute because I
24 thought we were going to be able to speak
25 this evening. That is what they told us at
26 the desk when we went there.

27 ALJ DARLING: Well, you are free to --
28 I think that the Public Advisor told you at

1 the end of this session if there was time.
2 We have a little bit of extra time, so you
3 have one minute.

4 MR. EDER: I also got a minute when
5 there is 12 more?

6 Anyway, PG&E went bankrupt 10, 12
7 years ago. Southern California Edison was
8 within hours of going bankrupt. You could
9 have bought up the whole transmission and
10 distribution system for \$10 billion for the
11 whole state.

12 It is time that the state of
13 California take over the transmission and
14 distribution systems that -- Edison and PG&E
15 just take contracts to maintain it, and they
16 change their function in society. That the
17 state, and PUC, the CEC, CARB, come together
18 and make solar -- to convert to solar
19 renewables in the state.

20 You can store it in batteries. In
21 Kansas they passed a law three years ago.
22 They are going to salt dunes, and they are
23 storing through their windmills. They run at
24 night and use them for peakers during the
25 day. The technology is there. The will has
26 to be there.

27 The governor is now looking at 40 or
28 50 percent by 2020 solar, because these

1 companies are coming to them and saying they
2 are going to leave the state and go to
3 somewhere else. They will go to Texas to do
4 it. We need the jobs and the work here.

5 ALJ DARLING: Can you give your name?

6 MR. EDER: My name is Harvey Eder. I'm
7 with the Public Solar Power Coalition.

8 ALJ DARLING: Thank you very much.

9 This will be our last speaker. Sir,
10 could you identify yourself for the record.

11 STATEMENT OF MR. CAMPBELL

12 MR. CAMPBELL: Good evening, I'm still
13 Bruce Campbell.

14 So anyway, obviously lots of talk
15 here about green emission, nuclear power.
16 Nuclear power has the highest carbon
17 footprint of any nonfossil fuel energy
18 source. One example is that two coal plants
19 are needed to power one uranium enrichment
20 facility at Oak Ridge, Tennessee. Then there
21 is many other emissions involved with the
22 nuclear fuel cycle.

23 Also, look at potential numbers of
24 workers who can be employed by various energy
25 sources.

26 Also, as far as agriculture areas
27 that could be severely zapped by San Onofre
28 versus the -- Escondido, Fallbrook ag area in

1 San Diego County, Imperial Valley, Coachella
2 Valley, Riverside County, those would be
3 basically finished off. Oxnard, Southern San
4 Joaquin Valley will be severely impacted,
5 Monterey Salad Bowl, and Northern San Joaquin
6 Valley, and Southern Sacramento Valley will
7 also be impacted.

8 And what has happened to
9 conservation fund money? I hear SCE had
10 maybe half a billion that sort of disappeared
11 after they ended their program. What
12 happened to that money?

13 And...

14 ALJ DARLING: Let's wrap it up, please.

15 MR. CAMPBELL: Once again, I'll remind
16 you apparently the PUC had a 2005 study that
17 concluded that if only one reactor was
18 operating at San Onofre that is not
19 financially viable. It sounds like the
20 conclusion has already been made, or it seems
21 like it. And...

22 ALJ DARLING: And thank you?

23 MR. CAMPBELL: And also there is
24 January 9th *LA Times* article that there could
25 be a statewide earthquake, and I'll get that
26 to your records if you haven't seen that.

27 ALJ DARLING: You are welcome to submit
28 that in writing.

1 Thank you very much for attending
 2 tonight. We can't do our job unless we hear
 3 from the public. This has been very helpful.

4 Please feel free to speak to the
 5 Public Advisor if you want to get involved or
 6 get information on this proceeding.

7 We are now adjourned.

8 (Whereupon, at the hour of 8:50
 9 p.m., this Public Participation Hearing
 concluded.)

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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)	Investigation
California Edison Company and San)	12-10-013
Diego Gas and Electric Company)	
Associated with the San Onofre)	
Nuclear Generating Station Units 2)	
and 3.)	

CERTIFICATION OF TRANSCRIPT OF PROCEEDING

I, Ana M. Gonzalez, Certified Shorthand Reporter No. 11320, in and for the State of California do hereby certify that the pages of this transcript prepared by me comprise a full, true and correct transcript of the testimony and proceedings held in the above-captioned matter on February 21, 2013.

I further certify that I have no interest in the events of the matter or the outcome of the proceeding.

EXECUTED this 21st day of February, 2013.

Ana M. Gonzalez
CSR No. 11320

BEFORE THE PUBLIC UTILITIES COMMISSION
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CERTIFICATION OF TRANSCRIPT OF PROCEEDING

I, Gayle Pichierri, Certified Shorthand Reporter No. 11406, in and for the State of California do hereby certify that the pages of this transcript prepared by me comprise a full, true and correct transcript of the testimony and proceedings held in the above-captioned matter on February 21, 2013.

I further certify that I have no interest in the events of the matter or the outcome of the proceeding.

EXECUTED this 21st day of February, 2013.

Gayle Pichierri
CSR No. 11406