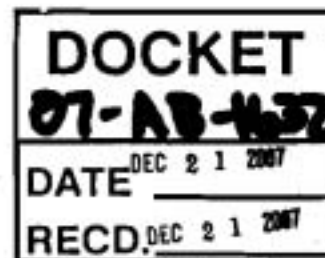


December 21, 2007

Barbara Byron
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Executive Office
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Email: BByron@energy.state.ca.us

**Re: AB 1632 - Nuclear Power Plant Assessment (Docket No. 07-AB-1632):
Comment of Southern California Edison Company (SCE) on Draft Study Plan**

Dear Ms. Byron:

SCE appreciates having the opportunity to comment on the Draft Study Plan, dated November 30, 2007, concerning the AB 1632 Nuclear Power Plant Assessment (Draft Study Plan). The Draft Study Plan, on page 2 states: "California's two operating nuclear power plants, Diablo Canyon and the San Onofre Nuclear Generating Station (SONGS), contribute a significant portion of California's electrical supply." SCE strongly concurs that SONGS is an important part of SCE's generation portfolio providing cost-effective energy that is essentially free of greenhouse gas (GHG) emissions. SONGS is also a safe, reliable baseload generation plant that offers valuable grid stability for Southern California.

As the California Energy Commission (CEC) moves forward with its AB 1632 Nuclear Power Plant Assessment, SCE urges the CEC to faithfully follow the language in Public Resources Code Section 25303(a)(8)(A), codified in AB 1632, requiring "compilation and assessment of existing studies that have been performed by persons or entities with expertise and qualifications in the subject of the studies." The CEC should rely on existing studies performed by Nuclear Regulatory Commission (NRC) which has the relevant expertise regarding seismic, plant aging, and on-site storage issues raised by the Draft Study Plan.

SCE will assist the CEC in identifying existing publicly available studies. That being said, SCE, as Operating Agent for SONGS, can only provide completed studies that address SONGS. SCE can provide information which is specific to its role as co-owner of Palo Verde but only Arizona Public Service, Operating Agent for Palo Verde, has the ability to provide other information about Palo Verde. In addition, SCE is required by NRC regulations to protect Safeguards and Security-Related Sensitive information in the interest of public health and national security. SCE's letter, dated December 12, 2007, in this docket provides more detail on Safeguards and Security-Related Sensitive information and limitations on SCE's ability to provide it to the CEC.

AB 1632 calls for the "compilation and assessment of existing scientific studies." Some topic areas identified in the Draft Study Plan require completion of new work that is beyond the scope of AB 1632. For example, Task 2, Topic Areas 2 and 3, and Task 4, Topic Area 8, request study information that does not exist at this time. Specifically, Task 2, Topic Areas 2 and 3, request studies of time to repair and/or replace systems, structures, or components after a major seismic event or tsunami. Task 4, Topic Area 8, requests a cost/benefit analysis of license renewal for SONGS. The assessment should not initiate new studies. The CEC should amend the Draft Study Plan to remove these topic areas and scopes of work for which studies do not exist. If Task 4, Topic Area 8, is retained in the study scope, any cost/benefit analysis performed would be preliminary and should look at the cost/benefit to the State of California, rather than to ratepayers of the SONGS co-owners, which should be considered in appropriate rate-setting forums (i.e., the CPUC and the City of Riverside).

As another example of an activity beyond the scope of AB 1632, Task 3, Topic Area 4, states, in part: "Summarize the current state of knowledge regarding these faults, . . . and determine whether assessments of the plant's vulnerability and seismic frequencies require updating or modification." The assessment cannot establish new requirements or conditions for operation. The CEC should modify this language to clarify that the AB 1632 Nuclear Power Plant Assessment will not establish new requirements or conditions.

Task 5, Topic Area 4, second scope item includes the sentence "Identify the possible nature, type and magnitude of terrorist attacks necessary to cause functional damage, as well as the damage/failure modes and the potential role of recovery actions to prevent or mitigate action." The CEC should delete this portion of this task, as public development of such material could provide a road map for those intent upon doing harm. SCE, as an NRC licensee, is precluded from participation in such a public assessment by federal law and regulation. See 10 CFR §73.21. At a minimum, the CEC should consult with the NRC directly before authorizing or undertaking any such study in public. The best course would be for the CEC to support protection of public health and safety and national security by eliminating this analysis from its Draft Study Plan.

Task 3, Topic Area 3, requests nuclear safety culture information about Palo Verde. Task 4, includes in its Representative List of Studies to be Reviewed for Impacts of Major Disruption Analysis: The review of Palo Verde 2005 Outages, Report of GDS Associates, Inc. on behalf of Utilities Division, Arizona Corporation Commission, dated August 2006. Consistent with AB 1632, SCE's understanding is that the CEC will consider these materials concerning Palo Verde only as they relate to the two operating generating stations in California: Diablo Canyon and SONGS.

SCE will assist the CEC in identifying studies and documents by the NRC, other government agencies, industry, and academics that would further the CEC's understanding of seismic, plant aging and on-site waste issues, for those areas where materials relevant to the task are publicly available. With regard to certain topic areas addressed in this letter, the CEC will not find relevant materials, and nothing can be done. SCE is willing to provide copies of studies and to respond to data requests seeking existing information. SCE is working to compile and will provide a list of relevant studies to the CEC by January 18, 2008. SCE intends: (1) to support data requests with relevant study information, and (2) provide technical support to assist complete understanding

of the studies, consistent with the requirements and the intent of federal law and the treatment of Safeguards and Security-Related Sensitive information.

SCE appreciated the opportunity to participate in the December 12, 2007 workshop. As SCE, and several other parties noted, at the December 12, 2007 workshop, there is a need for additional workshops in the schedule proposed in the Draft Study Plan as work progresses. The CEC would benefit from further workshops as parties could make the CEC and its consultants aware of additional materials and comments before the issuance of the complete draft of the AB 1632 Nuclear Power Plant Assessment report. This also allows for a more complete and thoughtful integration of comments into the final work product.

In conclusion, SCE urges the CEC to work closely with it and the public through the workshop process as it prepares the AB 1632 Nuclear Power Plant Assessment. SCE has been safely and successfully using nuclear power from SONGS to provide electricity to our customers since 1968. Nuclear power can and should be part of the portfolio that is used to achieve California's goals for lowering GHG emissions. SCE urges the CEC to modify the Draft Study Plan as indicated in these comments and move forward to work closely with the parties in preparation of AB 1632 Nuclear Power Plant Assessment.

Very truly yours,


Gary L. Schoonyan



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