



FILED

01-28-11
09:20 AM

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Pacific Gas and Electric Company to Recover the Costs Associated with Renewal of the Diablo Canyon Power Plant Operating Licenses. (U39E)

Application 10-01-022
(Filed January 29, 2010)

ADMINISTRATIVE LAW JUDGE'S RULING SETTING HEARING ON THE PROPOSED SETTLEMENT AND OTHER ISSUES

On November 16, 2010, Pacific Gas and Electric Company, the Division of Ratepayer Advocates (DRA), and The Utility Reform Network (TURN) filed a joint motion seeking approval of a settlement agreement resolving all of the issues raised by DRA and TURN in this application. The proposed settlement is opposed by a coalition of entities, collectively A4NR.

In reviewing the proposed settlement, I am of the opinion that it does not consider all of the issues raised in the June 23, 2010 Scoping Memo. More particularly, the Assigned Commissioner Scoping Memo says:

The most contentious issue raised at the PHC was whether the Commission should suspend consideration of this application until after PG&E completes the seismic studies recommended by the CEC. I am not prepared at this time to suspend consideration of this application pending completion of additional seismic studies, but I will permit evidence on this issue and make a recommendation to the Commission after submission.

The issues to be considered within the scope of this proceeding are:

- Should funding for PG&E's license renewal application be resolved before the seismic studies recommended by the CEC are completed?

Based on the Scoping Memo, I find that there remain two issues to be resolved in this proceeding which require a hearing:

1. Whether the settlement agreement should be adopted?
2. Whether funding should be authorized before seismic studies are completed?

Now, therefore, good cause appearing, this application is set for hearing on the following schedule:

Event	Date
Parties Testimony	February 18, 2011
Rebuttal Testimony	March 18, 2011
Evidentiary Hearings Commission Courtroom State Office Building 505 Van Ness Avenue San Francisco, CA 94102	April 5, 2011 @ 10:00 a.m.
Opening Briefs	April 19, 2011
Reply Briefs	May 2, 2011

IT IS SO RULED.

Dated January 28, 2011, at San Francisco, California.

/s/ ROBERT BARNETT
Robert Barnett
Administrative Law Judge

INFORMATION REGARDING SERVICE

I have provided notification of filing to the electronic mail addresses on the attached service list.

Upon confirmation of this document's acceptance for filing, I will cause a hard copy of the filed document to be served upon the service list to this proceeding by U.S. mail. The service list I will use to serve the hard copy of the filed document is current as of today's date.

Dated January 28, 2011, at San Francisco, California.

/s/ GLADYS M. DINGLASAN
Gladys M. Dinglasan

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to ensure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074 or TDD# (415) 703-2032 five working days in advance of the event.