



**ALLIANCE FOR NUCLEAR RESPONSIBILITY**

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**ALLIANCE PROTEST PREVAILS AT CPUC:  
QUAKE DANGERS AT DIABLO CANYON MERIT HEARINGS**

On Friday, January 28, 2011, Administrative Law Judge Robert Barnett of the California Public Utilities Commission (CPUC) ruled that issues raised by the Alliance for Nuclear Responsibility in the relicensing proceeding for PG&E's Diablo Canyon nuclear plant merited hearings.

Since PG&E filed for ratepayer funding in January 2010, the Alliance and co-intervenors CalPIRG, Sierra Club and Environment California, have maintained that new, advanced seismic studies outlined in AB 1632 must be completed before any ratepayer money is spent relicensing the aging nuclear reactors on California's seismic coastline. Any other action would be premature. The current licenses for the twin unit reactors expire in 2024/2025. The renewed licenses would grant them operation for 20 additional years.

In his decision, Judge Barnett writes: "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," of which the main question was, "Should funding for PG&E's license renewal application be resolved before the seismic studies recommended by the CEC are completed?" Judge Barnett set hearings for early this spring.

Had the Alliance et al. not intervened, the CPUC would likely have funded PG&E's application for license renewal and ignored the California Energy Commission, California Coastal Commission, and the state legislature's seismic directives. Economics and reliability of nuclear power operations are the sole jurisdiction of the state – a fact recognized by the Nuclear Regulatory Commission (NRC) and the Supreme Court. The NRC, however, does not require updated seismic studies as a condition of license renewal, and has refused to hold the federal relicensing process in abeyance until the state mandates are fulfilled, in spite of requests by the Alliance.

“Intervention at the state level is the only way to protect ratepayers from the consequences of a seismic miscalculation at Diablo Canyon,” stated Alliance Executive Director Rochelle Becker. adding, “the failures of the NRC, PG&E and the CPUC to investigate earthquake faults in the original licensing of Diablo Canyon 40 years ago lead to \$4.4 billion in seismic cost overruns passed on to ratepayers. California citizens and businesses could ill afford a costly blunder of that magnitude in today’s economy.”

Concerns regarding CPUC oversight of the utility and its aging infrastructure has come under intense scrutiny since the September 2010 PG&E gas pipeline explosion in San Bruno that left eight dead. “The San Bruno disaster was tragic,” commented Alliance outreach consultant David Weisman, adding, “San Bruno *plus* radiation could be catastrophic. The CPUC needs to join the rest of the state regulators and return PG&E's application as incomplete until AB 1632 directives are complete and peer-reviewed.”

The judge’s decision can be read at :

<http://a4nr.org/wp-content/uploads/2011/01/012811-PD-130162.pdf>

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