

**PUBLIC UTILITIES COMMISSION**

505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102-3298



June 1, 2020

Robert Kenney, VP Regulatory Affairs  
Pacific Gas and Electric Company  
77 Beale Street  
San Francisco, CA 94105  
Via Email: [Robert.Kenney@pge.com](mailto:Robert.Kenney@pge.com).

Re: Delineating a Process for Diablo Canyon Lands Disposition

Dear Mr. Kenney:

Over the last several months, various interested parties have sought clarification regarding Diablo Canyon land use and the potential disposition of Diablo Canyon land owned by PG&E or its subsidiaries. In Ordering Paragraph (OP) 13 of Decision (D.) 18-01-022 the CPUC stated that PG&E “will take no action with respect to any of the lands and facilities, whether owned by the utility or a subsidiary, before completion of a future process including a public stakeholder process; there will be local input and further Commission review prior to the disposition of Diablo Canyon facilities and surrounding lands.” Furthermore, it is envisioned that the “process” referenced in OP 13 is a Section 851<sup>1</sup> Application, and such an Application would need to address any attendant CEQA issues. Additionally, pursuant to OP 13 of D.18-01-022, General Order 173 - Rule 3, and Resolution E-4978, PG&E should *not* seek approval for the disposition of Diablo Canyon lands through the advice letter process;<sup>2</sup> approval should be sought through an Application.

Using the above guidance, the CPUC requests that PG&E provide written instruction to the parties interested in Diablo Canyon land use and disposition, and conservation easements in particular, such that they have a better understanding of the process involved and how those parties can participate in it. These instructions should be sent to the parties and the CPUC (i.e. all parties receiving this letter as listed below) by no later than June 30, 2020.

Sincerely,

Edward Randolph  
Deputy Executive Director for Energy and Climate Policy/Director, Energy Division

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<sup>1</sup> Public Utilities Code § 851.

<sup>2</sup> CPUC General Order 173, *available at*:

<https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M027/K106/27106129.PDF>;

CPUC Resolution E-4978, March 28, 2019; *available at*:

<https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M279/K200/279200552.PDF>.

Cc: Marybel Batjer, President of the CPUC  
Martha Guzman-Aceves, Commissioner  
Liane Randolph, Commissioner  
Clifford Rechtschaffen, Commissioner  
Genevieve Shiroma, Commissioner  
Alice Stebbins, CPUC Executive Director  
Jonathan Koltz, Chief of Staff – Commissioner Guzman-Aceves  
Maria Sotero, Energy Advisor – Commissioner Guzman-Aceves  
Simon Baker, Energy Division  
Molly Sterkel, Energy Division  
Dorothy Duda, Energy Division  
Franz Cheng, Energy Division  
David Zizmor, Energy Division  
Service List A.18-12-008 – PG&E Nuclear Decommissioning Cost Triennial Proceeding  
Tribal Lands Policy Listserv