

PUBLIC UTILITIES COMMISSION
505 Van Ness Avenue
San Francisco CA 94102-3298



Pacific Gas & Electric Company
ELC (Corp ID 39)
Status of Advice Letter 7034E
As of October 25, 2023

Subject: Diablo Canyon Independent Safety Committee Third Restatement Charter and Compensation Letter in Compliance with Decision 23-08-004

Division Assigned: Energy

Date Filed: 09-25-2023

Date to Calendar: 09-29-2023

Authorizing Documents: D2308004

Disposition:	Accepted
Effective Date:	10-25-2023

Resolution Required: No

Resolution Number: None

Commission Meeting Date: None

CPUC Contact Information:

edtariffunit@cpuc.ca.gov

AL Certificate Contact Information:

Stuart Rubio

279-789-6210

PGETariffs@pge.com

PUBLIC UTILITIES COMMISSION
505 Van Ness Avenue
San Francisco CA 94102-3298



To: Energy Company Filing Advice Letter

From: Energy Division PAL Coordinator

Subject: Your Advice Letter Filing

The Energy Division of the California Public Utilities Commission has processed your recent Advice Letter (AL) filing and is returning an AL status certificate for your records.

The AL status certificate indicates:

- Advice Letter Number
- Name of Filer
- CPUC Corporate ID number of Filer
- Subject of Filing
- Date Filed
- Disposition of Filing (Accepted, Rejected, Withdrawn, etc.)
- Effective Date of Filing
- Other Miscellaneous Information (e.g., Resolution, if applicable, etc.)

The Energy Division has made no changes to your copy of the Advice Letter Filing; please review your Advice Letter Filing with the information contained in the AL status certificate, and update your Advice Letter and tariff records accordingly.

All inquiries to the California Public Utilities Commission on the status of your Advice Letter Filing will be answered by Energy Division staff based on the information contained in the Energy Division's PAL database from which the AL status certificate is generated. If you have any questions on this matter please contact the:

Energy Division's Tariff Unit by e-mail to
edtariffunit@cpuc.ca.gov



September 25, 2023

Advice 7034-E

Pacific Gas and Electric Company (U 39 E)

Public Utilities Commission of the State of California

Subject: Diablo Canyon Independent Safety Committee Third Restatement Charter and Compensation Letter in Compliance with Decision 23-08-004

Purpose

Pacific Gas and Electric Company (PG&E) hereby submits this advice letter in compliance with Ordering Paragraph (OP) 4 of Decision (D.) 23-08-004 (the Decision), including increases to the compensation levels provided to members of the Diablo Canyon Independent Safety Committee (DCISC or Committee), and an amendment to the DCISC's Charter as directed by the Decision. OP 3 of D.23-08-004 directs that DCISC costs related to the assessment of the potential extension of operations at Diablo Canyon Nuclear Power Plant be tracked and recorded in the Diablo Canyon Transition and Relicensing Memorandum Account (DCTRMA). No revisions are necessary to pending PG&E Advice Letter 6870-E-A establishing the DCTRMA to effectuate this direction. This advice letter supersedes the DCISC member compensation levels established in Advice Letter 6926-E submitted on April 26, 2023.

Background

In D.88-12-083, the California Public Utilities Commission (CPUC or Commission) adopted the Diablo Canyon Settlement Agreement, which included among other things the establishment of the DCISC, to be made up of persons with knowledge, background, and experience in the field of nuclear power facilities. The DCISC is to review Diablo Canyon Power Plant (DCPP) operations for the purpose of assessing the safety of operations and suggesting any recommendations for safe operation.

In Resolution E-3152, the CPUC adopted compensation rates for DCISC committee members which included:

- An annual retainer of \$8,000;
- An hourly fee of \$200 for committee work in excess of 40 hours per year;
- A flat fee of \$500 for each committee meeting attended; and
- Reimbursement of expenses incurred in performance of committee work.

Resolution E-3152 also established that committee member compensation be set at levels commensurate with fees paid by PG&E for comparable services, such as services received by PG&E from persons overseeing its Nuclear Decommissioning Trust Funds.

Since the Committee's creation, committee member compensation levels have been revised three times.¹ On August 10, 2023, the Commission adopted D.23-08-004, revising member compensation for a fourth time.² In reaching its Decision, the Commission affirmed Resolution E-3152 (regarding "compensation levels commensurate with fees paid by PG&E for comparable services") but also concluded that a modest increase was warranted stemming from additional workload by the Committee under Senate Bill 846 mandates, as discussed by the Committee in its comments to CPUC Rulemaking 23-01-007 considering potential extended operations at DCP. ³

Pursuant to D.23-08-004, OP 4, the Commission directs PG&E to implement changes adopted in the Decision via a Tier 2 advice letter to be submitted within 45 days of the effective date of the Decision.

Request

In implementing D.23-08-004, PG&E provides for CPUC Energy Division's review (1) the DCISC compensation letter, which supersedes the compensation letter submitted on April 26, 2023 in PG&E's Advice Letter 6926-E; and (2) the Third Restatement to the DCISC Charter. In Attachment 1 to this advice letter, PG&E provides redline changes to the compensation letter presented in Advice Letter 6926-E. Attachment 2 shows redline changes to the DCISC Charter, as approved by the Committee during its morning session on September 14, 2023.

The 2020 DCISC Compensation Advice Letter (as submitted in Advice Letter 5797-E-A) revised the compensation levels approved in Advice Letter 3677-E-A, which established the current DCISC member compensation as follows:

- An annual retainer of \$10,400;
- A fee of \$260 per hour for attendance at committee meetings;

¹ See PG&E Advice 1857-E, submitted on April 1, 1999, as approved by Resolution E-3608 (revising the DCISC member compensation by replacing the meeting appearance flat fee of \$500 with an hourly fee); PG&E Advice 3677-E-A, submitted on April 1, 2011 (revising the annual retainer, hourly meeting fee and the hourly fee for work performed outside of committee meetings in excess of 40 hours per year; and PG&E Advice 5797-E-A, submitted on May 8, 2020, (revising the hourly fee from \$250 per hour to \$260 per hour with an increase to the annual retainer from \$10,000 to \$10,400).

² D.23-08-004 sets forth (1) increases to the compensation provided to DCISC members, (2) amendments to the DCISC's Charter, and (3) updates to the annual advice letter process used to review and update DCISC member compensation. It also directs PG&E to track DCISC 2023-2025 costs related to their assessment of potential extended operations at DCP.

³ D.23-08-004, p. 9; see also, DCISC's February 17, 2023 comments on the OIR, pp. 4-7.

- An hourly fee of \$260 for committee work performed outside of committee meetings in excess of 40 hours per year; and
- Reimbursement of expenses incurred in performance of committee work.

The new compensation levels approved by the Commission in D.23-08-004 are as follows:

- An annual retainer of \$10,800;
- A fee of \$270 per hour for attendance at committee meetings;
- An hourly fee of \$270 for committee work performed outside of committee meetings in excess of 40 hours per year; and
- Reimbursement of expenses incurred in performance of committee work to continue without modification.

Furthermore, prior to submitting its next annual DCISC compensation advice letter, PG&E shall provide the Committee an opportunity to comment on PG&E's proposed member compensation levels, and PG&E shall include a summary of any feedback provided by the Committee as part of General Order 96-B advice letter submission.

The revisions to the Third Restatement of the DCISC Charter are consistent with D.23-08-004 directives.

Protests

Anyone wishing to protest this submittal may do so by letter sent electronically via E-mail, no later than October 16, 2023, which is 21 days after the date of this submittal.⁴ Protests must be submitted to:

CPUC Energy Division
ED Tariff Unit
E-mail: EDTariffUnit@cpuc.ca.gov

The protest shall also be electronically sent to PG&E via E-mail at the address shown below on the same date it is electronically delivered to the Commission:

Sidney Bob Dietz II
Director, Regulatory Relations
c/o Megan Lawson
E-mail: PGETariffs@pge.com

Any person (including individuals, groups, or organizations) may protest or respond to an advice letter (General Order 96-B, Section 7.4). The protest shall contain the following information: specification of the advice letter protested; grounds for the protest; supporting

⁴ Pursuant to Rule 1.5 of General Order 96-B, PG&E requests to extend the protest period by one additional day because twenty days following submission of this advice letter is Sunday, October 15, 2023.

factual information or legal argument; name and e-mail address of the protestant; and statement that the protest was sent to the utility no later than the day on which the protest was submitted to the reviewing Industry Division (General Order 96-B, Section 3.11).

Effective Date

PG&E requests that this Tier 2 designated advice letter submittal become effective 30 days after submission, or on October 25, 2023.

Notice

In accordance with General Order 96-B, Section IV, a copy of this advice letter is being sent electronically to parties shown on the attached list and to the parties on the service list for Rulemaking (R.) 23-01-007. Address changes to the General Order 96-B service list should be directed to PG&E at email address PGETariffs@pge.com. For changes to any other service list, please contact the Commission's Process Office at (415) 703-2021 or at Process_Office@cpuc.ca.gov. Send all electronic approvals to PGETariffs@pge.com. Advice letter submittals can also be accessed electronically at: <http://www.pge.com/tariffs/>.

 /S/

Sidney Bob Dietz II
Director, Regulatory Relations
CPUC Communications

Attachment 1 – 2023 DCISC Compensation Levels (Redline)
Attachment 2 – Third Restatement to the DCISC Charter (Redline)

cc: Service List for R.23-01-007



ADVICE LETTER SUMMARY

ENERGY UTILITY



MUST BE COMPLETED BY UTILITY (Attach additional pages as needed)

Company name/CPUC Utility No.: Pacific Gas and Electric Company (U 39 E)

Utility type:

- ELC GAS WATER
 PLC HEAT

Contact Person: Stuart Rubio
 Phone #: 279-789-6210
 E-mail: PGETariffs@pge.com
 E-mail Disposition Notice to: stuart.rubio@pge.com

EXPLANATION OF UTILITY TYPE
 ELC = Electric GAS = Gas WATER = Water
 PLC = Pipeline HEAT = Heat

(Date Submitted / Received Stamp by CPUC)

Advice Letter (AL) #: 7034-E

Tier Designation: 2

Subject of AL: Diablo Canyon Independent Safety Committee Third Restatement Charter and Compensation Letter in Compliance with Decision 23-08-004

Keywords (choose from CPUC listing): Compliance

AL Type: Monthly Quarterly Annual One-Time Other:

If AL submitted in compliance with a Commission order, indicate relevant Decision/Resolution #: D.23-08-004

Does AL replace a withdrawn or rejected AL? If so, identify the prior AL: No

Summarize differences between the AL and the prior withdrawn or rejected AL: N/A

Confidential treatment requested? Yes No

If yes, specification of confidential information:

Confidential information will be made available to appropriate parties who execute a nondisclosure agreement. Name and contact information to request nondisclosure agreement/ access to confidential information:

Resolution required? Yes No

Requested effective date: 10/25/23

No. of tariff sheets: 0

Estimated system annual revenue effect (%): N/A

Estimated system average rate effect (%): N/A

When rates are affected by AL, include attachment in AL showing average rate effects on customer classes (residential, small commercial, large C/I, agricultural, lighting).

Tariff schedules affected: N/A

Service affected and changes proposed¹: N/A

Pending advice letters that revise the same tariff sheets: N/A

¹Discuss in AL if more space is needed.

Protests and correspondence regarding this AL are to be sent via email and are due no later than 20 days after the date of this submittal, unless otherwise authorized by the Commission, and shall be sent to:

California Public Utilities Commission
Energy Division Tariff Unit Email:
EDTariffUnit@cpuc.ca.gov

Contact Name: Sidnev Bob Dietz II. c/o Megan Lawson
Title: Director, Regulatory Relations
Utility/Entity Name: Pacific Gas and Electric Company

Telephone (xxx) xxx-xxxx: (415)973-2093
Facsimile (xxx) xxx-xxxx:
Email: PGETariffs@pge.com

Contact Name:
Title:
Utility/Entity Name:

Telephone (xxx) xxx-xxxx:
Facsimile (xxx) xxx-xxxx:
Email:

CPUC
Energy Division Tariff Unit
505 Van Ness Avenue
San Francisco, CA 94102

Clear Form

Attachment 1

**DCISC Compensation Levels
(Redline)**

DCISC Compensation Levels
(Revised September 25, 2023, and supersedes April 26, 2023 levels)

I. Purpose

The purpose of this report is to provide an evaluation of the compensation paid to persons who provide comparable services to those of the DCISC as delineated in Finding #3 of CPUC Resolution E-3152 and to make a recommendation regarding adjustments to be made, if any, to the compensation paid to DCISC members.

II. Background

Finding #7 of CPUC Resolution E-3152 "Diablo Canyon Independent Safety Committee - Standards for compensation and accounting guidelines" states the following:

7. PG&E should annually, on April 1, file a report and advice letter with CACD [Commission Advisory and Compliance Division of the CPUC] to update the compensation levels set forth in findings 3 and 4.

Findings 3 and 4 read as follows:

3. Comparable services are those received by PG&E from the persons overseeing its Nuclear Decommissioning Trust Funds and from expert consultants used by PG&E in connection with the Diablo Canyon nuclear power plant.
4. Under the above findings, appropriate levels of compensation for members of the committee are as follows. Each member should receive an annual retainer of \$8,000. Each member should receive an hourly fee of \$200 for hours of committee work in excess of 40 hours per year, except that each member should receive a flat fee of \$500 for each committee meeting that he or she attends. Each member should receive reimbursement, consistent with procedures for such reimbursement as established by the committee, of his or her expenses incurred in the performance of duties as committee member.

Since the Committee's creation, committee member compensation levels have been revised ~~three~~four times. Advice Letter 1857-E, filed by PG&E on April 1, 1999, as approved by Resolution E-3608 revised the DCISC member compensation by replacing the meeting appearance flat fee of \$500 with an hourly fee. Advice Letter 3677-E-A, filed by PG&E on April 1, 2011, as approved by the CPUC Energy Division Director revised the annual retainer, hourly meeting fee and the hourly fee for work performed outside of committee meetings in excess of 40 hours per year. Advice Letter 5797-E-A submitted by PG&E on April 1, 2020, approved by the CPUC Energy Division Director revised the hourly fee from \$250 per hour, to \$260 per hour with an increase to the annual retainer of \$10,400.

Decision 23-08-004 revised DCISC member compensation stemming from additional workload under Senate Bill 846 mandates.

~~The 2020 DCISC Compensation Advice Letter (Advice Letter 5797-E-A) revised the compensation levels approved in Advice Letter 3677-E-A,~~ which established the current DCISC member compensation as follows:

- An annual retainer of \$10,8400;
- A fee of \$2760 per hour for attendance at committee meetings;
- An hourly fee of \$2760 for committee work performed outside of

- committee meetings in excess of 40 hours per year; and
- Reimbursement of expenses incurred in performance of committee work.

III. Compensation Evaluation

A. Nuclear Facilities Decommissioning Master Trust Committee Member Compensation

The Nuclear Facilities Decommissioning Master Trust Committee is composed of two PG&E employee members and three non-PG&E affiliated members. The outside members are senior representatives from the financial community, including a retired chief investment officer and a retired chief financial officer. The outside member compensation level is \$12,000 annual retainer plus \$500 per meeting. Over the last several years, two meetings have been held per year on average with each meeting being approximately one hour in duration. It is estimated that about four hours is required by the committee members to prepare for each meeting.

B. Expert Consultant Compensation

Nuclear Safety Oversight Committee

There are currently ~~four~~ five paid outside consultants to the Nuclear Safety Oversight Committee (NSOC). Outside consultants for the NSOC are selected on the basis of their nuclear industry experience and their ability to provide valuable insight to the committee relative to the safe operation of Diablo Canyon. The current consultants bring significant nuclear industry experience to the committee as exemplified by their former positions in the industry:

- One Retired Nuclear Industry Senior Vice President
- ~~Two~~ Three Retired Nuclear Industry Vice President
- One Retired Nuclear Industry Regulator

The current NSOC consultants receive compensation of \$250 - \$300 an hour for work performed on NSOC business. NSOC site visit frequency shall not be less than twice per year. The NSOC Site Visits are typically four days duration each. In addition to attendance at the Site Visits, the consultants are expected to review numerous plant documents in support of committee business.

C. Current DCISC Member Compensation

The DCISC is made up of three members. These members are selected on the basis of their nuclear experience and their ability to provide valuable insight to the committee relative to the safe operation of Diablo Canyon. The current membership consists of individuals with extensive nuclear experience from both the power industry and the academic community as follows:

- Retired NRC Administrative Judge
- Nuclear Utility Industry Consultant
- Major University Professor of Nuclear Engineering
- Two of three members hold the distinction of being elected to the prestigious National Academy of Engineering

The current compensation paid to the DCISC members as originally established by the CPUC in Resolution E-3152 and subsequently revised in Resolution E-3608 and modified in Advice Letter 3677-E-A and further modified in Advice Letter 5797-E-A remains appropriate. Each member

receives an annual retainer of \$10,400. In addition, the members receive an hourly fee of \$260 for hours of committee work in excess of 40 hours per year. The members are also compensated for attendance at public meetings at an hourly rate of \$260. Typically, three one and one-half day public meetings are held each year with a plant tour accompanying each meeting.

IV. Recommendation

The compensation paid to the DCISC members for time spent on committee business as delineated above, is reasonable when compared to the compensation paid for comparable services as defined in the benchmarks above. No change is recommended.

Attachment 2

**Third Restatement to the DCISC Charter
(Redline)**

**~~THIRD~~SECOND RESTATEMENT OF THE CHARTER FOR THE
DIABLO CANYON INDEPENDENT SAFETY COMMITTEE**

I. Formation and Membership of the Committee.

A. Composition and Responsibility of the Committee.

(1) An Independent Safety Committee (the "Committee") shall be established consisting of three members, one each appointed by the Governor of the State of California, the Attorney General and the Chair of the California Energy Commission ("CEC"), respectively, serving staggered three-year terms. The Committee shall review Diablo Canyon Nuclear Power Plant ("Diablo Canyon") operations for the purpose of assessing the safety of operations and suggesting any recommendations for safe operation and shall terminate its review in accordance with Section III. Safety of operations shall mean activities in connection with generation of electricity by Diablo Canyon and/or the operation of the Diablo Canyon Spent Fuel Pools and related support systems and the Diablo Canyon Independent Spent Fuel Storage Installation ("ISFSI"), including the transport of nuclear fuel to and from Diablo Canyon's Spent Fuel Pools and the storage of nuclear fuel within the Spent Fuel Pools and the transport and storage of nuclear fuel to and within the ISFSI or elsewhere at Diablo Canyon. Neither the Committee nor its members shall have any responsibility or authority for plant operations, and they shall have no authority to direct Pacific Gas & Electric Company ("PG&E") personnel. The Committee shall conform in all respects to applicable federal laws, regulations and Nuclear Regulatory Commission ("NRC") policies.

B. Appointment of Committee Members.

(1) Candidates for Committee membership shall be selected from those persons responding to an open request for applications. The California Public Utilities Commission ("CPUC") shall provide for public comment on qualified applicants by posting on the CPUC's homepage (www.cpuc.ca.gov) a link to information concerning the name of each qualified applicant, along with a summary of his or her qualifications and a statement identifying any potential conflict of interest, an Applicant's Application for Nomination shall address those items enumerated in Section I.C. The President of the CPUC shall provide to the appropriate appointing authority a list of not more than three qualified candidates as alternatives to the reappointment of that authority's designated Committee member whose term is expiring. The incumbent member, if he or she consents, shall be deemed an additional candidate. Each subsequent appointment shall be for a three-year term.

(2) Should a Committee member not complete the appointed term, the authority who appointed that member shall appoint a replacement to serve for the unexpired portion of the term from the most recent list of candidates selected by the President of the CPUC in accordance with the appointment procedures set forth herein.

(3) The President of the CPUC shall review each application to assess the applicant's qualifications, experience and background, including any conflict of interest and comment received from the public, and shall propose as candidates only persons with knowledge, background and experience in the field of nuclear power facilities and nuclear safety issues who demonstrate they have no conflict of interest as set forth in Section I.C. The CPUC Energy Division shall prepare, circulate for public comment and place on the CPUC's public

agenda a resolution ratifying the President's selection of not more than three qualified candidates and an incumbent member.

C. Conflict of Interest.

(1) No person shall serve as a member of the Committee if he or she has received \$500.00 or more in income (as defined in Government Code Section 82030, but excluding dividends or interest from stocks or bonds) or gifts (as defined in Government Code 82028) from PG&E or an affiliated company within twelve months prior to the start of his or her original term, or if he or she has, at the time of the commencement of service, an investment (as defined in Government Code Section 82034) worth \$2,000.00 or more in PG&E or any affiliated company. In addition, no member of the Committee shall make, participate in making, or in any way attempt to use his or her official position to influence any action of the Committee in which he or she knows or has reason to know that he or she has a financial interest. The provisions of the Political Reform Act, including implementing regulations and rulings, as applied to Government Code Section 87100 shall be used to determine whether a member has a conflict of interest.

(2) Members of the Committee shall file a Statement of Economic Interest at the same time and in the same manner as designated employees of the CPUC must file under the Political Reform Act and CPUC Conflict of Interest Code. Members of the Committee shall disclose any investment in or income from the following:

- (a) An electric corporation subject to the jurisdiction of the CPUC, including any parent, subsidiary or affiliated business entity;

- (b) A business entity that regularly supplies natural gas, nuclear fuel, fuel oil or other forms of energy to an electric corporation subject to CPUC jurisdiction;
- (c) Any business entity that has done more than \$10 million of work on the design, construction, engineering or operation of the Diablo Canyon power plant.

Copies of the members' Statements shall be available for public inspection.

(3) No person shall serve as a member of the Committee if he or she has a prior history of supporting or opposing PG&E as a witness or intervenor in nuclear licensing or CPUC proceedings associated with Diablo Canyon.

D. Commencement of Term.

(1) The list of candidates shall be submitted to the appointing authorities on or before January 1 of each year. Appointments shall be made by March 1 of each year. Each Safety Committee term shall commence on July 1 of the year of appointment. If any such deadline is missed, the relevant action shall be taken or shall occur at the earliest possible date thereafter.

(2) In accordance with Government Code Section 1302, a Committee member shall continue to discharge his or her duties until reappointed or replaced.

E. Exercise of Powers.

(1) The Chair of the CEC and the President of the CPUC shall exercise their powers after consultation with their respective commissions in public session.

II. Scope of Committee Operations.

A. Receipt of Reports and Records.

(1) The Committee shall have the right to receive on a regular basis such of the following operating reports and records of Diablo Canyon as the Committee may request. Such reports and records shall be provided quarterly as available:

- (a) Automatic scrams while critical;
- (b) Significant events;
- (c) Safety system actuations;
- (d) Forced outage rate;
- (e) Collective radiation exposure;
- (f) Industrial safety loss time accident rate;
- (g) NRC public reports and evaluations of Diablo Canyon; and
- (h) Such other reports pertinent to safety as may be produced in the course of operations and may be requested by the Committee.

B. Annual Site Inspection.

(1) The Committee shall have the right to conduct examinations of the Diablo Canyon site. If the Committee requires additional information regarding a specific issue the Committee may request such information and, upon proper notice to PG&E, conduct a site visit to investigate that issue.

(2) PG&E shall cooperate with the Committee in arranging times for the Committee's visits to the site and shall be responsible for ensuring the cooperation of PG&E employees and contractors in providing information and access to the plant and facilities of PG&E and to pertinent records. Any such site visit must comply with all applicable federal laws,

regulations and NRC policies, including laws, regulations and policies governing screening of persons who may participate in site inspections.

C. Committee Reports and Recommendations.

(1) The Committee shall prepare an annual report, and such interim reports as it deems appropriate, which reports shall include any recommendations of the Committee. The report shall be submitted first to PG&E, and PG&E shall respond in writing within 45 days. PG&E's response shall be made part of the report which shall then be submitted to the CPUC, the Governor, the Attorney General and the CEC. The CPUC, the Governor, the Attorney General and the CEC, or any one of them, may file a request pursuant to 10 CFR Sec. 2.206 for the Director of Nuclear Reactor Regulation to institute a proceeding to require PG&E to adopt any safety recommendation made by the Committee. PG&E is free to oppose any such recommendation before the NRC.

D. Confidentiality of Information

(1) In the course of review of Diablo Canyon operations, Committee members may receive confidential information. Federal law restricts disclosure of certain information; accordingly, Committee members shall seek approval of the NRC for access to such information and shall comply with all laws, regulations and policies applicable to access to, possession and use of such information. The Committee is subject to the California Public Records Act (Government Code Section 6250 et seq.). To the extent that PG&E believes that information sought by the Committee, not otherwise regulated by the Atomic Energy Act, is confidential under the California Public Records Act and/or constitutes confidential business information, the disclosure of which might injure PG&E in its business, PG&E shall so designate that information

and the basis on which PG&E believes the information is exempt from disclosure. If the Committee receives a demand for disclosure of information so designated by PG&E the Committee shall notify PG&E and lawfully object and defend any rights the Committee may have to non-disclosure of the confidential information.. A dispute between the Committee and PG&E on a claim of confidentiality shall promptly be submitted to binding arbitration. Committee members and all persons who receive confidential information in the course of or as a result of the Committee's activities shall have a duty to maintain the confidentiality of that information and, in addition to complying with the requirements of federal and state law and regulations, shall execute a confidentiality agreement prior to receiving any confidential information.

(2) The Committee may contract for services, including the services of consultants and experts, to assist the Committee in its safety review. Disclosure of PG&E information or records to any such person shall be governed by the provisions of this agreement in the same manner as disclosure to members of the Committee. No disclosure of confidential information shall be made to any person who does not have a need to receive the information in order to assist the Committee in its safety review. Nor shall such disclosure be made to any person known to have a conflict of interest.

(3) This provision shall not preclude the Committee from submitting relevant information to the NRC or to the CPUC, the Governor, the Attorney General, or the CEC to the extent permitted by federal law. Prior to the disclosure of any confidential information, however, the Committee shall give PG&E notice of its intention to do so and an opportunity to

designate specific documents or information which should not be publicly disclosed and to seek to prevent public disclosure by the entity to which disclosure is made.

E. Compensation of the Committee

(1) Members of the Committee shall be compensated in an amount established by the CPUC commensurate with fees PG&E pays for similar services. Each member shall receive a \$10,~~8000~~.00 annual retainer and, in the event a member performs more than 40 hours of work on Committee business between July 1 and the following June 30, such hours shall be compensated at \$~~2750~~.00 per hour. PG&E shall file annually, on April 1, a report updating commensurate fees for comparable services and concurrent with that report, a Tier 2 advice letter with proposed revisions to the compensation levels. Prior to submitting its annual DCISC compensation advice letter, PG&E shall provide the Committee an opportunity to comment on PG&E's proposed member compensation levels, and PG&E shall include a summary of any feedback provided by the Committee as part of its advice letter filing.

(2) The fees and expenses of the Committee and its contractors that are not directly associated with the Committee's evaluation of potential extended operations at Diablo Canyon- shall continue to be paid by PG&E and PG&E shall be entitled to recover those amounts through its cost-of-service rates. An authorized Committee budget not exceeding \$673,077.00 for calendar year 1996, with a 1.5% annual escalation for every year thereafter, has been established, which includes all costs, member compensation, travel expenses, contracting fees, staff salaries and audit expenses. Funds provided for the fees and expenses of the Committee and its contractors not directly associated with the Committee's evaluation of potential extended operations at Diablo Canyon which remain unspent and uncommitted on

December 31 of a calendar year will be returned to PG&E to be applied as a credit to its cost-of-service rates. During calendar years 2023 through 2025 the Committee shall estimate and record all work related to the potential extension of operations at Diablo Canyon to the Diablo Canyon Transition and Relicensing Memorandum Account (DCTRMA) so the Committee's costs related to the potential extension of operations at Diablo Canyon can be accurately tracked in the DCTRMA. The Committee shall send an invoice to PG&E as soon as practicable with an estimate of 2023 Committee operational costs associated with the Committee's assessment of the potential extension of operations at Diablo Canyon including any anticipated shortfall for the year and send a similar cost estimate and invoice to PG&E for associated 2024 and 2025 costs. Any unspent and uncommitted funds from the DCTRMA will be returned to PG&E during the fourth quarter of 2025. The compensation of Committee members, which is included in the budget, is tied to the fees paid by PG&E for similar services. Therefore, the rate of change in the budget could differ from the rate of change in the compensation paid to committee members.

(3) The Committee and its contractors shall keep accurate books, records and accounts, which shall be open to inspection and audit by the CPUC or its designee and by PG&E. Such audit shall include review of the reasonableness of fees and expenses and review for conflict of interest.

F. Outreach

(1) The Committee shall undertake public outreach in the affected community, including, but not limited to, assuring that the Committee meetings are conducted in accordance with the Bagley–Keene Open Meeting Act and videotaped and broadcast. To the extent that public outreach results in an increase in costs associated with the Committee, beyond any annual

authorized funding level, the Committee's budget shall be increased by the same amount and PG&E shall be entitled to recover that amount through a CPUC-determined increment to PG&E's cost-of-service rates.

(2) The Committee shall undertake outreach concerning matters within its purview with other review committees established by the CPUC (e.g., the Independent Peer Review Panel for Seismic Studies at Diablo Canyon Power Plant) and by PG&E (e.g., the Diablo Canyon Decommissioning Engagement Panel) including, but not limited to, providing advanced copies of its public meeting agendas and, upon request, copies of its non-confidential documents and reports.

III. Termination of Committee's Review of Diablo Canyon Operations.

(1) The Committee will terminate its review of safety of operation upon further order of the CPUC or upon the date of successful completion of the transfer of all nuclear fuel from both Diablo Canyon Spent Fuel Pools to the ISFSI. The Committee will then prepare and submit a final annual or an interim report and terminate its activities within twelve months after such order or date

**PG&E Gas and Electric
Advice Submittal List
General Order 96-B, Section IV**

AT&T
Albion Power Company

Alta Power Group, LLC
Anderson & Poole

Atlas ReFuel
BART

Barkovich & Yap, Inc.
Braun Blaising Smith Wynne, P.C.
California Community Choice Association
California Cotton Ginners & Growers Assn
California Energy Commission

California Hub for Energy Efficiency
Financing

California Alternative Energy and
Advanced Transportation Financing
Authority
California Public Utilities Commission
Calpine

Cameron-Daniel, P.C.
Casner, Steve
Center for Biological Diversity

Chevron Pipeline and Power
City of Palo Alto

City of San Jose
Clean Power Research
Coast Economic Consulting
Commercial Energy
Crossborder Energy
Crown Road Energy, LLC
Davis Wright Tremaine LLP
Day Carter Murphy

Dept of General Services
Don Pickett & Associates, Inc.
Douglass & Liddell
Downey Brand LLP
Dish Wireless L.L.C.

East Bay Community Energy Ellison
Schneider & Harris LLP

Electrical Power Systems, Inc.
Fresno
Engineers and Scientists of California

GenOn Energy, Inc.
Green Power Institute
Hanna & Morton
ICF

iCommLaw
International Power Technology
Intertie

Intestate Gas Services, Inc.

Johnston, Kevin
Kelly Group
Ken Bohn Consulting
Keyes & Fox LLP
Leviton Manufacturing Co., Inc.

Los Angeles County Integrated
Waste Management Task Force
MRW & Associates
Manatt Phelps Phillips
Marin Energy Authority
McClintock IP
McKenzie & Associates

Modesto Irrigation District
NRG Solar

OnGrid Solar
Pacific Gas and Electric Company
Peninsula Clean Energy

Pioneer Community Energy

Public Advocates Office

Redwood Coast Energy Authority
Regulatory & Cogeneration Service, Inc.

Resource Innovations

SCD Energy Solutions
San Diego Gas & Electric Company

SPURR
San Francisco Water Power and Sewer
Sempra Utilities

Sierra Telephone Company, Inc.
Southern California Edison Company
Southern California Gas Company
Spark Energy
Sun Light & Power
Sunshine Design
Stoel Rives LLP

Tecogen, Inc.
TerraVerde Renewable Partners
Tiger Natural Gas, Inc.

TransCanada
Utility Cost Management
Utility Power Solutions
Water and Energy Consulting Wellhead
Electric Company
Western Manufactured Housing
Communities Association (WMA)
Yep Energy