

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA

Application of Southern California Edison Company (U
338-E) For Authority to, Among Other Things, Increase Its
Authorized Revenues For Electric Service in 2006, And to
Reflect That Increase in Rates.

Application 04-12-014
(Filed December 21, 2004)

Investigation on the Commission's Own Motion into the
Rates, Operations, Practices, Service and Facilities of
Southern California Edison Company.

Investigation 05-05-024
(Filed May 26, 2005)

**PETITION OF JUST TRANSITION COALITION
FOR LEAVE TO INTERVENE**

January 11, 2006

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The Just Transition Coalition (Coalition) respectfully petitions for leave to intervene and to be given party status in this consolidated proceeding, Application (A.) 04-12-014 and Order Instituting Investigation (I.) 05-05-024. The Coalition's intervention is for the purpose of participating both immediately and over the long term in this proceeding, including the filing today by the Coalition of its Motion for a "Just Transition" in Response to Closure of the Mohave Generating Station (Motion). This petition is filed pursuant to Rule 53 of the Commission's Rules of Practice and Procedure.¹

The Coalition consists of the following organizations dedicated to seeking redress for the adverse economic impacts on the Hopi Tribe and the Navaho Nation caused by the closure of the Mohave Generating Station (Mohave) by Southern California Edison Company on December 31, 2005. These organizations include:

¹ Although Rule 53 provides for written petitions to intervene in "complaint proceedings", it remains the only means of seeking intervention in an application, rulemaking, or investigation when a hearing is not immediately pending or hearings have already concluded. (See, Rule 54).

- Indigenous Environmental Network. The IEN empowers Indigenous Nations and communities toward sustainable livelihoods, demanding environmental justice and maintaining the Sacred Fire of our tradition. Since 1996, IEN has participated in the Just Transition Alliance, a voluntary coalition of labor, economic, and environmental justice activists; Indigenous people; and working-class people of color that seek a process for the just transition of communities and workers from unsafe workplaces and environments to healthy, viable communities with a sustainable economy.
- Black Mesa Trust. The Black Mesa Trust was founded in 1999 by Hopi people to address the severe impacts of the Peabody Coal Company's water withdrawals from the Navajo Aquifer on the environment, cultures, and well-being of the Hopi and Diné (Navajo) living on Black Mesa.
- To' Nizhoni Ani ("Beautiful Spring Speaks") (TNA). TNA is a grassroots organization on the Diné Nation and the first environmental organization based in the heart of Black Mesa. Its mission is to preserve and protect the environment, land, water, sky, and people and to advocate for the wise and responsible use of the natural resources of Black Mesa.
- Black Mesa Water Coalition (BMWC). BMWC has been working to end Peabody Coal Company's wasteful use of scarce and sacred groundwater. BMWC is calling for a transition to renewable energy practices and sources and to more sustainable employment and economic sources.
- Sierra Club of Arizona. The Sierra Club of Arizona is a signator on the Clean Air Act Consent Decree entered between the owners of Mohave and Sierra Club, Grand Canyon Trust and National Parks Conservation Association in December 1999. By this Consent Decree, described further in the Motion, the owners agreed to either install modern pollution control equipment on Mohave or close the plant no later than December 31, 2005. The Sierra Club of Arizona has long advocated for environmental clean up of the Mohave plant and the fair and just treatment of the Navajo and Hopi Nations in the event of the plant's closure.
- Grand Canyon Trust. The Grand Canyon Trust is also a signator on the Consent Decree. It is dedicated to protecting and restoring the canyon country of the Colorado Plateau and is actively engaged in promoting sustainable economic development and renewable energy in partnership with the Hopi and Navajo people.

These organizations have joined together as the Just Transition Coalition for purposes of developing and presenting to the Commission a “Just Transition Plan” to provide restitution and investment funding opportunities for the Hopi Tribe and Navajo Nation people to mitigate the adverse economic and social impacts of SCE’s closure by Mohave. As described in further detail in the Coalition’s Motion filed today, the Coalition’s proposal will provide restitution and “just transition” funding to the Hopi and Navajo until at least 2026 when Mohave Generating Station will otherwise stop operating due to loss of its rights to use Colorado River water for generating electricity.

The Coalition has a direct interest in the I.05-05-024, which proceeding allows for consideration of “proposals ... on matters for which the utility [Southern California Edison Company (SCE)] may not be the proponent.”² Further, the investigation is expressly designed “to afford parties, and the Commission, an opportunity and forum to provide and consider evidence on issues” related to the “public interest” and SCE’s “rates, service and *facilities*.”³ As described in detail in the Coalition’s Motion, I.05-05-024 is the correct venue for the Commission to consider and grant the Coalition’s Motion for a Just Transition Plan that relates to the “public interest” affected by SCE’s decision to close its Mohave Generating Station “facility” and includes an appropriate request for a revenue-neutral modification to SCE’s Energy Resource Recovery Account (ERRA) Tariff in response to that decision.

The Coalition intends to be an active participant in this proceeding to pursue, in particular, Commission consideration of its Motion as part of I.05-05-024, a Commission interim and final decision granting the relief requested by that Motion, and any further actions required to advance or resulted from the Commission’s review of the Motion.

² I.05-05-024, at p. 1.

³ *Id.*, at pp. 1-2; emphasis added.

For these reasons, the Coalition respectfully requests leave to intervene and be given appearance status in this proceeding. Because no present opportunities currently exist for the Coalition to enter an appearance at a hearing in this proceeding, this pleading is necessary to permit the Coalition to actively participate now as a party to this proceeding and continue its advocacy as an interested party throughout all deliberations affecting its Motion filed today.

For purposes of the service list in A.04-12-014/I.05-05-024, the following should be included as the Appearances for the Coalition:

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January 11, 2006

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CERTIFICATE OF SERVICE

I, Sara Steck Myers, am over the age of 18 years and employed in the City and County of San Francisco. My business address is 122 – 28th Avenue, San Francisco, California 94121.

On January 11, 2006, I served the within document, **PETITION OF JUST TRANSITION COALITION FOR LEAVE TO INTERVENE** in A.04-12-014/I.05-05-024, with service pursuant to the electronic protocols adopted for A.04-12-014/I.05-05-024, at San Francisco, California.

Executed on January 11, 2006, at San Francisco, California.

/s/ SARA STECK MYERS

Sara Steck Myers