

Multiple Intervenors hereby supports the requests of AGREE and Nucor for an extension of time to reply to Staff's new proposal to provide billions of dollars in customer-funded subsidies to selected merchant-owned nuclear generation facilities. Such extension requests should be granted for the following reasons, some of which also are advanced in the submissions by AGREE and Nucor.

First, the proposal by Staff was not issued until last Friday afternoon. To expect responsive comments in six business days (by July 18) simply is unreasonable and prejudicial to parties' efforts to participate meaningfully herein. Multiple Intervenors notes that parties were accorded substantially greater amounts of time to respond to the Staff White Paper and the Staff Cost Study (both of which apparently would be superseded, at least in part, by the new Staff proposal).

Second, the new Staff proposal is not a mere modification of a prior proposal; rather, it is an entirely new proposal that, if approved, would result in substantially-greater costs to customers than what has been estimated and studied previously. The elements of the Staff proposal also differ materially from what had been proposed. Multiple Intervenors further notes that Staff provided absolutely no advance notice of the new proposal (either its contents or that it even was being prepared for consideration).

Third, the Commission should be mindful that the proposal now advanced by Staff would result in incremental costs to customers in the billions of dollars, and possibly in excess of \$10 billion between 2017 and 2029 depending on the magnitude and the recipients of the proposed subsidies. The Commission should not make decisions of this magnitude on less than a full record, nor should parties - particularly consumers - be required to submit comments on brand new, impactful proposals on an unduly expedited basis that effectively deprives them of a meaningful opportunity to participate in this proceeding.

Fourth, in a number of important respects, the Staff proposal is devoid of underlying calculations, as well as supporting factual and/or legal justifications. Parties reasonably require more time to fully understand what is being proposed and why.

Fifth, additional, reasonable time to submit comments also is warranted based on the long-term nature of the Staff proposal. Staff is envisioning making binding, 12-year subsidy commitments running from 2017 to 2029. It goes without saying that parties should be accorded more than six business days to review, evaluate and prepare responses to a new proposal that, if adopted, would require customers to provide 12 years of financial subsidies to merchant nuclear generation owners.

Sixth, inasmuch as the new Staff proposal is materially - and, arguably, entirely - different from what previously has been noticed in this proceeding, a new SAPA notice is required else the Commission's ultimate decision herein may violate applicable legal requirements.

Seventh, according parties a meaningful opportunity to respond to significant new Staff proposals is necessary simply to ensure due process and basic fairness. Under any reasonable interpretation, the current filing deadline, which provides parties with a measly six business days to respond to a new Staff proposal on hugely-important issues is unreasonable, inadequate and prejudicial.

For the foregoing reasons, the requests by AGREE and Nucor for an extension of the current July 18th filing deadline should be granted expeditiously.

Respectfully submitted,

Michael Mager
Counsel to Multiple Intervenors

Sent from my iPhone

On Jul 11, 2016, at 4:33 PM, Laura Wynn <LAW@smxblaw.com> wrote:

Dear Secretary Burgess:

Please accept for filing the attached letter in the above-referenced docket. Please do not hesitate to contact me should you have any questions.

Sincerely,

Laura Wynn

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