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NEWS

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SCE Asks for Arbitration Against Mitsubishi Heavy Industries over Defective San Onofre Steam Generators

ROSEMEAD, Calif., Oct. 16, 2013 — Southern California Edison (SCE) today submitted to the International Chamber of Commerce (ICC) a Request for Arbitration which states claims against Mitsubishi Heavy Industries and Mitsubishi Nuclear Energy Systems for the defective steam generators Mitsubishi designed and built for the San Onofre nuclear plant.

The request for binding arbitration seeks to hold Mitsubishi accountable for the defective replacement steam generators, a failure which led to the permanent shutdown of the plant and caused billions of dollars in harm.

“We are taking this step today to ensure that Mitsubishi takes responsibility for providing defective steam generators and to recover, on behalf of our customers, all damages from Mitsubishi for its failures,” said Ron Litzinger, SCE president.

SCE requested arbitration after the Notice of Dispute it filed against Mitsubishi in July did not produce a resolution. The Request for Arbitration says that Mitsubishi totally and fundamentally breached its contract by failing to deliver what it promised. Among other things, SCE also alleges that Mitsubishi failed to submit to a contractually mandated audit requiring it to disclose documents relevant to the design and other aspects of the replacement steam generator project and its implementation.

A panel of three ICC arbitrators will oversee the proceedings in San Francisco. The contract is governed by California law.

The Nuclear Regulatory Commission (NRC) announced in September that it had identified flaws in the computer codes that Mitsubishi used to design the failed steam generators, and the agency issued a “Notice of Non-Conformance” against Mitsubishi for the failed design that resulted from the implementation of the codes. The NRC also cited SCE for the failed design created by Mitsubishi.

SCE announced June 7 that it would permanently shut down San Onofre Units 2 and 3, and begin the process to decommission the nuclear plant.

SCE has made public key documents regarding the failure of the San Onofre replacement steam generators in a Digital Document Library. The library, however, remains incomplete because Mitsubishi has refused to make public other key documents.

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