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OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

**From:** <l.kitman@bejoseeds.com>  
**To:** <OGCMailCenter@nrc.gov>,  
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**Date:** Tue, Jun 11, 2002 8:40 PM  
**Subject:** Pacific Gas & Electric bankruptcy resolution and Diablo Canyon  
licenseapplication

SERVED June 12, 2002

Nuclear Regulatory Commission  
Richard Merserve, Chairman  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Dear Chairman Merserve,

I am writing to request that the Nuclear Regulatory Commission stay the proceedings for Pacific Gas & Electric's license application to expand high-level radioactive waste storage at Diablo Canyon in San Luis Obispo County, California. As you are aware, PG&E is involved in highly contested bankruptcy proceedings with two plans of reorganization being offered to its creditors. Ballots for both plans are scheduled to be sent to PG&E creditors for their votes on June 12, 2002. Ballots must be returned by August 12, 2002. Hearings on the two plans of reorganization, one offered by the California Public Utilities Commission and the other offered by PG&E itself, will be held in the fall.

Until the resolution of PG&E's bankruptcy and the finalization of a reorganization plan, our state will not know:

- Which agency will be responsible for oversight of decommissioning funds collected from California ratepayers which will be used to plan, construct, maintain and secure this nuclear waste site;
- Whether funds will be adequate to assure the safest and most secure radioactive storage facility and transport methods will be available;
- Which company will have ownership of Diablo Canyon;
- Whether the new owner of Diablo Canyon will be subject to California Public Utilities Commission or Federal Energy Regulatory Commission authority.

Few, if any, of these issues have been addressed in the bankruptcy proceedings. However, the finalization of a reorganization plan that fully addresses the above questions is imperative prior to the start of proceedings that will triple the volume of high-level radioactive waste in California's earthquake prone coastal zone. Further, San Luis Obispo County has not yet begun the Environmental Impact Report process which is not expected to be complete until late 2002 or early 2003.

Template = SECY-043

SECY-02

In order for any meaningful participation in the NRC Intervention process to occur, I believe it is in the best interest of San Luis Obispo county residents, like myself, to first insist the PG&E bankruptcy be fully resolved.

Sincerely,

Lorraine Kitman  
P.O. Box 1026  
Grover Beach, CA 93483  
[lorraine@bejoseeds.com](mailto:lorraine@bejoseeds.com)

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of )  
 )  
PACIFIC GAS AND ELECTRIC CO. ) Docket No. 72-26-ISFSI  
DIABLO CANYON POWER PLANT )  
 )  
(Independent Spent Fuel Storage )  
Installation) )

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LETTER FROM LORRAINE KITMAN TO CHAIRMAN MESERVE DATED JUNE 11, 2002 have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

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Washington, DC 20555-0001

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U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Administrative Judge  
Peter S. Lam  
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Administrative Judge  
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Docket No. 72-26-ISFSI  
LETTER FROM LORRAINE KITMAN TO  
CHAIRMAN MESERVE DATED JUNE 11, 2002

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San Luis Obispo County Supervisor  
County Government Center  
1050 Monterey Avenue  
San Luis Obispo, CA 93408

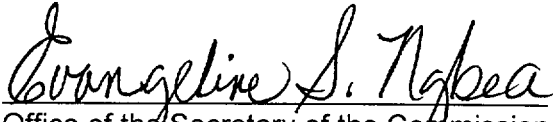
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Pacific Gas & Electric Company  
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San Francisco, CA 94105

  
Office of the Secretary of the Commission

Dated at Rockville, Maryland,  
this 12<sup>th</sup> day of June 2002