

G. Paul Bollwerk, III
Administrative Judge
U.S. Nuclear Regulatory Commission
Atomic Safety and Licensing Board Panel
Mail Stop: T-3F23
Washington, D.C. 20555

Peter S. Lam
Administrative Judge
U.S. Nuclear Regulatory Commission
Atomic Safety and Licensing Board Panel
Mail Stop: T-3F23
Washington, D.C. 20555

Jerry R. Kline
Administrative Judge
U.S. Nuclear Regulatory Commission
Atomic Safety and Licensing Board Panel
Mail Stop: T-3F23
Washington, D.C. 20555

In the Matter of
PACIFIC GAS & ELECTRIC COMPANY
(Diablo Canyon Power Plant Independent Spent Fuel Storage Installation)
Docket No. 72-26-ISFSI; ASLBP No. 02-801-01-ISFSI

Dear Administrative Judges:

Pursuant to 10 C.F.R. § 2.1109(a)(1) and the Atomic Safety and Licensing Board's Memorandum and Order of December 2, 2002, LBP-02-23, 56 NRC ____, the NRC staff ("Staff") requests that this proceeding be conducted under 10 C.F.R. Part 2, Subpart K.

Specifically, the Staff requests an oral argument on the one admitted contention, San Luis Obispo Mothers for Peace TC-2, which asserts that Pacific Gas & Electric Company has failed to demonstrate that it can meet the financial qualifications requirements of 10 C.F.R.

§ 72.22(e).

Respectfully submitted,

/RA/

Stephen H. Lewis
Counsel for NRC Staff

cc: Service List

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	
PACIFIC GAS & ELECTRIC CO.)	Docket No. 72-26-ISFSI
)	
(Diablo Canyon Power Plant Independent Spent Fuel Storage Installation))	ASLBP No. 02-801-01-ISFSI

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing letter requesting oral argument under 10 C.F.R. § 2.1109(a)(1) have been served upon the following persons by United States mail, first class, or through the Nuclear Regulatory Commission's internal mail distribution as indicated by an asterisk (*); and by electronic mail as indicated by a double asterisk (**) on this 12th day of December, 2002.

Administrative Judge* **
G. Paul Bollwerk, III
U.S. Nuclear Regulatory Commission
Atomic Safety and Licensing Board Panel
Mail Stop: T-3F23
Washington, D.C. 20555
E-mail: gpb@nrc.gov

Administrative Judge* **
Peter S. Lam
U.S. Nuclear Regulatory Commission
Atomic Safety and Licensing Board Panel
Mail Stop: T-3F23
Washington, D.C. 20555
E-mail: psl@nrc.gov

Atomic Safety and Licensing Board Panel*
U.S. Nuclear Regulatory Commission
Mail Stop: T-3F23
Washington, D.C. 20555

Administrative Judge* **
Jerry R. Kline
U.S. Nuclear Regulatory Commission
Atomic Safety and Licensing Board Panel
Mail Stop: T-3F23
Washington, D.C. 20555
E-mail: jrk2@nrc.gov
kjerry@erols.com

Office of Commission Appellate Adjudication*
U.S. Nuclear Regulatory Commission
Mail Stop: O-16C1
Washington, D.C. 20555

Office of the Secretary* **
ATTN: Rulemakings and Adjudications Staff
U.S. Nuclear Regulatory Commission
Mail Stop: O-16C1
Washington, D.C. 20555
E-mail: HEARINGDOCKET@nrc.gov

Lorraine Kitman**
P.O. Box 1026
Grover Beach, CA 93483
E-mail: lorraine@bejoseeds.com
l.kitman@bejoseeds.com

Diane Curran**
Harmon, Curran, Spielberg, & Eisenberg, LLP
1726 M Street N.W., Suite 600
Washington, D.C. 20036
E-mail: dcurran@harmoncurran.com

County Supervisor Peg Pinard**
County Government Center
1050 Monterey Avenue
San Luis Obispo, California 93408
E-mail: ppinard@co.slo.ca.us

Lawrence F. Womack
Vice President
Nuclear Services
Diablo Canyon Power Plant
P.O. Box 56
Avila Beach, CA 93424

Klaus Schumann
Mary Jane Adams
26 Hillcrest Drive
Paso Robles, CA 93446
E-mail: jayklaus@msn.com

James B. Lindholm, Jr. Esq.**
County Counsel for San Luis Obispo County
County Government Center
1050 Monterey Avenue, Room 386
San Luis Obispo, CA 93408
E-Mail: jlindholm@co.slo.ca.us

San Luis Obispo Mothers for Peace
P.O. Box 164
Pismo Beach, CA 93448

Seamus M. Slattery
Chairman
Avila Valley Advisory Council
P.O. Box 58
Avila Beach, CA 93424

David A. Repka**
Brooke D. Poole**
Winston & Strawn
1400 L Street N.W.
Washington, D.C. 20005-3502
E-Mail: bpoole@winston.com
drepka@winston.com

Thomas D. Green, Esq.**
Thomas D. Waylett, Esq.
Counsel for Port San Luis Harbor District
Adamski, Moroski & Green, L.L.P.
444 Higuera Street, Suite 300
San Luis Obispo, CA 93401-3875
E-Mail: green@adamskimoroski.com
waylett@adamskimoroski.com

Robert K. Temple, Esq.**
2524 N. Maplewood Avenue
Chicago, IL 60647
E-mail: nuclaw@mindspring.com

John L. Wallace
General Manager & District Engineer
Avila Beach Community Services District
P.O. Box 309
Avila Beach, CA 93424

/RA/

Stephen H. Lewis
Counsel for NRC Staff