

December 18, 2002

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNRC

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

December 26, 2002 (11:17AM)

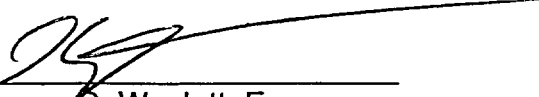
In the Matter of)		
)	Docket No. 72-26-ISFSI	OFFICE OF SECRETARY RULEMAKINGS AND ADJUDICATIONS STAFF
PACIFIC GAS & ELECTRIC CO.)		
)	ASLBP No. 02-801-01-ISFSI	
(Diablo Canyon ISFSI))		

POSITION OF THE PORT SAN LUIS HARBOR DISTRICT
REGARDING SAN LUIS OBISPO COUNTY'S MOTION REQUESTING REFERRAL OF
THE LICENSING BOARD'S RULING IN SECTION II.C.3.a OF LBP-02-23, 56 NRC ___
(Dec 2, 2002) REGARDING THE CRITERIA FOR CONSIDERING ISSUES
RAISED BY GOVERNMENTAL ENTITIES UNDER 10 C.F.R. § 2.715(c)

Port San Luis Harbor District ("District") hereby responds to the Atomic Safety and Licensing Board's ("Board") order to respond to the motion by San Luis Obispo County, California, (SLOC) requesting Commission referral under 10 C.F.R. § 2.730(a) of the Licensing Board's ruling in section II.C.3.a of LBP-02-23, 56 NRC ___ (Dec. 2, 2002), regarding the admission standard for issues proffered by 10 C.F.R. § 2.715(c) interested governmental entities.

The District supports the motion filed by SLOC and requests that the Board grant SLOC's motion and refer the Board's ruling in section II.C.3.a of LBP-02-23, 56 NRC (Dec. 2, 2002), regarding the admission standard for issues proffered by 10 C.F.R. § 2.715(c) interested governmental entities to the Commission pursuant to 10 C.F.R. § 2.730(a).

Respectfully submitted,



Thomas D. Waylett, Esq.
Attorneys for the Port San Luis Harbor District

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) ASLBP No. 02-801-01-ISFSI
Spent Fuel Storage Installation))

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing "Position of the Port San Luis Harbor District Regarding the Criteria for Considering Issues Raised By Governmental Entities Under 10 C.F.R. § 2.715(c)" have been served upon the following persons by United States mail, first class; and by electronic mail as indicated by an asterisk (*) on this 9th day of October 2002.

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

Peter S. Lam
Administrative Judge*
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
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

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

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

San Luis Obispo Mothers for Peace*
P.O. Box 164
Pismo Beach, CA 93448
E-Mail: beckers@thegrid.net
Jzk@charter.net

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

Seamus M. Slattery*
Chairman
Avila Valley Advisory Council
P.O. Box 58
Avila Beach, CA 93424
E-mail: jlat1@aol.com

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
Email: jayklaus@email.msn.com

Darcie L. Houck, Staff Counsel*
California Energy Commission
Chief Counsel's Office
1516 Ninth Street, MS 14
Sacramento, CA 95814
E-Mail: Dhouck@energy.state.ca.us

General Counsel*
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555
E-mail: OGCMailCenter@nrc.gov
ABC1@nrc.gov

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

Annette L. Vietti-Cook*
Office of the Secretary
U.S. Nuclear Regulatory Commission
Rockville, Maryland 20852-2738
Email: avc@nrc.gov

11555 Rockville Pike
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

Robert R. Wellington, Esq.*
Robert W. Rathie, Esq.*
Wellington Law Offices
857 Cass Street, Suite D
Monterey, California 93940
E-Mail: info@dcisc.org

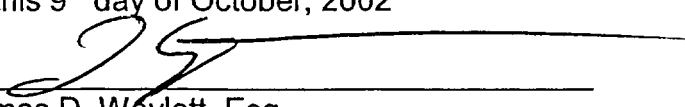
Barbara Byron*
Nuclear Policy Advisor
California Energy Commission
1516 9th Street, MS 36
Sacramento, CA 95814
E-Mail: Bbyron@energy.state.ca.us

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

Sheldon L. Trubatch, Esq.*
4222 River Road
Washington, D.C. 20016
Facsimile: (202) 363-3924
lawofficesofsheldontrubatch@starpower.net

Robert K. Temple*
2524 N Maplewood Avenue
Chicago, IL 60647
Email: nuclaw@mindspring.com

Dated at San Luis Obispo, California, this 9th day of October, 2002


Thomas D. Waylett, Esq.
444 Higuera Street, Suite 300
San Luis Obispo, CA 93401
waylett@adamskimoroski.com