

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)
)
PACIFIC GAS & ELECTRIC CO.)
)
(Diablo Canyon ISFSI) .)

Docket No. 72-26-ISFSI

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

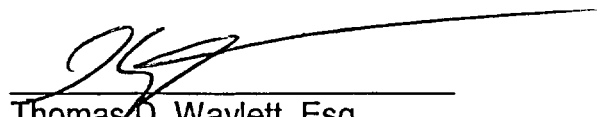
ASLBP No. 02-801-01-ISFSI

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.

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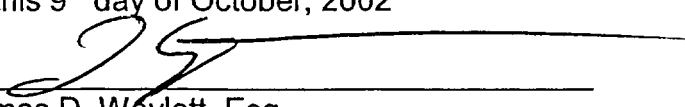
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Dated at San Luis Obispo, California, this 9th day of October, 2002


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