

RAS 5162

December 19, 2002

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

DOCKETED  
USNRC

December 30, 2002 (11:04AM)

In the Matter of )  
 )  
PACIFIC GAS & ELECTRIC CO. )  
 )  
(Diablo Canyon ISFSI) )

Docket No. 72-26-ISFSI

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

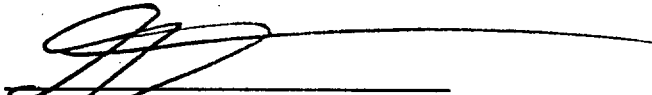
ASLBP No. 02-801-01-ISFSI

POSITION OF THE PORT SAN LUIS HARBOR DISTRICT  
REGARDING RECONSIDERATION OF THE BOARD'S RULING  
DENYING PARTY STATUS TO THE ENVIRONMENTAL CENTER OF  
SAN LUIS OBISPO FOR LACK OF STANDING

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 Mothers for Peace ("SLOMFP"), as lead intervenor, on behalf of the Environmental Center of San Luis Obispo ("ECSLO"), requesting reconsideration of that portion of the Board's ruling denying ECSLO party status because it lacks standing.

The District supports the motion filed by SLOMFP and requests that the Board grant SLOMFP's motion and reconsider whether the new evidence ECSLO has provided relevant to the issue adequately establishes ECSLO's standing. The District sees no appreciable prejudice resulting from reconsideration, while denying the motion in light of the new evidence would greatly prejudice ECSLO's interest in the proceedings.

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 )  
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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 Reconsideration of the Board's Ruling Denying Party Status to the Environmental Center of San Luis Obispo for Lack of Standing" have been served upon the following persons by United States mail, first class; and by electronic mail as indicated by an asterisk (\*) on this 19<sup>th</sup> day of December, 2002.

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Dated at San Luis Obispo, California, this 19<sup>th</sup> day of December, 2002

  
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## **Tracy Groshong**

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pslhd RESPONSE to Mother's M...

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