January 15, 2003

UNITED STATES OF AMERICA NUCLEAR REGULATORY COMMISSION

USNRC January 22, 2003 (11:30AM)

DOCKETED

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD OFFICE OF SECRETARY RULEMAKINGS AND ADJUDICATIONS STAFF In the Matter of:)) Docket No. 72-26-ISFSI Pacific Gas and Electric Co.)

(Diablo Canyon Power Plant Independent Spent Fuel Storage Installation)

ASLBP No. 02-801-01-ISFSI

ANSWER OF PACIFIC GAS AND ELECTRIC COMPANY TO PORT SAN LUIS HARBOR DISTRICT NOTICE OF INTENT AND PETITION TO WITHDRAW FROM PARTICIPATION AS AN INTERESTED GOVERNMENTAL ENTITY

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On January 6, 2003, interested governmental participant Port San Luis Harbor

District ("District") filed a notice of intent and petition to withdraw from this proceeding.

Pacific Gas and Electric Company does not object to the District's request.

Respectfully submitted,

David A. Repka, Esq. WINSTON & STRAWN 1400 L Street, N.W. Washington, DC 20005-3502

William V. Manheim, Esq. Richard F. Locke, Esq. PACIFIC GAS & ELECTRIC COMPANY 77 Beale Street, B30A San Francisco, CA 94105

ATTORNEYS FOR PACIFIC GAS & ELECTRIC COMPANY

Dated in Washington, District of Columbia this 15th day of January 2003

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UNITED STATES OF AMERICA NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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Pacific Gas and Electric Co.

(Diablo Canyon Power Plant Independent Spent Fuel Storage Installation) Docket No. 72-26-ISFSI

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CERTIFICATE OF SERVICE

I hereby certify that copies of the "ANSWER OF PACIFIC GAS AND ELECTRIC COMPANY TO PORT SAN LUIS HARBOR DISTRICT NOTICE OF INTENT AND PETITION TO WITHDRAW FROM PARTICIPATION AS AN INTERESTED GOVERNMENTAL ENTITY" have been served as shown below by electronic mail, this 15th day of January 2003. Additional service has also been made this same day by deposit in the United States mail, first class, as shown below.

Administrative Judge G. Paul Bollwerk, III Chairman Atomic Safety and Licensing Board Panel U.S. Nuclear Regulatory Commission Mail Stop T-3F23 Washington, DC 20555-0001 e-mail: gpb@nrc.gov

Administrative Judge Jerry R. Kline Atomic Safety and Licensing Board Panel U.S. Nuclear Regulatory Commission Mail Stop T-3F23 Washington, DC 20555-0001 e-mail: jrk2@nrc.gov kjerry@comcast.net

Office of the Secretary U.S. Nuclear Regulatory Commission Washington, DC 20555-0001 Attn: Rulemakings and Adjudications Staff (original + two copies) e-mail: HEARINGDOCKET@nrc.gov Administrative Judge Peter S. Lam Atomic Safety and Licensing Board Panel U.S. Nuclear Regulatory Commission Mail Stop T-3F23 Washington, DC 20555-0001 e-mail: psl@nrc.gov

Office of Commission Appellate Adjudication U.S. Nuclear Regulatory Commission Mail Stop O-16C1 Washington, DC 20555-0001

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