

UNITED STATES COURT OF APPEALS  
FOR THE  
DISTRICT OF COLUMBIA CIRCUIT

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_____	)	
Northern California Power Agency.	)	
	)	
Petitioner.	)	
	)	
v.	)	Case No. 03-1038
	)	
Nuclear Regulatory Commission. et al..	)	
	)	
Respondent.	)	
_____	)	

**MOTION FOR LEAVE TO INTERVENE OF  
THE CITY OF SANTA CLARA, CALIFORNIA**

The City of Santa Clara, California ("Santa Clara"), by and through its attorneys, James D. Pembroke and Lisa S. Gast, Duncan, Weinberg, Genzer & Pembroke, P.C., 1615 M Street, N.W., Suite 800, Washington, DC 20036, pursuant to Rule 15(d) of the Federal Rules of Appellate Procedure, hereby submits this motion for leave to intervene in the above-captioned proceeding, wherein Northern California Power Agency ("NCPA"), on February 25, 2003, filed a Petition For Review of the following order of the Nuclear Regulatory Commission ("NRC"):

*Memorandum and Order CLI-03-02, issued by the Nuclear Regulatory Commission on February 14, 2003 in the matter of Pacific Gas & Electric Company (Diablo Canyon Nuclear Power Plant, Units 1 and 2), Docket Nos. 50-275-LT, 50-323-LT.*

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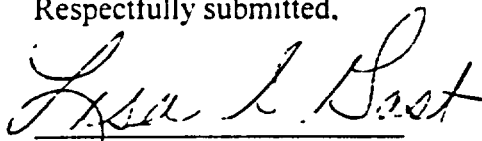
Santa Clara is a city, duly chartered under the laws of the State of California, which owns and operates a municipal electric utility system engaged in the generation, transmission, distribution, purchase and sale of electric power and energy at wholesale and retail. Santa Clara, as a "Neighboring Entity" to Pacific Gas and Electric Company (as that term is used in the license conditions that are the subject of this proceeding ("Stanislaus Commitments")), is a third party beneficiary of those Commitments. Santa Clara participated in the proceeding below before the Nuclear Regulatory Commission.

Accordingly, Santa Clara has direct and material interests in this proceeding which may be affected by any order issued by this Court. These interests are not adequately represented by any other party to this proceeding. Santa Clara submits that its participation in this proceeding would serve the public interest by ensuring that its ratepayers are represented herein.

WHEREFORE, for the foregoing reasons, the City of Santa Clara, California, respectfully requests the Court to grant its motion for leave to intervene in the above-captioned proceeding and permit it to participate in this proceeding for all purposes.

Dated: March 17, 2003

Respectfully submitted,



James D. Pembroke  
Lisa S. Gast  
Duncan, Weinberg, Genzer  
& Pembroke, P.C.  
1615 M Street, NW  
Suite 800  
Washington, DC 20036  
(202) 467-6370

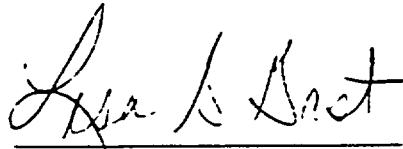
Attorneys for the City of Santa Clara, California

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion for Leave to Intervene of the City of Santa Clara, California was served upon each of the parties reflected on the attachment hereto by United States Mail, postage prepaid, this 17th day of March, 2003.

Dated at Washington, D.C., this 17th day of March, 2003.

By:



James D. Pembroke  
Lisa S. Gast  
Duncan, Weinberg, Genzer  
& Pembroke, P.C.  
1615 M Street, N.W.  
Suite 800  
Washington, D.C. 20036  
(202) 467-6370

Attorneys for the City of Santa Clara,  
California

Robert C. McDiarmid  
Ben Finkelstein  
Spiegel & McDiarmid  
1333 New Hampshire Avenue, N.W.  
Washington, D.C. 20036

Laurence G. Chaset, Esq.  
Public Utilities Commission  
of the State of California  
505 Van Ness Avenue  
Room 5131  
San Francisco, CA 94102

Lawrence J. Chandler, Esq.  
Office of the General Counsel  
Mail Stop - O -15 D21  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Gregory Heiden, Esq.  
Public Utilities Commission  
of the State of California  
505 Van Ness Avenue  
Room 5024  
San Francisco, CA 94102

David Effros  
Utilities Commission of  
the State of California  
505 Van Ness Avenue, 4<sup>th</sup> Floor  
San Francisco, CA 94102

Steven M. Kramer, Esq.  
Carla J. Urquhart, Esq.  
Milbank, Tweed, Hadley  
& McCloy LLP  
1825 I Street, N.W., Suite 1100  
Washington, D.C. 20006

Roland D. Pfeifer, Esq.  
Assistant City Attorney  
City of Santa Clara  
1500 Warburton Avenue  
Santa Clara, CA 95050

James H. Pope  
Director of Electric Utility  
City of Santa Clara  
1500 Warburton Avenue  
Santa Clara, CA 95050

James C. Feider  
Director, Electric Department  
City of Redding  
777 Cypress Avenue  
Redding, CA 96049-6071

James H. Pope, Chairman  
Maury A. Kruth, Executive Director  
Transmission Agency of Northern California  
P.O. Box 15129  
Sacramento, CA 95851-0129

Grant Kolling  
Senior Assistant City Attorney  
City of Palo Alto  
P.O. Box 10250  
Palo Alto, CA 94303

Roger VanHoy  
Assistant General Manager,  
Electric Resources  
Modesto Irrigation District  
P.O. Box 4060  
Modesto, California 95352

Edwin F. Feo, Esq  
Milbank, Tweed, Hadley  
& McCloy LLP  
601 South Figueroa Street  
30<sup>th</sup> Floor  
Los Angeles, CA 90017

Sheldon L. Trubatch, Esq.  
Law Offices of Sheldon L. Trubatch  
4222 River Road, N.W. #1  
Washington, D.C. 20016

Rick Coleman, Manager  
Trinity County Public  
Utilities District  
P.O. Box 1216  
26 Ponderosa Lane  
Weaverville, CA 96093

William C. Walbridge  
General Manager  
M-S-R Public Power Agency  
P.O. Box 4060  
Modesto, CA 95352

Scott Steffen, Esq  
Assistant General Counsel  
Modesto Irrigation District  
P.O. Box 4060  
Modesto, CA 95352

Girish Balachandran  
Manager Supply Resources  
City of Palo Alto  
P.O. Box 10250  
Palo Alto, CA 94303

Richard F. Locke, Esq.  
William V. Manheim, Esq.  
Pacific Gas & Electric Company  
77 Beale Street B30A  
San Francisco, CA 94105

Harrison Call  
Call Company  
130 S. Cloverdale Blvd.  
P.O. Box 219  
Cloverdale, CA 95425

James B. Lindholm, Jr., Esq.  
County Counsel  
San Luis Obispo County  
County Government Center  
1050 Monterey Avenue, Room 386  
San Luis Obispo, CA 93408

David A. Repka, Esq.  
Brooke D. Poole, Esq.  
Winston & Strawn  
1400 L Street, N.W.  
Washington, D.C. 20005

Office of Commission Appellate  
Adjudication  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Robert K. Temple, Esq.  
2524 N. Maplewood Avenue  
Chicago, IL 60647