

UNITED STATES COURT OF APPEALS  
FOR THE  
DISTRICT OF COLUMBIA CIRCUIT

_____	)	
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.*

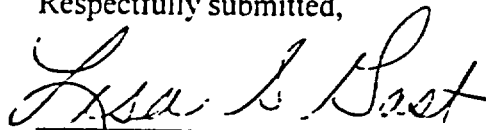
Santa Clara is a city, duly chartered under the laws of the State of California, which owns and operates a municipal electric utility system engaged in the generation, transmission, distribution, purchase and sale of electric power and energy at wholesale and retail. Santa Clara, as a "Neighboring Entity" 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,



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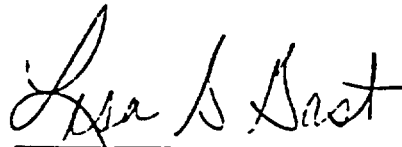
Attorneys for the City of Santa Clara, California

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:



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