

RAS 6452

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD

DOCKETED 05/16/03

SERVED 05/16/03

Before Administrative Judges:

G. Paul Bollwerk, III, Chairman
Dr. Jerry R. Kline
Dr. Peter S. Lam

In the Matter of

PACIFIC GAS AND ELECTRIC CO.

(Diablo Canyon Power Plant Independent
Spent Fuel Storage Installation)

Docket No. 72-26-ISFSI

ASLBP No. 02-801-01-ISFSI

May 16, 2003

ORDER

(Opportunity to Respond to Motion to Take Official Notice)

Upon consideration of the May 15, 2003 motion of 10 C.F.R. § 2.715(c) interested governmental participants Avila Beach Community Services District (ABCSD), the California Energy Commission (CEC), the California Public Utilities Commission (CPUC), and San Luis Obispo County, California, (SLOC) requesting the Licensing Board take official notice under 10 C.F.R. § 2.743(i)(1), it is

ORDERED, that applicant Pacific Gas and Electric Company (PG&E), the NRC staff, and intervenors San Luis Obispo Mothers for Peace, et al., (collectively SLOMFP) should be prepared to advise the Board at the outset of the May 19, 2003 oral argument whether they wish to respond regarding the procedural and substantive merits of the May 15, 2003 motion at

the argument or in writing shortly thereafter. Any of these parties that wish to make an oral response will be allocated a brief additional period of time for that presentation.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD*

/RA/

G. Paul Bollwerk, III
ADMINISTRATIVE JUDGE

Rockville, Maryland

May 16, 2003

* Copies of this order were sent this date by Internet e-mail transmission to counsel for (1) applicant PG&E; (2) 10 C.F.R. § 2.714 intervenors SLOMFP; (3) 10 C.F.R. § 2.715(c) interested governmental participants SLOC, CPUC, CEC, ABCSD; (4) the Diablo Canyon Independent Safety Committee; and (5) the staff.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)	
)	
PACIFIC GAS AND ELECTRIC CO.)	Docket No. 72-26-ISFSI
DIABLO CANYON POWER PLANT)	
)	
(Independent Spent Fuel Storage)	
Installation))	

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB ORDER (OPPORTUNITY TO RESPOND TO MOTION TO TAKE OFFICIAL NOTICE) have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

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Washington, DC 20555-0001

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Docket No. 72-26-ISFSI
LB ORDER (OPPORTUNITY TO RESPOND
TO MOTION TO TAKE OFFICIAL NOTICE)

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Docket No. 72-26-ISFSI
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TO MOTION TO TAKE OFFICIAL NOTICE)

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[Original signed by Adria T. Byrdsong]

Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 16th day of May 2003