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September 30, 2002

BY FACSIMILE

Mr. Stephen Liacouras
Circuit Mediator
United States Court of Appeals
for the Ninth Circuit
Circuit Mediation Office
95 Seventh Street
San Francisco, CA 94119-3939

Re: **October 3, 2002, Settlement Assessment Conference**
Case No. 02-72735,
California Public Utilities Commission v. Nuclear Regulatory
Commission

Dear Mr. Liacouras:

Pacific Gas and Electric Company ("PG&E") hereby requests to participate in the settlement assessment conference for the above-captioned proceeding, scheduled to occur by telephone on October 3, 2002, at 12:00 p.m. Pacific Time.

Petitioners California Public Utilities Commission and County of San Luis Obispo are seeking review of a Memorandum and Order of the U.S. Nuclear Regulatory Commission ("NRC"). PG&E is the owner and operator of Diablo Canyon Power Plant, the facility subject to the NRC Memorandum and Order. PG&E participated as the applicant in the proceeding below before the NRC. PG&E's operations are directly implicated by the proposed NRC licensing action and would be directly affected should the Court suspend, enjoin, or set aside the NRC's orders that are the subject of the Petition for Review in this proceeding. Accordingly, PG&E has a direct and substantial interest in the case, and, on September 17, 2002, filed a motion for leave to intervene in this proceeding pursuant to Rule 15(d) of the Federal Rules of Appellate Procedure and Circuit Rule 15-3.2(c).

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Counsel for PG&E to participate in the settlement assessment conference are as follows:

David A. Repka Telephone: (202) 371-5726
Brooke D. Poole

Counsel for the NRC Staff does not object to PG&E's request to participate in the settlement assessment conference. If you need any further information, please contact me at the number above. Thank you for your attention to this matter.

Sincerely,



David A. Repka

Counsel for
Pacific Gas and Electric Company

cc: Service List