

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

Before Administrative Judge: DOCKETED 02/15/08
E. Roy Hawkens, Presiding Officer SERVED 02/15/08

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. 08-860-01-ISFSI-BD01

February 15, 2008

GRANTING NRC STAFF’S UNOPPOSED REQUEST FOR EXTENSION

On February 14, 2008, the NRC Staff submitted an unopposed motion requesting a two-day extension of time – from February 20 to February 22 – for filing its responses to the discovery requests propounded by San Luis Obispo Mothers for Peace (SLOMFP).¹ The Staff’s extension request is granted, and the time for SLOMFP to file its responses is likewise extended to February 22.

Counsel for SLOMFP is reminded that she is obliged to provide the Presiding Officer with an electronic copy and hard copy of “each pleading or submission filed before the Presiding Officer or the Commission in the discovery phase of the proceeding” (Scheduling And Management Order For Discovery at 4-5 (Jan. 24, 2008)), and she is, accordingly, directed to provide the Presiding Officer with such copies of the discovery requests she apparently propounded last week. Such copies of all submissions will also be provided to the Law Clerk assigned to this case, Ms. Erica LaPlante.

¹ Counsel for SLOMFP stated she had no objection to the extension request, provided that SLOMFP received the same extension (NRC Staff’s Request For Extension at 1 (Feb. 14, 2008)). Counsel for the Licensee declined to take a position (ibid.).

Finally, the parties are reminded that, absent an extension by the Commission, discovery is to be completed on February 29, 2008 (Scheduling And Management Order For Discovery at 4 (Jan. 24, 2008)).

It is so ORDERED.

BY THE PRESIDING OFFICER²

/RA/

E. Roy Hawkens
ADMINISTRATIVE JUDGE

Rockville, Maryland
February 15, 2008

² Copies of this Scheduling and Management Order For Discovery were sent this date by Internet e-mail to counsel for: (1) Pacific Gas and Electric Co.; (2) San Luis Obispo Mothers for Peace; and (3) the NRC 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 Licensing Board issuance, GRANTING NRC STAFF'S UNOPPOSED REQUEST FOR EXTENSION have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

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

Administrative Judge
E. Roy Hawkens, Presiding Officer
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Lisa B. Clark, Esq.
Molly L. Barkman, Esq.
Office of the General Counsel
Mail Stop - O-15 D21
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Diane Curran, Esq.
Harmon, Curran, Spielberg
& Eisenberg, L.L.P.
1726 M Street, NW, Suite 600
Washington, DC 20036

David A. Repka, Esq.
Martin J. O'Neill, Esq.
Tyson R. Smith, Esq.
Winston & Strawn LLP
1700 K Street, NW
Washington, DC 20006

Jennifer Post, Esq.
Pacific and Gas Electric Company
77 Beale Street, B30A
San Francisco, CA 94105

[Original signed by Adria T. Byrdsong]
Office of the Secretary of the Commission

Dated at Rockville, Maryland
this 15th day of February 2008