

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED 04/01/08
SERVED 04/01/08

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judge:

E. Roy Hawkens, Presiding Officer

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

April 1, 2008

NOTICE OF CONFERENCE CALL

(Discussing Matters Relating to the Expedited Adjudication of Contention 1(b))

In its Order of March 27, 2008, the Commission directed the Presiding Officer to “resolve Contention 1(b) . . . on an expedited basis” and, absent unanticipated circumstances, to issue a decision “no later than May 30” (CLI-08-05, slip op. at 4). Consistent with that Order, and pursuant to 10 C.F.R. § 2.332(a) (2007), on Wednesday, April 2, 2008, at 2:30 PM, the Presiding Officer will convene a conference call with the parties to discuss the accelerated scheduling of adjudicative events that will achieve an expedited resolution of Contention 1(b). In preparing for the conference call, the parties should bear in mind that the Commission authorized the Presiding Officer to use “all appropriate adjudicatory tools, including . . . requesting further briefs, calling for summary disposition motions, holding oral argument, and reviewing documents in camera” (CLI-08-05, slip op. at 4). The parties should thus be prepared to discuss the possible use of these, and any other, adjudicatory tools that they believe will – consistent with an accelerated schedule – inform the decision-making process. The Presiding Officer anticipates the creation of schedule that will result in any briefs, motions, or other pleadings being submitted by May 1, and any oral argument occurring by May 7.

At a few minutes before 2:30 PM, EDT on April 2, 2008, counsel for each party shall call 1-800-621-8495 and, upon the prompt, enter passcode 15284 followed by the # sign to join the conference call.

The Presiding Officer expects that the conference call can be conducted within 60 minutes. The conference call will be transcribed. After the call, the Presiding Officer will issue an appropriate Scheduling and Management Order.

It is so ORDERED.

BY THE PRESIDING OFFICER¹

/RA/

E. Roy Hawkens
ADMINISTRATIVE JUDGE

Rockville, Maryland
April 1, 2008

¹ Copies of this Notice of Conference Call 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.

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB NOTICE OF CONFERENCE CALL (DISCUSSING MATTERS RELATING TO THE EXPEDITED ADJUDICATION OF CONTENTION 1(b)) have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

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[Original signed by R.L. Giitter]

Office of the Secretary of the Commission

Dated at Rockville, Maryland
this 1st day of April 2008