

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED 04/29/08
SERVED 04/29/08

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 29, 2008

ORDER

(Canceling Oral Argument on Contention 1(b))

In an Order dated April 4, 2008, I instructed the parties to reserve the afternoon of May 7, 2008 for oral argument on Contention 1(b) in the event it was determined that such argument would be beneficial.¹ Based on the pleadings I have received, it does not appear that oral argument will be necessary.² Accordingly, oral argument will not be held on May 7, 2008.

It is so ORDERED.

BY THE PRESIDING OFFICER³

/RA/

E. Roy Hawkens
ADMINISTRATIVE JUDGE

Rockville, Maryland
April 29, 2008

¹ See Scheduling and Case Management Order for Adjudication of Contention 1(b) (Apr. 4, 2008) (unpublished).

² San Luis Obispo Mothers for Peace's Response to NRC Staff's Motion for Summary Disposition of Contention 1(b) (Apr. 26, 2008); NRC Staff's Motion for Summary Disposition of San Luis Obispo Mothers for Peace's Contention 1(b) (Apr. 18, 2008).

³ Copies of this Order 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 ORDER (CANCELING ORAL ARGUMENT ON 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 Nancy Greathead]

Office of the Secretary of the Commission

Dated at Rockville, Maryland
this 29th day of April 2008