

November 29, 2012

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of:)
)
PACIFIC GAS AND ELECTRIC) Docket No. 50-275-LR
COMPANY) Docket No. 50-323-LR
)
(Diablo Canyon Power Plant, Units 1 and 2))

MOTION TO MODIFY REVISED SCHEDULING ORDER

On November 19, 2012, the Atomic Safety and Licensing Board (“Licensing Board”) issued a Revised Scheduling Order (“Order”) related to the license renewal application of Pacific Gas and Electric Company (“PG&E”) for the Diablo Canyon Nuclear Power Plant. Pursuant to 10 C.F.R. 2.323(a)(2), and in response to the Licensing Board’s invitation to provide feedback,¹ PG&E hereby files its motion to modify the Order.

In the Order at 2-3, the Licensing Board revised the monthly mandatory disclosure cut-off date. The Board changed the date from “the last day of the preceding month” to “two weeks immediately prior to the monthly update.” PG&E respectfully requests that original monthly cut-off date be restored. Each month PG&E’s in-house information technology department works with PG&E’s external counsel and its litigation support department to search for, collect, process, and review potentially relevant documents. The search and collection aspects of this endeavor are currently optimized and linked to a regular and consistent cut-off date: the end of each calendar month. However, under the revised Order, the cut-off date for

¹ Email from O. Williams, Licensing Board Law Clerk, dated Nov. 19, 2012 (forwarding the Order to the parties and noting that any motion to clarify or change the Order would be due within 10 days).

each month would fluctuate. For example, when the filing deadline (nominally the 15th of each month) is affected by a weekend or holiday the cut-off date would likewise change. Reverting to the “last day of the preceding month” as the cut-off date would maintain the efficiency of the mandatory disclosure process that has been used successfully throughout this proceeding without prejudicing the other parties (in almost all cases, the requested change would alter the monthly cut-off date by only one to three days). PG&E has discussed this request with the other parties and they have indicated that they have no objection.

Respectfully submitted,

/s/ signed electronically by _____
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Dated at Washington, District of Columbia
this 29th day of November 2012

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CERTIFICATE OF SERVICE

I hereby certify that copies of “MOTION TO MODIFY REVISED SCHEDULING ORDER” in the captioned proceeding have been served via the Electronic Information Exchange (“EIE”) this 29th day of November 2012, which to the best of my knowledge resulted in transmittal of the foregoing to those on the EIE Service List for the captioned proceeding.

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