

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

Paul S. Ryerson, Chairman
Dr. Gary S. Arnold
Nicholas G. Trikouros

In the Matter of

PACIFIC GAS & ELECTRIC COMPANY

(Diablo Canyon Nuclear Power Plant, Units 1
and 2)

Docket No. 50-275

Docket No. 50-323

ASLBP No. 15-941-05-LA-BD01

June 12, 2015

ORDER
(Allowing Supplemental Briefing)

Before the Board is a motion by petitioner Friends of the Earth (FoE) to allow supplemental briefing.¹ Pacific Gas & Electric Company (PG&E) and the NRC Staff oppose.²

FoE's motion is granted. Substantial time has passed between FoE's original petition in August 2014³ and the Commission's referral on May 21, 2015.⁴ Without deciding at this time which (if any) intervening events might be relevant, the Board will allow short supplemental briefs. FoE may file a supplemental brief, not to exceed 20 pages, on or before June 19, 2015.

¹ Petitioner Friends of the Earth's Motion to Allow Supplemental Briefing (June 5, 2015).

² Pacific Gas & Electric Company's Opposition to Motion for Expanded Briefing (June 11, 2015); NRC Staff Answer Opposing the Friends of the Earth Motion to Allow Supplemental Briefing (June 11, 2015).

³ Petition to Intervene and Request for Hearing by Friends of the Earth (Aug. 26, 2014).

⁴ Pacific Gas & Electric Co. (Diablo Canyon Nuclear Power Plant, Units 1 and 2), CLI-15-14, 81 NRC __, __ (slip op. at 2, 7) (May 21, 2015).

Any responsive briefs by PG&E or the NRC Staff shall be filed no later than seven days after service of FoE's supplemental brief, and shall not exceed 12 pages each.

The parties are reminded that the scope of the Commission's referral to this Licensing Board is "limited."⁵ Supplemental briefs shall address only events after August 26, 2014 that allegedly pertain to the issues referred by the Commission.⁶

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD

/RA/

Paul S. Ryerson, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland
June 12, 2015

⁵ Id. at __ (slip op. at 7).

⁶ See id. at __ (slip op. at 2, 6-8).

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(Diablo Canyon Nuclear Power Plant,)
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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **ORDER (Allowing Supplemental Briefing)** have been served upon the following persons by the Electronic Information Exchange.

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Diablo Canyon Nuclear Power Plant - Docket Nos. 50-275 and 50-323

ORDER (Allowing Supplemental Briefing)

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[Original signed by R. Giitter]
Office of the Secretary of the Commission

Dated at Rockville, Maryland
this 12th day of June, 2015