

10/6/78

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of )  
PACIFIC GAS AND ELECTRIC COMPANY )  
(Diablo Canyon Nuclear Power Plant, )  
Units 1 and 2 )

Docket Nos. 50-275 O.L.  
50-323 O.L.

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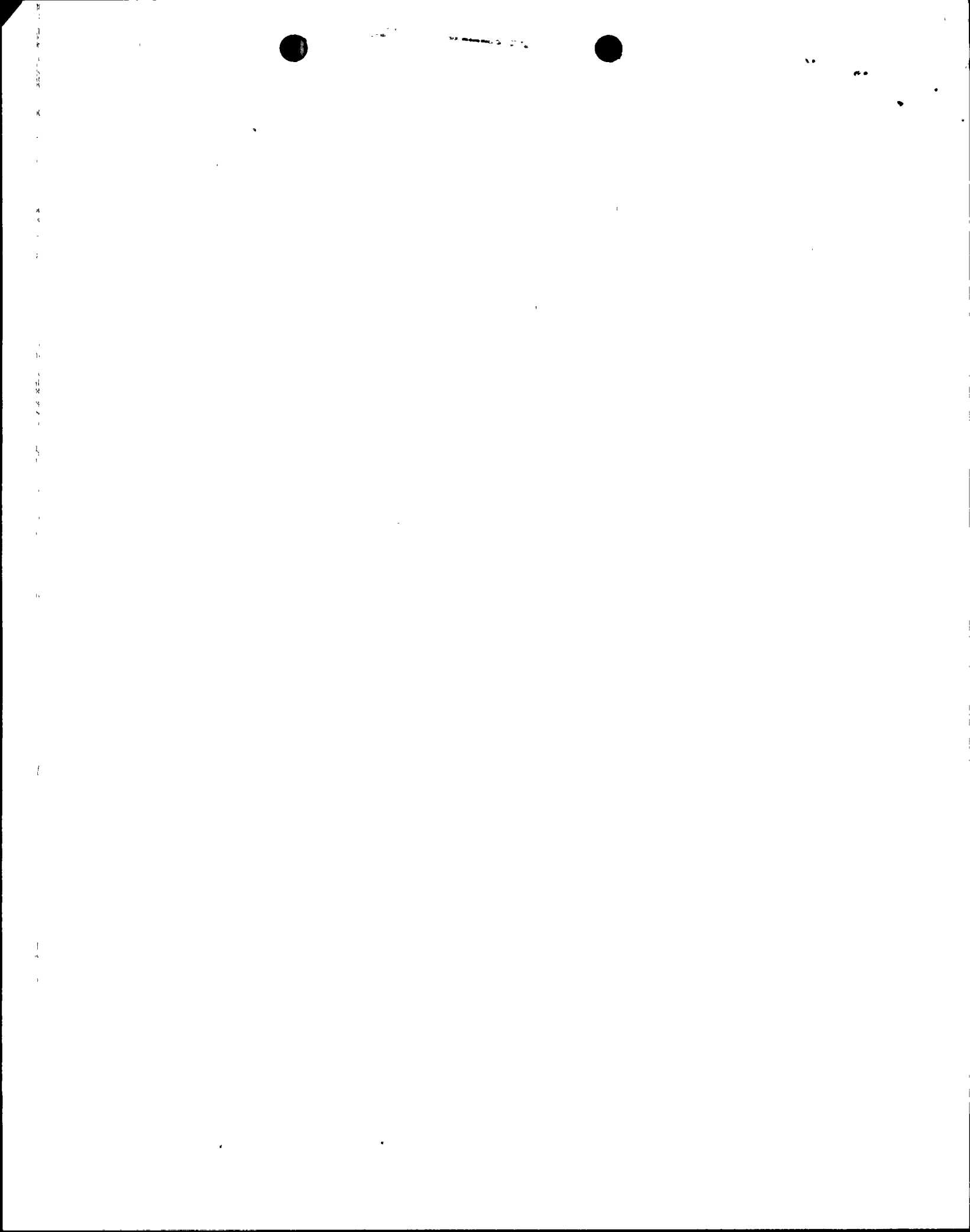
INTERVENOR SAN LUIS OBISPO MOTHERS FOR  
PEACE RESPONSE TO APPLICANT'S MOTION TO  
DISMISS SECURITY CONTENTION

On September 5, 1978, this Board issued ORDER  
RELATIVE TO INTERVENOR'S PETITION TO QUALIFY DAVID COMEY  
AS SECURITY EXPERT. This order, in effect, denied  
Intervenor's petition to qualify David Dinsmore. Comey as  
an expert witness for discovery purposes on security matters.

On September 22, 1978, Intervenor filed an appeal  
from the Board's order of September 5, 1978, with the Atomic  
Safety and Licensing Appeal Board. A Supplemental Brief and  
Petition for Direct Certification was filed by mail on  
October 6, 1978.

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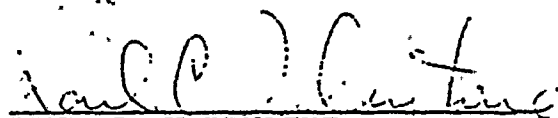


On September 11, 1978, Applicant Pacific Gas and Electric Company (PG&E) filed a motion to dismiss the security contentions.

If the Appeal Board should reverse this Licensing Board's order and find that David Dinsmore Comey is a qualified expert for discovery purposes, Intervenor would vigorously initiate discovery of Applicant's security plan in accord with the security contentions and the terms of any such order. Intervenor urges that it is in the public interest and good cause exists for this Licensing Board to stay the issuance of any order on Applicant's motion to dismiss security contention until such time as the Appeal Board issues its ruling in response to the Intervenor's motion for direct certification. (10 CFR §2.711(a)).

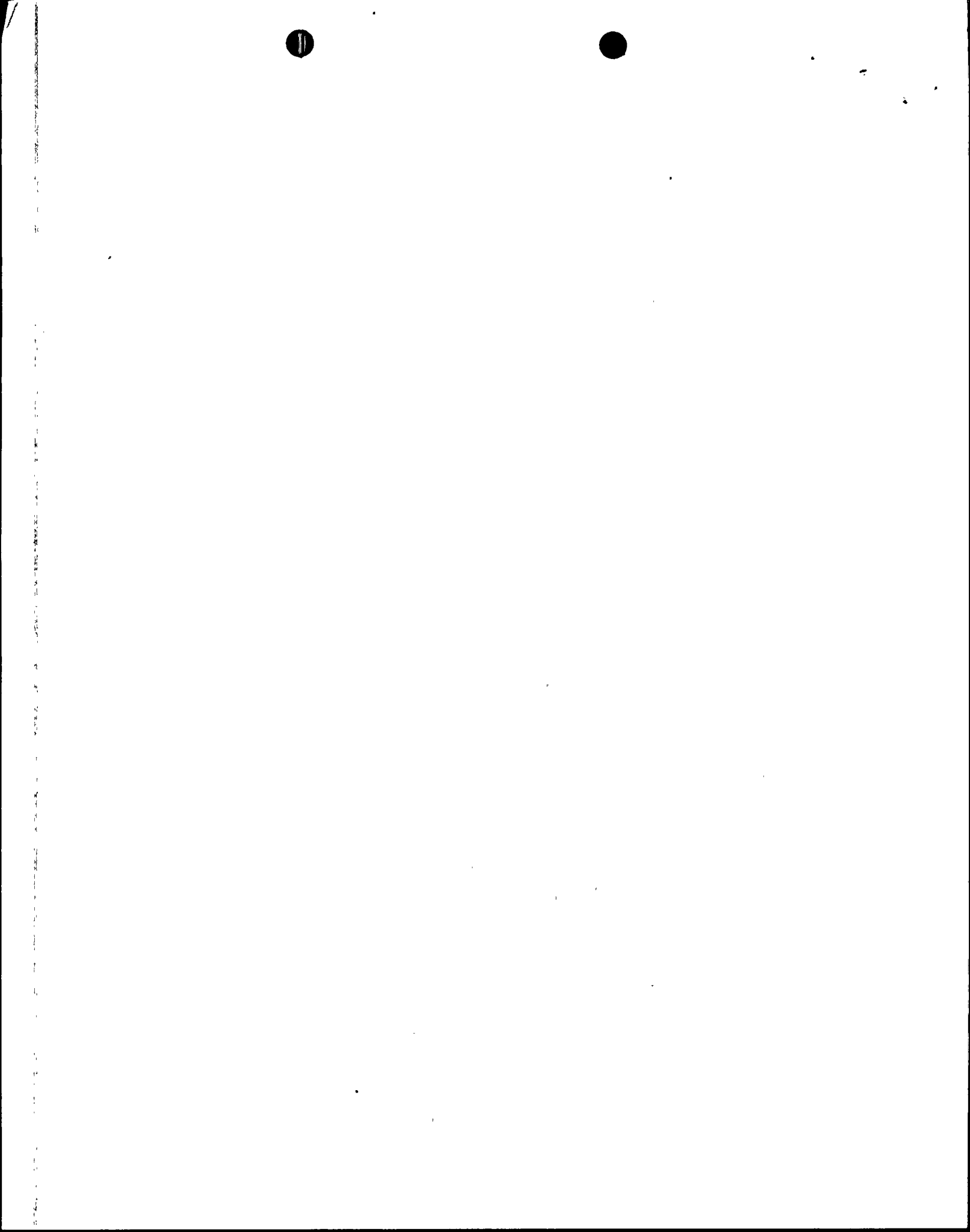
DATED: October 6, 1978

Respectfully submitted,



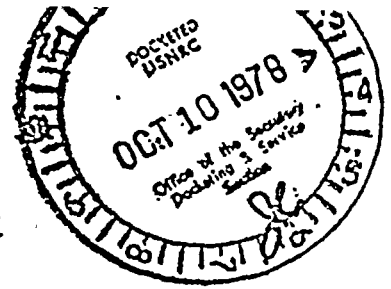
PAUL C. VALENTINE

Attorney for Intervenor:  
San Luis Obispo Mothers for Peace



UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board



In the Matter of )  
Pacific Gas and Electric Company )  
(Diablo Canyon Nuclear Power Plant, )  
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CERTIFICATE OF SERVICE

I hereby certify that I have this 6th day of October, 1978, served copies of the INTERVENOR SAN LUIS OBISPO MOTHERS FOR PEACE RESPONSE TO APPLICANT'S MOTION TO DISMISS THE SECURITY CONTENTION upon all of the parties listed below by depositing copies thereof in the United States Mail, first-class, postage prepaid.

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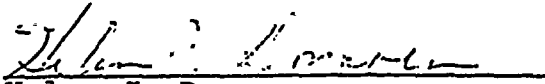
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