

ENCLOSURE

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of	)	Docket No. 50-275
	)	Facility Operating License
PACIFIC GAS AND ELECTRIC COMPANY	)	No. DPR-80
	)	
(Diablo Canyon Power Plant	)	License Amendment Request
Unit 1)	)	No. 87-08

Pursuant to 10 CFR 50.90, Pacific Gas and Electric Company (PGandE) hereby applies to amend its Diablo Canyon Power Plant (DCPP) Facility Operating License No. DPR-80 (License).

The proposed change amends License Condition 2.C.(7) to require submittal of the Long Term Seismic Program Final Report four years after NRC Staff approval of the program plan, instead of the current requirement for submittal three years after Staff approval of the plan.

Information on the proposed change is provided in the Attachments.

This change has been reviewed and is considered not to involve a significant hazards consideration as defined in 10 CFR 50.92 or require an environmental assessment in accordance with 10 CFR 51.22(b). Further, there is reasonable assurance that the health and safety of the public will not be endangered by the proposed change.

Subscribed to in San Francisco, California this 24th day of September 1987.

Respectfully submitted,

Pacific Gas and Electric Company

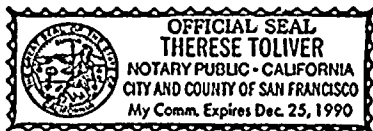
By *D. A. Brand*  
D. A. Brand  
Vice President  
Power Generation

Howard V. Golub  
Richard F. Locke  
Attorneys for Pacific  
Gas and Electric Company

Subscribed and sworn to before me  
this 24th day of September 1987

By *Richard F. Locke*  
Richard F. Locke

*Therese Toliver*  
Therese Toliver, Notary Public in  
and for the City and County of  
San Francisco, State of California



My commission expires on December 25, 1990.

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DISTRIBUTION LIST (12)

LONG TERM SEISMIC PROGRAM (LTSP)

"External Distribution List"

Dr. Keliti Aki  
Dept. of Geological Sciences  
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Los Angeles, CA 90089

Dr. S. T. Algermissen  
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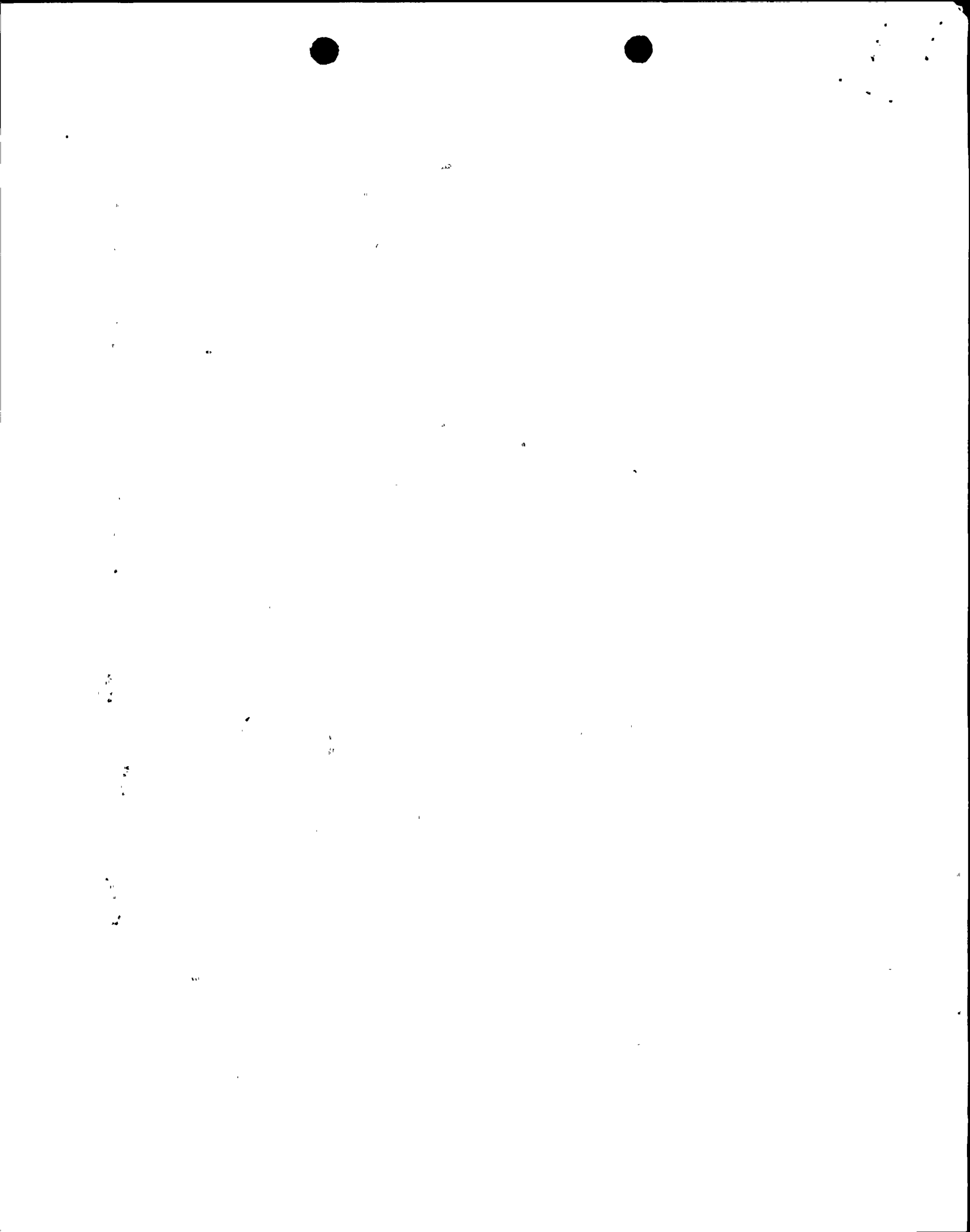
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Dr. Michel Bohn  
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Albuquerque, NM 87185



ATTACHMENT A  
LONG TERM SEISMIC PROGRAM  
REQUEST FOR CHANGE OF FINAL REPORT SCHEDULE

A. DESCRIPTION, JUSTIFICATION, AND EVALUATION

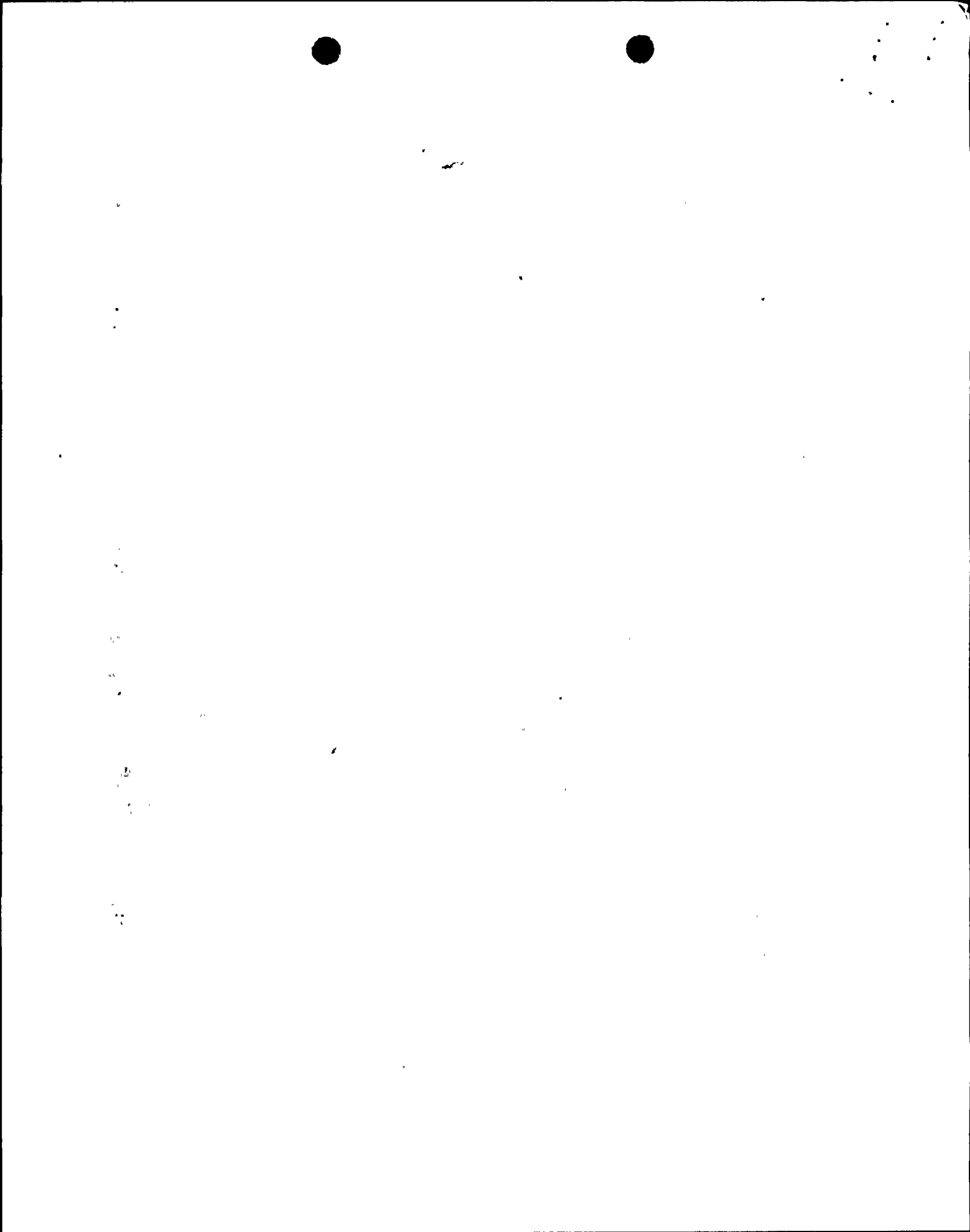
1. Description

License Condition 2.C.(7) of the Diablo Canyon Unit 1 full power license, DPR-80, requires PGandE to develop and implement a program to reevaluate the seismic design basis used for the Diablo Canyon Power Plant (Letter from D. Eisenhut to J. Shiffer, dated November 2, 1984, Issuance of Facility Operating License DPR-80). In response to this license condition, PGandE has developed the Diablo Canyon Long Term Seismic Program (LTSP). The license condition requires that "The program shall be completed and a final report submitted to the NRC three years following the approval of the program by the NRC Staff." The NRC Staff approval of the LTSP plan was given in a letter dated July 31, 1985, which sets the schedule date of July 31, 1988 for final report submittal.

The proposed amendment would revise the schedule for submittal of the LTSP Final Report to four years following the approval of the program by the NRC Staff, or July 31, 1989.

Background

In 1978, the Advisory Committee on Reactor Safeguards (ACRS) recommended that the seismic design basis of Diablo Canyon should be reevaluated "in about ten years" with any applicable new information taken into account (Letter from S. Lawroski, Chairman ACRS, to J. Hendrie, dated July 14, 1978, ACRS Report on Diablo Canyon). The recommendation of the ACRS was not tied to any operational milestone but was meant to represent a reasonable time interval for assessing the utilization of applicable new geoseismic techniques and to permit the acquisition of new data in evaluating any impact on the seismic design basis. It is apparent that the ACRS intended no hard and fast time limit and assumed that the plant would operate for a number of years prior to completion of the study. Indeed, the ACRS stated in its 1978 letter that "there is reasonable assurance that Diablo Canyon Nuclear Power Station Units 1 and 2 can be operated at power levels up to [full power] without undue risk to health and safety of the public" if the seismic study were to be undertaken and other measures unrelated to seismic concerns were implemented. When the NRC initially imposed the requirement for an LTSP during the low power licensing proceeding and set a completion date of approximately three years, it reaffirmed its previous conclusions that the seismic design basis for Diablo Canyon was adequate (CLI-84-5 dated April 13, 1984).



Moreover, in its review of the LTSP plan in 1984, the ACRS also stated "[it found] no reasons to alter [its] conclusions stated in the report [ACRS's] dated July 14, 1978 regarding operation of this nuclear plant", (Letter from J. Ebersole, Chairman ACRS, to N. Palladino, dated June 20, 1984, ACRS Report on Diablo Canyon).

The NRC confirmed its previous decision regarding the LTSP during its consideration of the full power license, stating that there was no reason to modify its previous conclusion on the seismic design basis (Safety Evaluation Report Supplement No. 27, July 1984). Thus, the current schedule, which provides for completion of the LTSP three years after NRC approval of the LTSP plan, was adopted by the NRC when it issued the full power license for Diablo Canyon in 1984 (CLI-84-13, dated August 10, 1984).

## 2. Justification

PGandE has made significant progress toward the completion of the LTSP in accordance with the program plan, as approved by the NRC in its July 31, 1985 letter. In conjunction with the NRC staff and its consultants, PGandE has held a number of technical workshops on the status and progress of the LTSP since the program's inception. Recently, PGandE has submitted several interim technical reports to the NRC. However, due to several significant and recent developments, PGandE is now requesting an extension of the LTSP schedule.

First, the Diablo Canyon Rate Case, which has been pending for over three years before the California Public Utility Commission (CPUC), now has a firm schedule for submission of testimony and hearing of testimony which directly impacts personnel working on the LTSP. The Administrative Law Judge's order of July 17, 1987, setting that schedule, is provided as Attachment B. Second, in May 1987 the Public Staff Division, the public advocacy group within the CPUC, filed a report of over 100 volumes and 17,000 pages, setting forth its views on matters it has placed in contention. PGandE's rebuttal testimony with regard to geoseismic issues (Issue #2) is required late this year, with hearing of testimony and related matters set for March to June 1988. In order to respond in a timely and complete fashion to the geoseismic issues, PGandE requires the assistance of several key LTSP personnel and corresponding support personnel. PGandE estimates that these personnel will be required for approximately one year to aid in the preparation of testimony, to attend and testify at hearings, to prepare findings of fact and conclusions of laws and otherwise to assist in post-trial proceedings on geoseismic matters. These personnel are irreplaceable because their professional background, their knowledge of the geology, seismology, and geophysics affecting the plant, and their knowledge of the licensing history of Diablo Canyon are unique. Indeed, several of them are the original personnel involved in geoseismic matters during the relevant time frames. Consequently, they cannot be replaced in either the LTSP or the CPUC





Rate Case proceedings. In fact, while work on the LTSP is still proceeding, the work of these key personnel is already being impacted by Rate Case demands.

### Current Activity

As noted above, work is continuing on the LTSP and will continue during any extended schedule for program completion. The following is a status of work in the six elements of the LTSP as of September 1, 1987, followed by an assessment of what will be done by July 1988 assuming that the requested extension is granted, as well as an assessment of work which will be performed during any extension. PGandE fully expects to complete the entire program and submit the final report by the requested extension date of July 31, 1989.

### Status as of September 1, 1987

- The Geology/Seismology/Geophysics (G/S/G)

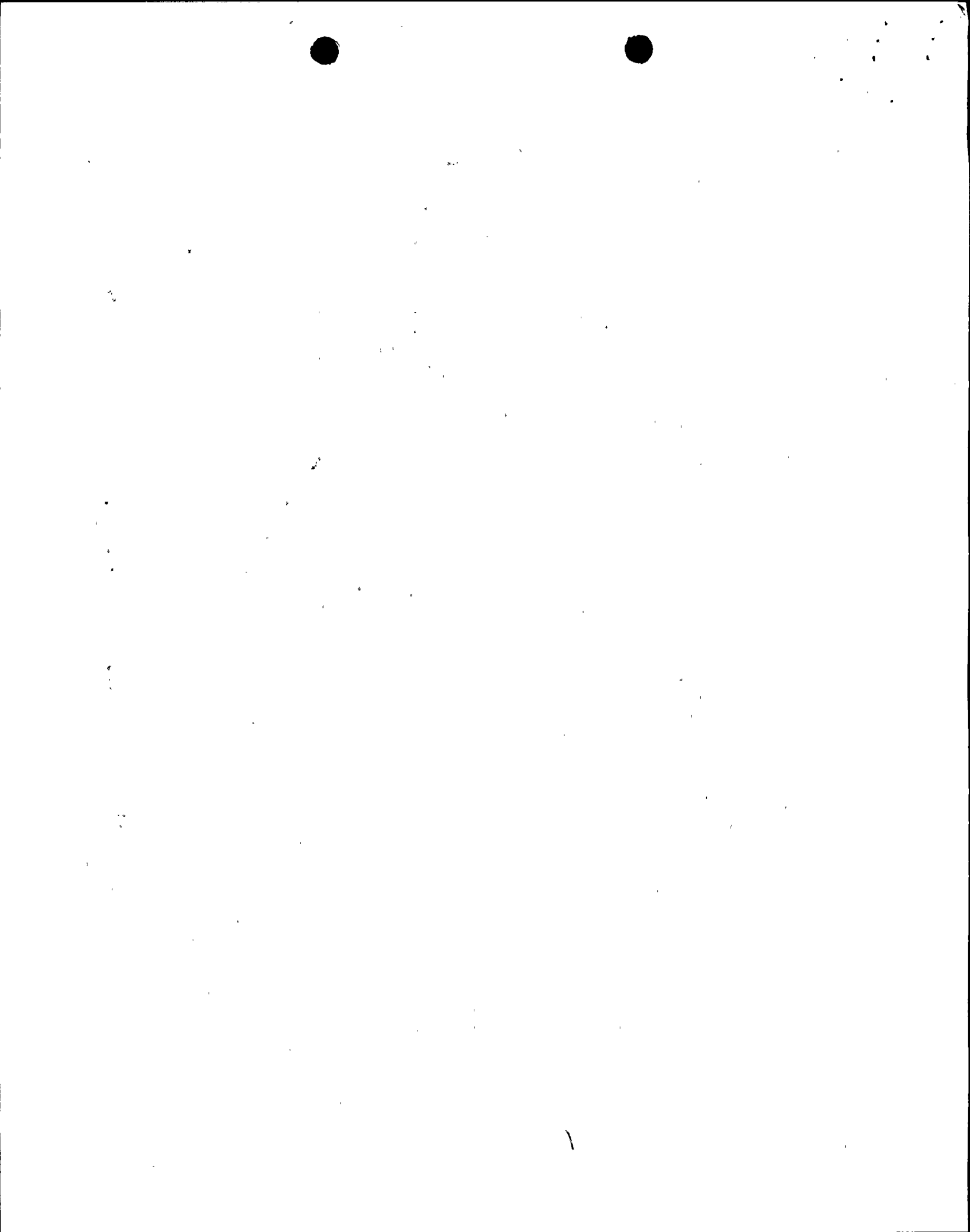
Data acquisition is on schedule and about 95 percent complete. There are some minor items that must still be acquired. However, data analysis, interpretation, and integration are behind schedule due to the impact of the Diablo Canyon Rate Case, particularly on the geophysics area. PGandE has acquired approximately 95 percent of geophysical and geological field data regarding regional and local seismicity.

The Seismic Network is now in full operation and continues to gather data.

In addition, a preliminary assessment of seismic source characterization has been made, and extensive NRC/PGandE workshops have been held, accompanied by data submittals and field trips.

- The Ground Motions and Seismic Hazards

These elements are on schedule; however, they are impacted by the availability of the G/S/G input for the final report. Acquisition of both empirical and numerical data has been completed. These data bases have been submitted to the NRC and the U.S. Geological Survey. The preliminary analysis and assessment of free-field ground motions based on the current status of G/S/G have been completed. Numerical ground motion models appropriate to the Diablo Canyon site have been developed. In addition, the effect of style of faulting on ground motions has been preliminarily evaluated, and a preliminary assessment of spatial incoherence of ground motions for the soil/structure interaction activities has been completed.



- The Soil/Structure Interaction (SSI)

The SSI work element is on schedule. However, this element will be impacted by the need for final input from the Ground Motions element.

- The Fragility Analysis

This work is currently on schedule. Again, this element will be impacted by the need for final input from the SSI and Ground Motions elements.

- The Probabilistic Risk Assessment (PRA)

The PRA is on schedule. Like the two previous elements, this element will be impacted by the need for final input from the Seismic Hazards and Fragility Analysis elements.

Anticipated Schedule, September 1987 to July 31, 1988 and August 1988 to July 31, 1989

- Geology/Seismology/Geophysics

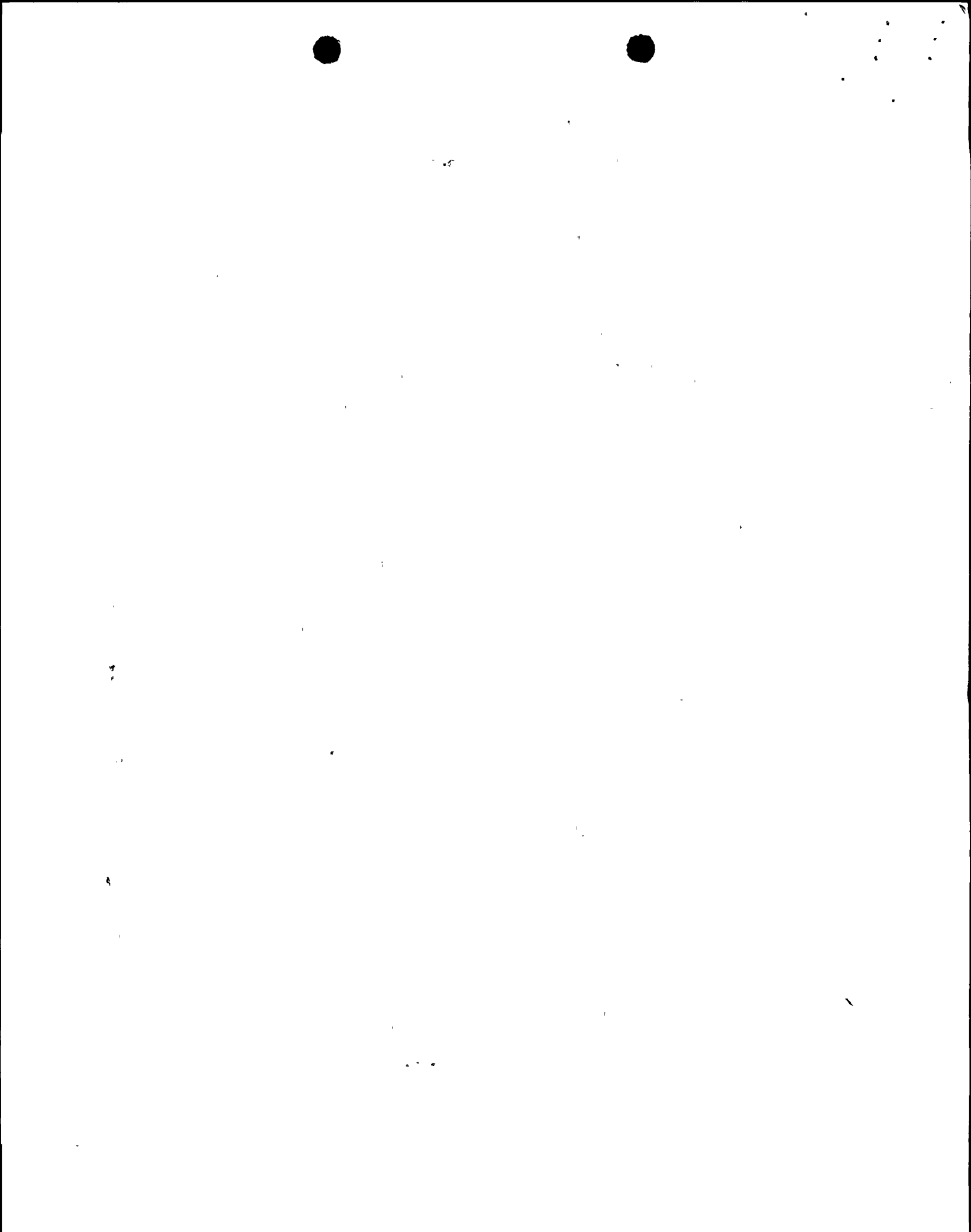
During the period between September 1987 and July 31, 1988, the G/S/G element would continue, albeit at a reduced level of effort, including data analysis, interpretation, and integration. Emphasis will shift during the summer and fall of 1988 to fully integrate and document all G/S/G interpretations, leading to seismic source characterization in preparation for an NRC/PGandE G/S/G workshop in the fall of 1988. Finalization of seismic source characterization as input to the Ground Motions/Seismic Hazards elements will be done following the workshop.

- Ground Motions and Seismic Hazards

During the period between September 1987 and July 31, 1988, both empirical and numerical ground motions will be brought to an interim stage of completion awaiting the final input results from the G/S/G element. Ground Motions and Seismic Hazards results will be finalized and documented in late 1988 as input to other LTSP elements.

- Soil/Structure Interaction

During the period between September 1987 and July 31, 1988, SSI analyses will be brought to an interim stage of completion, awaiting the final input results from the Ground Motions element. The SSI results will be finalized and documented in early 1989 as input to the Fragility Analysis and PRA elements.



- Fragility Analyses

During the period between September 1987 and July 31, 1988, the Fragility Analyses will be brought to an interim stage of completion awaiting the final input results from the SSI element. The Fragility Analyses will be finalized and documented in the spring of 1989.

- Probabilistic Risk Assessment

During the period between September 1987 and July 31, 1988, the PRA analyses will be brought to an interim stage of completion, awaiting the final input results from the Fragility Analysis and Seismic Hazards elements. The PRA analyses will be finalized and documented in the spring of 1989.

### 3. Evaluation

The information developed to date as part of the LTSP has led to a better geotectonic understanding of the area surrounding the Diablo Canyon Power Plant. At this time, PGandE has not concluded its studies. However, based on the current state of the information available, the seismic design of the plant remains adequate. Thus, the NRC's previous conclusion that the seismic design basis for Diablo Canyon is adequate remains unchanged. There are no adverse safety considerations associated with the requested schedule change and PGandE believes that there is reasonable assurance that the health and safety of the public will not be endangered by the proposed change. Consequently, the request for an extension of the schedule for submittal of the Long Term Seismic Program Final Report constitutes merely an administrative change.

#### B. NO SIGNIFICANT HAZARDS CONSIDERATION

PGandE has evaluated the hazards considerations involved with the proposed one-year schedule extension for submittal of the LTSP Final Report. The evaluation focused on the three standards set forth in 10 CFR 50.92(c):

The Commission may make a final determination, pursuant to the procedures in paragraph 50.91, that a proposed amendment to an operation license for a facility licensed under paragraph 50.21(b) or paragraph 50.22 or a testing facility involves no significant hazards considerations, if operation of the facility in accordance with the proposed amendment would not:

- (1) Involve a significant increase in the probability or consequences of an accident previously evaluated; or
- (2) Create the possibility of a new or different kind of accident from any previously evaluated; or



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- (3) Involve a significant reduction in a margin of safety.

The following evaluation is provided for the no significant hazards consideration standards.

1. Does the proposed change involve a significant increase in the probability or consequence of an accident previously evaluated?

The proposed change is an administrative change to a license condition and only reschedules the time of submittal for the LTSP Final Report. Therefore, the proposed change does not involve a significant increase in the probability or consequence of any accident previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

As stated above, the proposed change is an administrative change. The proposed change does not involve any physical alteration to the plant or any changes in facility operation. Therefore, the proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

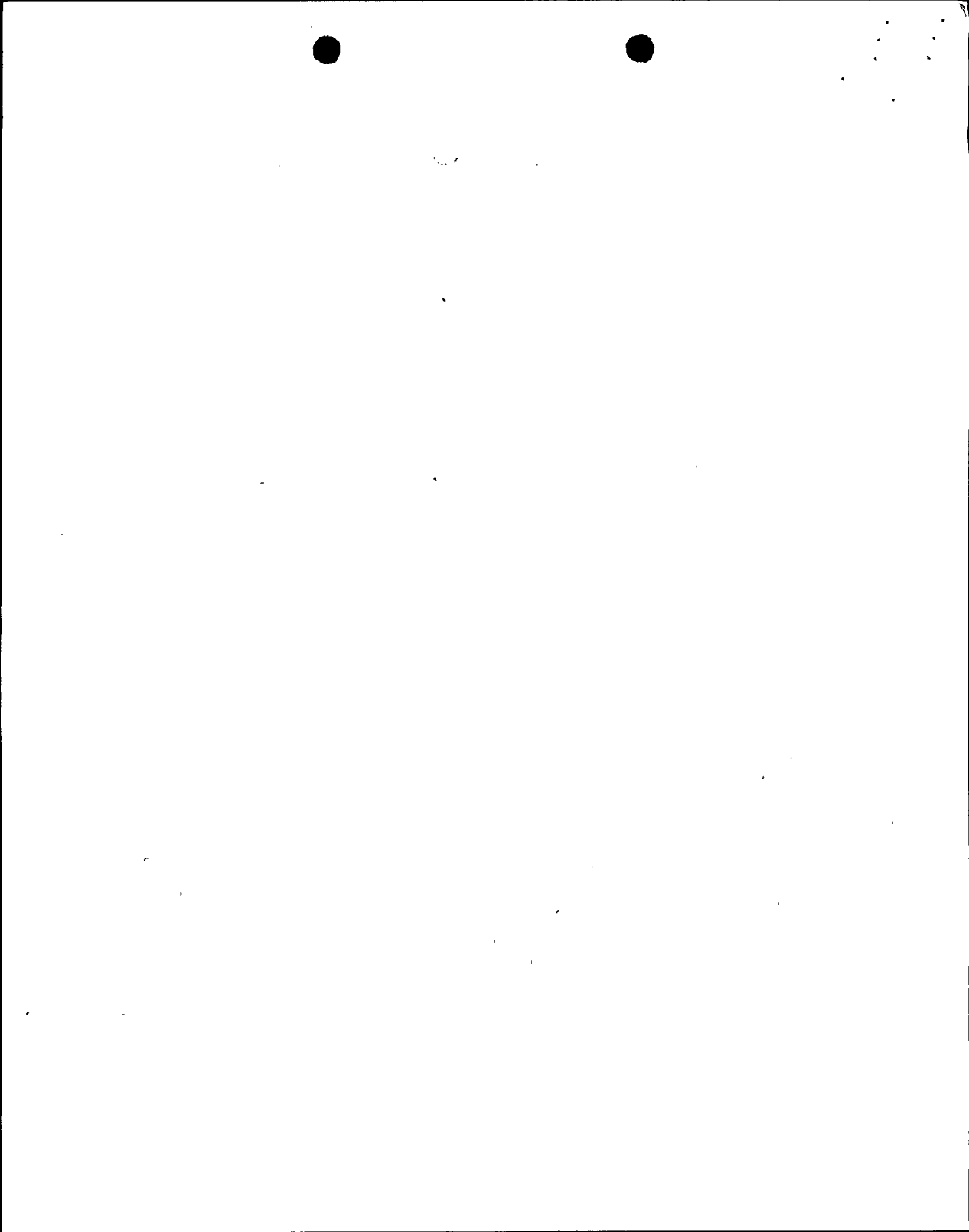
3. Does the proposed change involve a significant reduction in a margin of safety?

As stated above, the proposed change is an administrative change and as such does not involve any physical alterations to the plant, any changes in facility operation, or otherwise affect any margin of safety. Therefore, the proposed change does not involve a significant reduction in a margin of safety.

Based on the above considerations, PGandE concludes that the activities associated with the requested schedule extension for submittal of the LTSP Final Report to the NRC satisfy the no significant hazards consideration standards of 10 CFR 50.92(c) and, accordingly, a no significant hazards consideration finding is justified.

#### C. ENVIRONMENTAL EVALUATION

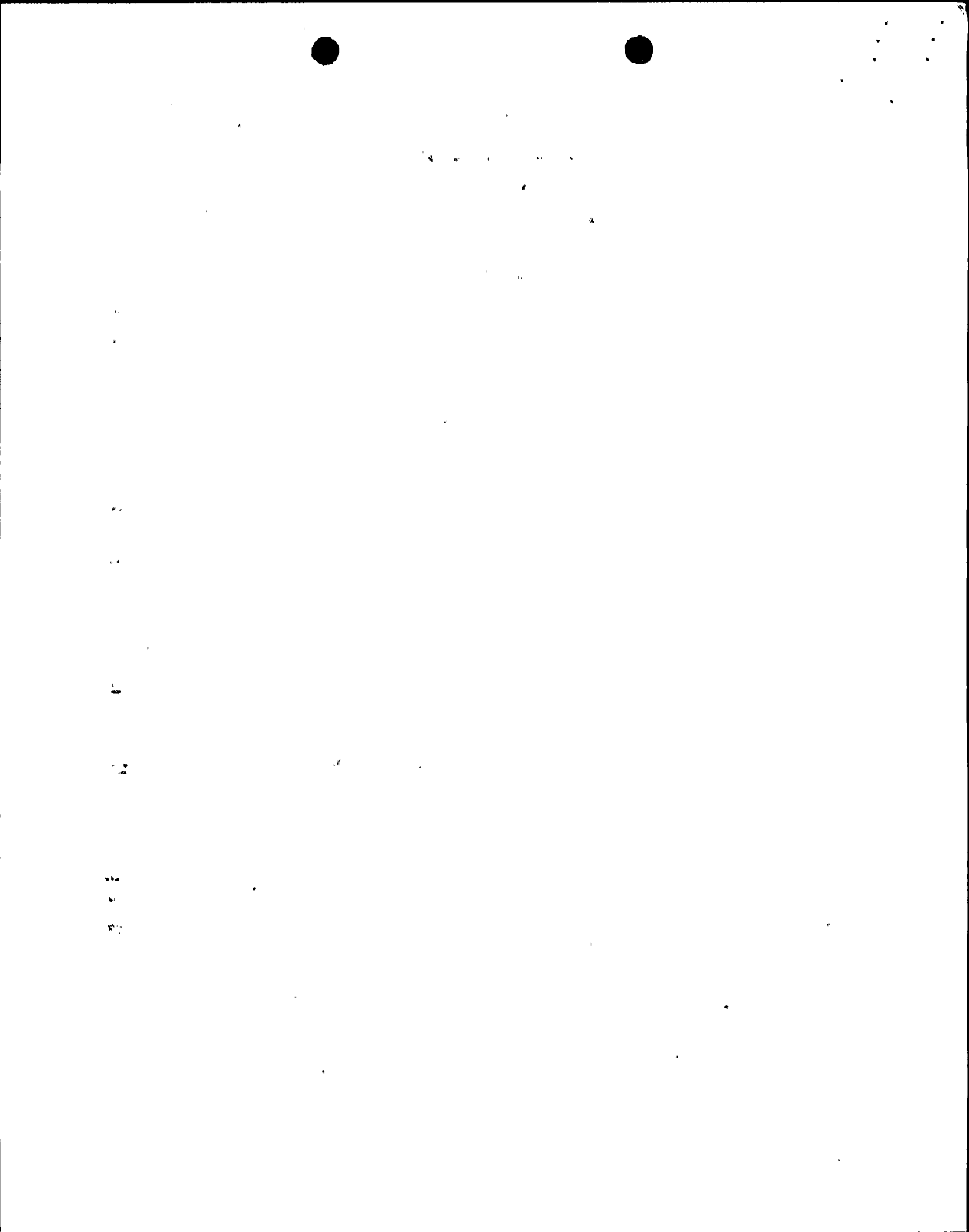
PGandE has evaluated the proposed change and determined that it does not involve (i) a significant hazards consideration, (ii) a significant change in the types or significant increase in the amounts of any effluents that may be released offsite, or (iii) a significant increase in individual or cumulative occupational radiation exposure. Accordingly, the proposed change meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). Therefore, pursuant to 10 CFR 51.22(b), an environmental assessment of the proposed change is not required.





ATTACHMENT B

ADMINISTRATIVE LAW JUDGE'S RULING  
July 17, 1987



RAB/tcg

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Pacific Gas and Electric )  
Company, for Authorization to Establish )  
a Rate Adjustment Procedure for its )  
Diablo Canyon Nuclear Power Plant; to )  
Increase its Electric Rates to Reflect )  
the Cost of Owning, Operating, )  
Maintaining and Eventually )  
Decommissioning Unit 1 of the Plant; )  
and to Reduce Electric Rates Under its )  
Energy Cost Adjustment Clause and )  
Annual Energy Rate to Reflect Decreased )  
Fuel Expense. )

(Electric) )

) Application 84-06-014  
) (Filed June 6, 1984,  
) amended December 21, 1984)

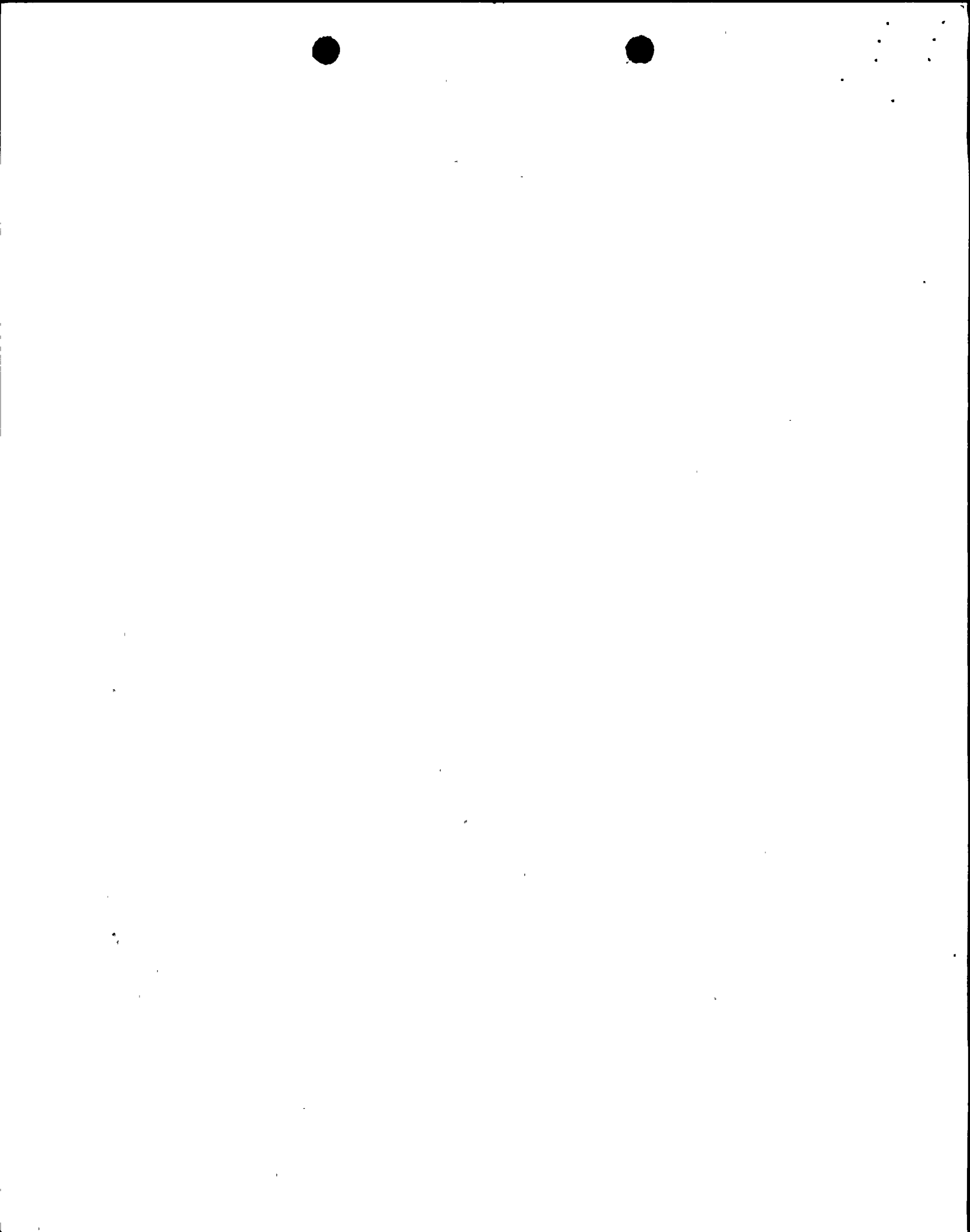
\_\_\_\_\_  
And Related Matter. )  
\_\_\_\_\_) )

) Application 85-08-025  
) (Filed August 12, 1985)  
)

ADMINISTRATIVE LAW JUDGE'S RULING

On July 9, 1987, a prehearing conference was held before the Commission en banc to determine the hearing schedule of these proceedings and to discuss other procedural matters. PG&E, PSD, the Attorney General, TURN, and others participated. After considering the views of the parties the following Ruling is made:

1. The hearing schedule set forth in Appendix A is adopted. This schedule is a modified version of the schedule set forth in the June 15, 1987 Ruling. The modifications consist of (i) combining the prehearing conference before each phase with an en banc presentation of the positions of the parties, (ii) eliminating the need for briefs prior to the close of each phase of the hearings, (iii) requiring only concurrent final briefs and concurrent replies; opening briefs are optional and may be filed at any time, and (iv) allowing the parties, at their option, to submit summaries and interpretation of the evidence prior to each en banc hearing.



2. Hearings shall begin on Monday, February 22, 1988 at 10:00 a.m. in the Commission Courtroom, 505 Van Avenue, San Francisco, before ALJ Barnett. PG&E shall provide notice as required by Rule 52.

3. It is the goal of the assigned Commissioner and Administrative Law Judge to finish the hearings by mid-October 1988 with a final Commission decision in April 1989.

4. The hearings will be divided into four issue phases:

Issue 1. Senior Management and Project Organization.

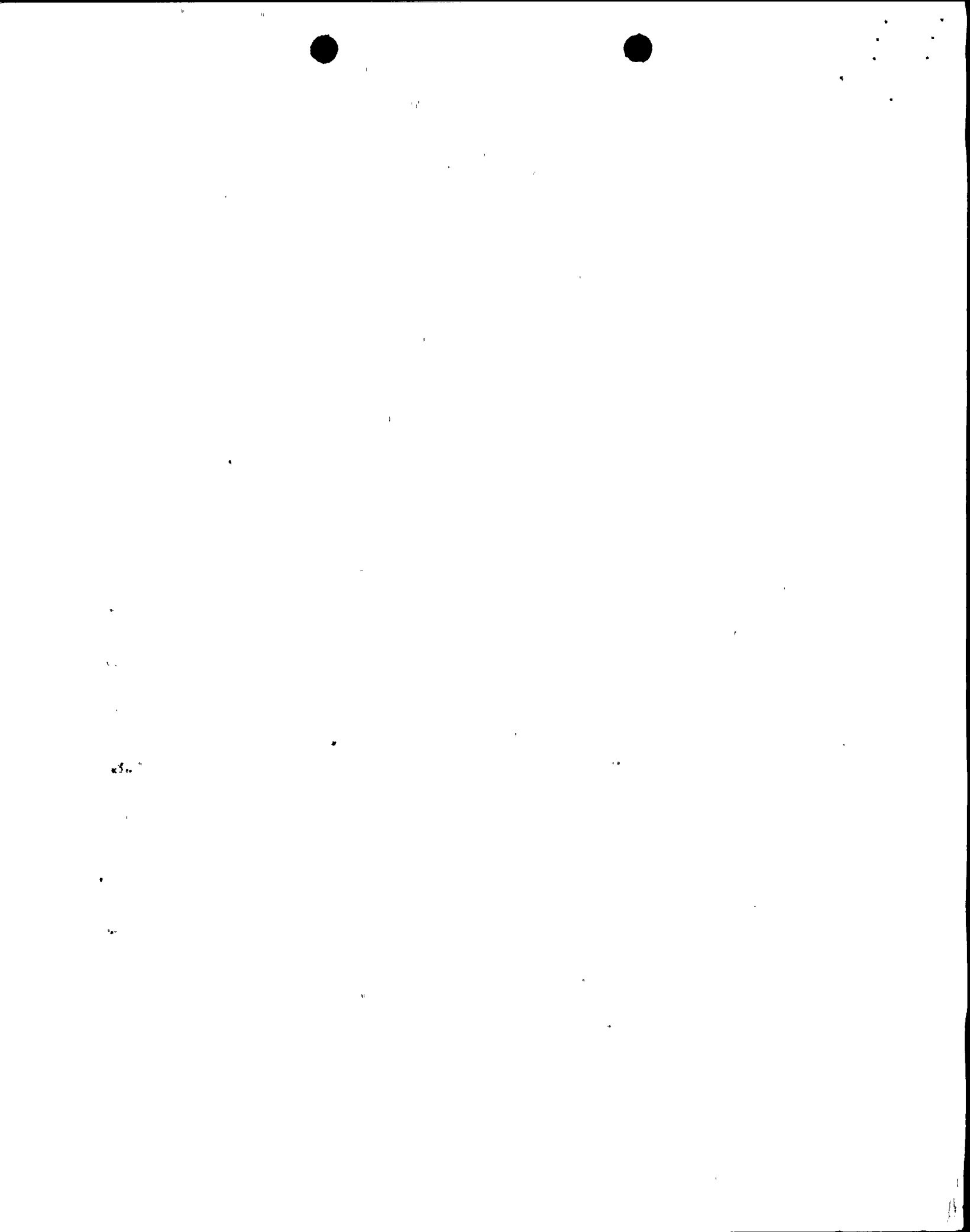
Issue 2. Geoseismic Work and Response to Hosgri.

Issue 3. Quality Assurance, Diagram Error, and DVP (to 4/84 restoration of low power license).

Issue 4. All other items.

5. The last Wednesday of each month at 1:30 p.m. in San Francisco is designated Law and Motion day. At that time and place all motions pertaining to these two applications will be heard. The filing procedure is:

- a. Motions shall be filed and served at least 30 calendar days prior to hearing.
- b. Responses to the motion shall be filed and served at least 15 calendar days prior to hearing.
- c. Replies to responses shall be filed and served at least 5 calendar days prior to hearing.
- d. For complex motions more time for opposition pleadings may be allowed.
- e. All motions must be supported by points and authorities. Memoranda of points and authorities are required to ensure that the merits of the parties' positions have been well considered before motions are filed. The authorities cited will be relied on as



the Commission deems appropriate. However, the Commission will continue to exercise its discretion to ensure that the parties' substantive rights are protected. The Commission is not adopting the evidentiary or procedural rules of another forum by this reference.

f. Affidavits or declarations shall be filed in appropriate cases.

6. The proposed motions of the Attorney General are scheduled as follows:

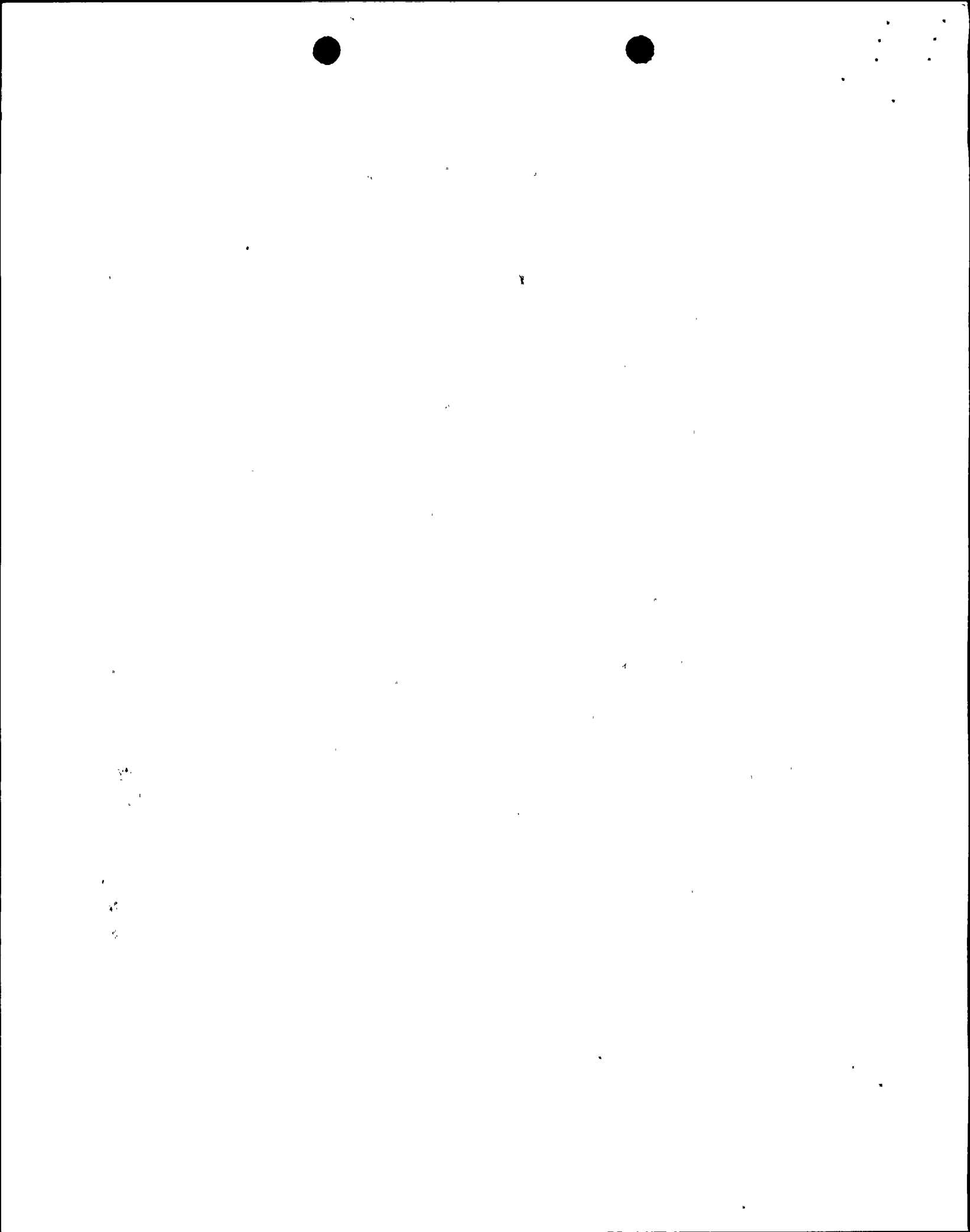
- a. Motions to be filed and served by July 17, 1987.
- b. Responses to be filed and served by August 24.
- c. Replies to be filed and served by September 21.
- d. Hearing September 30.

7. The parties shall meet and confer with ALJ Porter regarding the feasibility of automating the filings, prepared testimony, evidence, and transcripts and having them available to all parties.

8. PG&E shall arrange to have a copy of all filings, prepared testimony, evidence, and exhibits in the hearing room. Each party shall serve on PG&E two copies of all material submitted by the party in this proceeding.

9. The ALJ shall endeavor to arrange for a central file room in the PUC state building where copies of all prepared testimony, exhibits, and transcripts will be available to all parties and the public.

10. Each party shall mail directly to ALJ Barnett (Room 5017) two copies of all material submitted by the party in this proceeding.





11. A final prehearing conference is set for Wednesday, January 27, 1988, at 10:00 a.m. in the Commission Courtroom, 505 Van Ness Avenue, San Francisco, before ALJ Barnett, at which time, among other things, we expect to determine the names of the witnesses and the scope of their testimony in each phase of the hearing and decide if any modification of the proposed hearing schedule is warranted. All parties who expect to present testimony in any phase of the hearings must attend this prehearing conference.

12. The service list appears to be obsolete. It is a large financial burden to serve all documents on all persons and entities on the service list. Therefore,

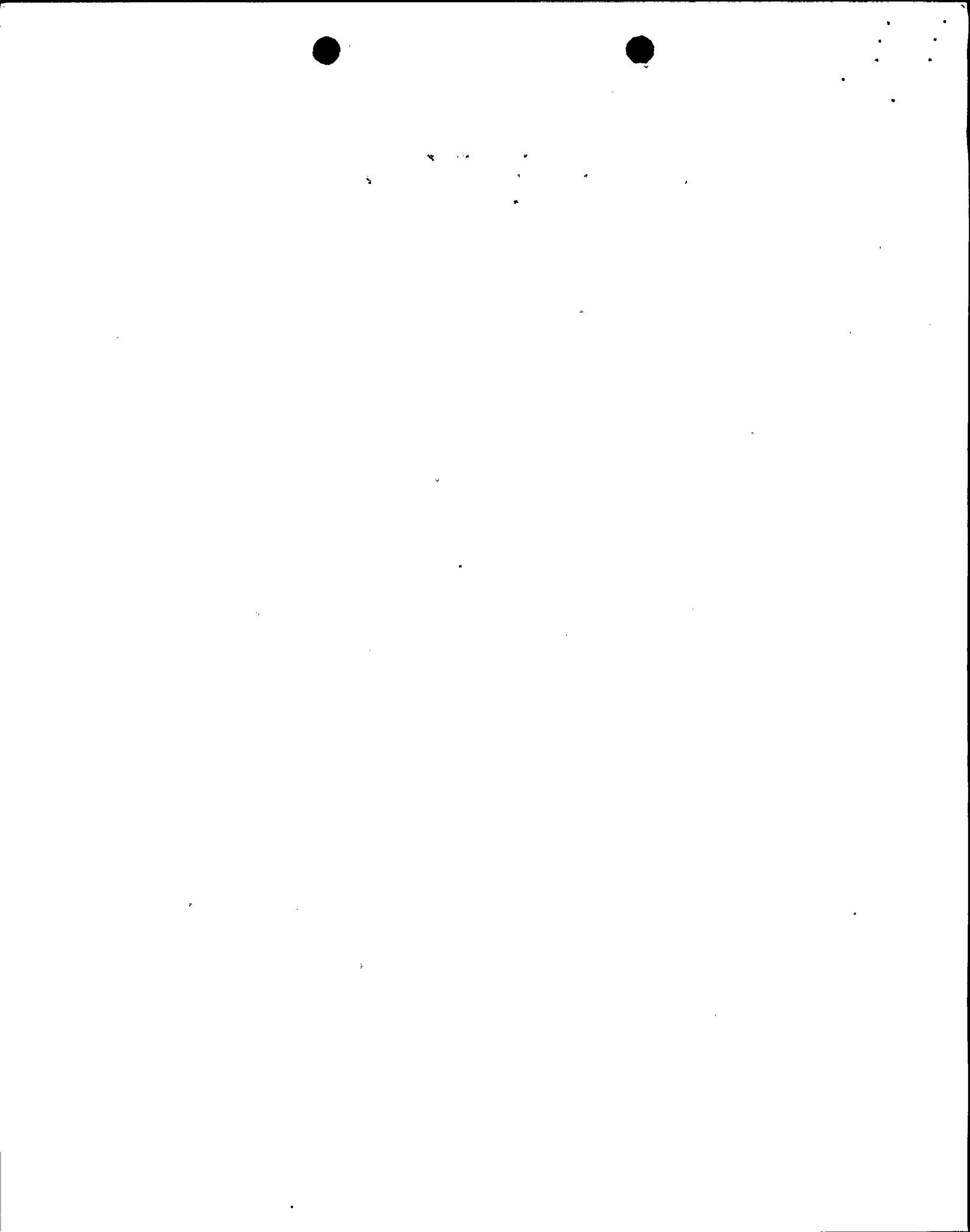
ALL PERSONS AND ENTITIES ON THE SERVICE LIST  
MUST FILE NEW APPEARANCE FORMS AT THE HEARING  
ON MOTIONS SET FOR SEPTEMBER 30, 1987 AT  
1:30 P.M. IN THE COMMISSION COURTROOM, 505 VAN  
NESS AVENUE, SAN FRANCISCO. APPEARANCES MAY BE  
MADE IN PERSON OR BY REPRESENTATIVE AND MUST  
COMPLY WITH COMMISSION RULE 54 (APPENDIX B).  
FAILURE TO APPEAR WILL RESULT IN BEING STRICKEN  
FROM THE APPEARANCE AND SERVICE LIST.

13. The PSD request to file written rebuttal testimony to PG&E's filing is granted.

14. The PSD request to exchange confrontation exhibits ten days before cross-examination of a witness is denied.

15. The parties are requested not to attach service lists to their filings. A one paragraph declaration of service is sufficient.

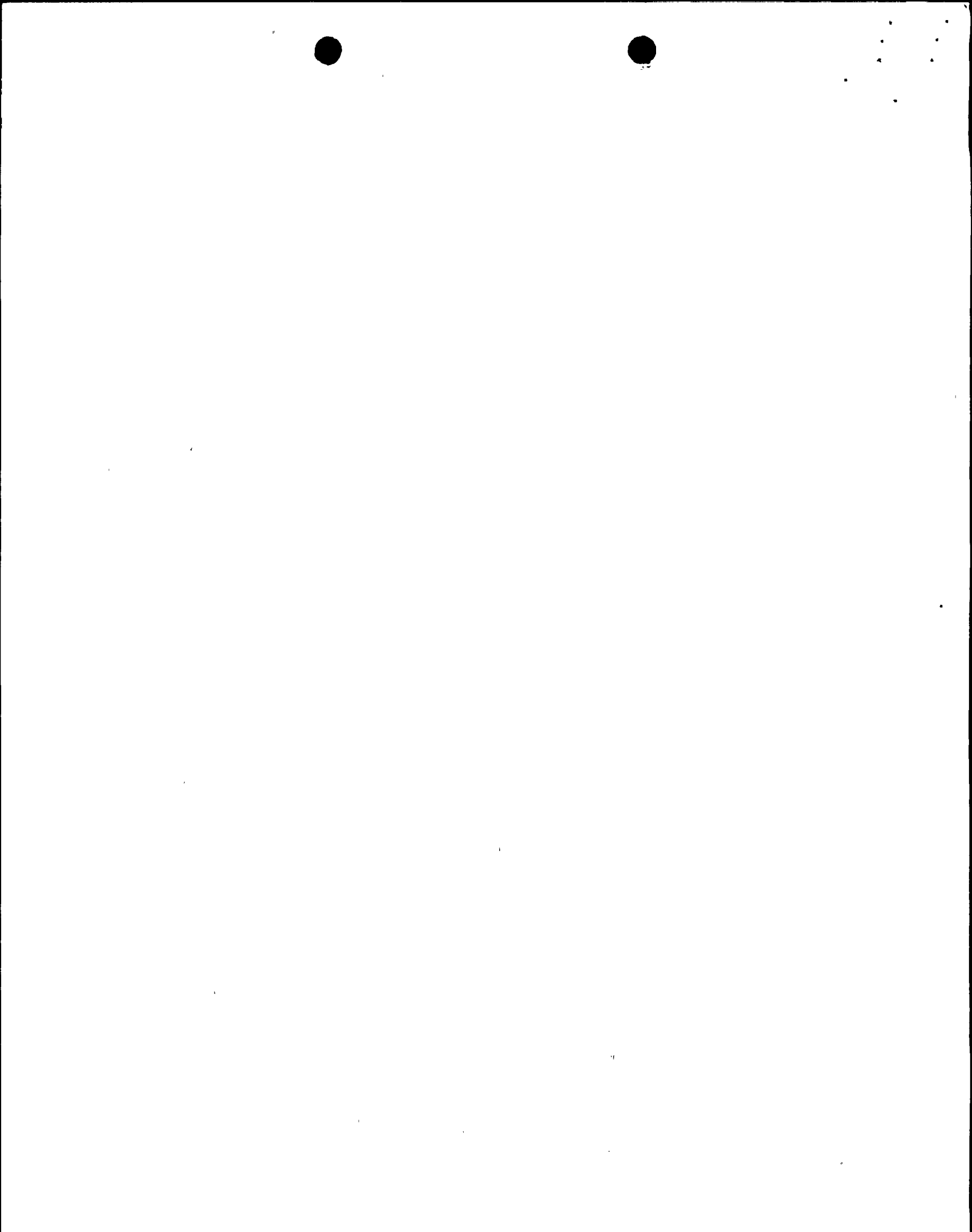
16. I am concerned about the lack of discovery to date. This is the third prehearing conference this year. A trial date has now been set. Discovery should be proceeding with diligence. The California Civil Discovery Act of 1986 (CCP § 2016 et seq.) shall provide the guidelines for discovery in this proceeding. The attention of the parties is particularly directed to § 2034, Exchange of Information Concerning Expert Witnesses. Motions to



delay the hearing or any issue phase because of inadequate time to prepare must be supported by the declaration of every lawyer who is participating in this case on behalf of the moving party, no matter how insignificant that participation may be. The parties are admonished to become familiar with California Rules of Court, Rule 339, and other authorities which require counsel to cooperate in obtaining prompt discovery and resolving disputes.

Dated July 17, 1987, at San Francisco, California.

/s/ ROBERT BARNETT  
Robert Barnett  
Administrative Law Judge



ADOPTED SCHEDULE - PHASE 2

MONTH	DATE	ACTION
MAY 87	5/14	PSD REPORT FILED
JUN 87		
JUL		
AUG		
SEP		
OCT	10/16	PGE REPLY ISSUE 1
NOV	11/13	PGE REPLY ISSUE 2
DEC	12/18	PGE REPLY ALL OTHER ISSUES
JAN 88	1/15 1/27	START SCHEDULE ISSUE 1 PREHEARING CONFERENCE
FEB	2/22	START HEARINGS - PHASE 2
MAR	3/18	START SCHEDULE ISSUE 2
APR		
MAY	5/13 5/20	END SCHEDULE ISSUE 1 START SCHEDULE ISSUE 3
JUN		
JUL 88	7/15 7/22	END SCHEDULE ISSUE 2 START SCHEDULE ISSUE 4
AUG		
SEP	9/16	END SCHEDULE ISSUE 3
OCT	10/21	END SCHEDULE ISSUE 4
NOV	11/28	OPENING BRIEFS FILED
DEC	12/19	REPLY BRIEFS FILED
JAN 89	1/ 6	FINAL EN BANC
FEB		
MAR	3/17	ALJ PROPOSED DECISION
APR 89	4/19	COMMISSION DECISION



## TYPICAL SCHEDULE FOR HEARING ISSUES

WEEK	DAY	EVENT NO	DESCRIPTION
0	FRI	1	All direct filed
1			
2			
3	(4 weeks)		
4			
5	MON	2 & 3	Prehearing conference and en banc
6	MON	4	Hearings start
7	(4 weeks)		
8	FRI		Hearings end
10	(2 weeks)		
11	FRI	5	Rebuttal filed
12	(1 week)		
13	MON	6	Rebuttal hearings start
13	FRI		Rebuttal hearings end
14	(2 weeks)		
15	MON	7	Pre-en banc statements (optional)
16	(2 weeks)		
17	FRI	8	En banc
NA		9	Briefing and final en banc

## DESCRIPTION OF EVENTS

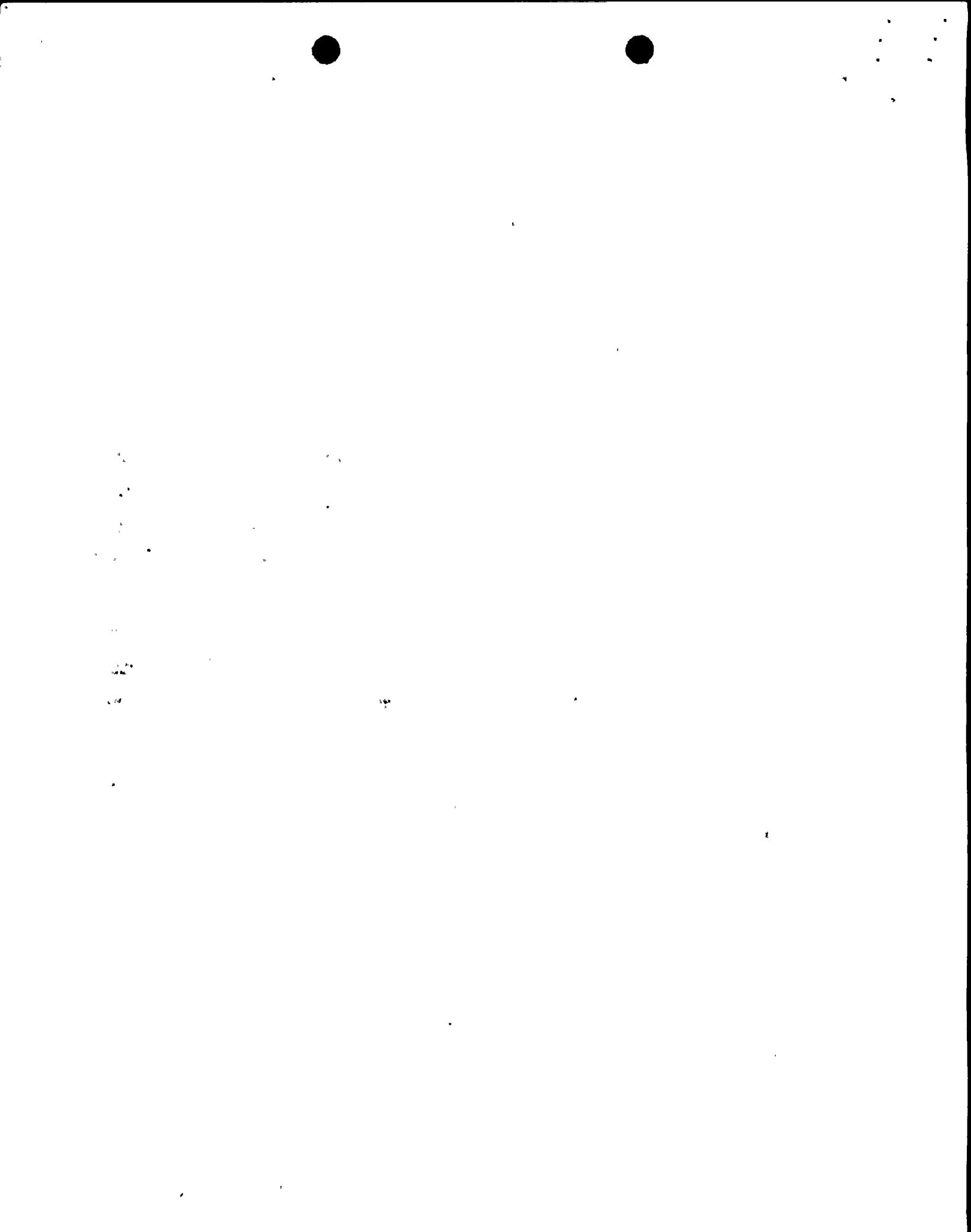
1. Filings by all parties completed. Gives 3rd parties about 3 months after PG&E's initial filing on a given issue.
2. PHC. Determine subissues, submit stipulations, determine order of witnesses, estimate time needed, etc.
3. En banc. What the parties will show.
4. Hearings. Ad hoc Commissioner participation. ALJ and E&C brief Commissioners on a continuing basis on content of hearings, calling attention to substantive direct and cross and in particular when the issues will be focused sharply.
5. Rebuttal filed by all parties. Strictly limited by ALJ.
6. Rebuttal hearings. (See comments under 4 above)
7. Pre-en banc statements may be filed at option of parties.
8. En Banc for Issues 1, 2, and 3. Digest of issues, positions, etc. furnished Commissioners by ALJ.
9. Final en banc after opening and reply briefs.





ADOPTED SCHEDULE BY WEEKS

ACTUAL WEEK	TOTAL WEEKS	ISSUE 1 WEEK EVENT	ISSUE 2 WEEK EVENT	ISSUE 3 WEEK EVENT	ISSUE 4 WEEK EVENT				
1/11/88	0	0	1						
1/18	1	1							
1/25	2	2							
2/ 1	3	3							
2/ 8	4	4							
2/15	5	5	2&3						
2/22	6	6	4						
2/29	7	7	-						
3/ 7	8	8	-						
3/15	9	9	4	0	1				
3/22	10	10		1					
3/29	11	11	5	2					
4/ 4	12	12		3					
4/11	13	13	6	4					
4/18	14	14		5	2&3				
4/25	15	15		6	4				
5/ 2	16	16	7	7	-				
5/ 9	17	17	8	8	-				
5/16	18			9	4	0	1		
5/23	19			10		1			
5/30	20			11	5	2			
6/ 6	21			12		3			
6/13	22			13	6	4			
6/20	23			14		5	2&3		
6/27	24			15		6	4		
7/ 4	25			16	7	7	-		
7/11	26			17	8	8	-		
7/18	27					9	4	0	1
7/25	28					10		1	
8/ 1	29					11	5	2	
8/ 8	30					12		3	
8/15	31					13	6	4	
8/22	32					14		5	2&3
8/29	33					15		6	4
9/ 5	34					16	7	7	-
9/12	35					17	8	8	-
9/19	36							9	4
9/26	37							10	
10/ 3	38							11	5
10/10	39							12	
10/17	40							13	6
10/24	41								
10/31	42								
11/ 7	43								
11/14	44								
11/21	45								
11/28	46								9
12/ 5	47								-
12/12	48								-
12/19	49								-
12/26	50								-
1/ 6/89	51								9



APPENDIX B

RULE 54  
PARTICIPATION WITHOUT INTERVENTION

In an investigation or application proceeding, or in such a proceeding when heard on a consolidated record with a complaint proceeding, an appearance may be entered at the hearing without filing a pleading, if no affirmative relief is sought, if there is full disclosure of the persons or entities in whose behalf the appearance is to be entered, if the interest of such persons or entities in the proceeding and the position intended to be taken are stated fairly, and if the contentions will be reasonably pertinent to the issues already presented and any right to broaden them unduly is disclaimed.

A person or entity in whose behalf an appearance is entered in this manner becomes a party to and may participate in the proceeding to the degree indicated by the presiding officer.

(END OF APPENDIX B)



CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling on all parties of record in this proceeding or their attorneys of record.

Dated July 17, 1987, at San Francisco, California.

/s/ TERESITA C. GALLARDO  
Teresita C. Gallardo



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