

July 2, 1980

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Atomic Safety and Licensing Appeal Board
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

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Washington, D. C. 20555

Mr. Thomas S. Moore, Member
Atomic Safety and Licensing Appeal Board
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

In the Matter of
Pacific Gas and Electric Company
(Diablo Canyon Nuclear Power Plant Units Nos. 1 and 2)
Docket Nos. 50-275 O.L. and 50-323 O.L.

Gentlemen:

The present parties to this proceeding, through their lead counsel (Yale Jones, Bruce Norton and the undersigned) stipulate that:

1. The words "obtained during the course of these proceedings" be inserted between the words "information" and "dealing" in paragraph 1(a)(2) of the proposed affidavit of non-disclosure issued by the Appeal Board in its Second Prehearing Conference Order of April 11, 1980;
2. Clause 8b may be deleted from that affidavit; and
3. The requirement that before Intervenors publicly disseminate protected information gained outside the hearing process they should be required to establish to the satisfaction of the presiding board that the information was in fact gained outside of the hearing process is not necessary. In addition, Intervenors continue to assert that it would be neither proper nor legal.

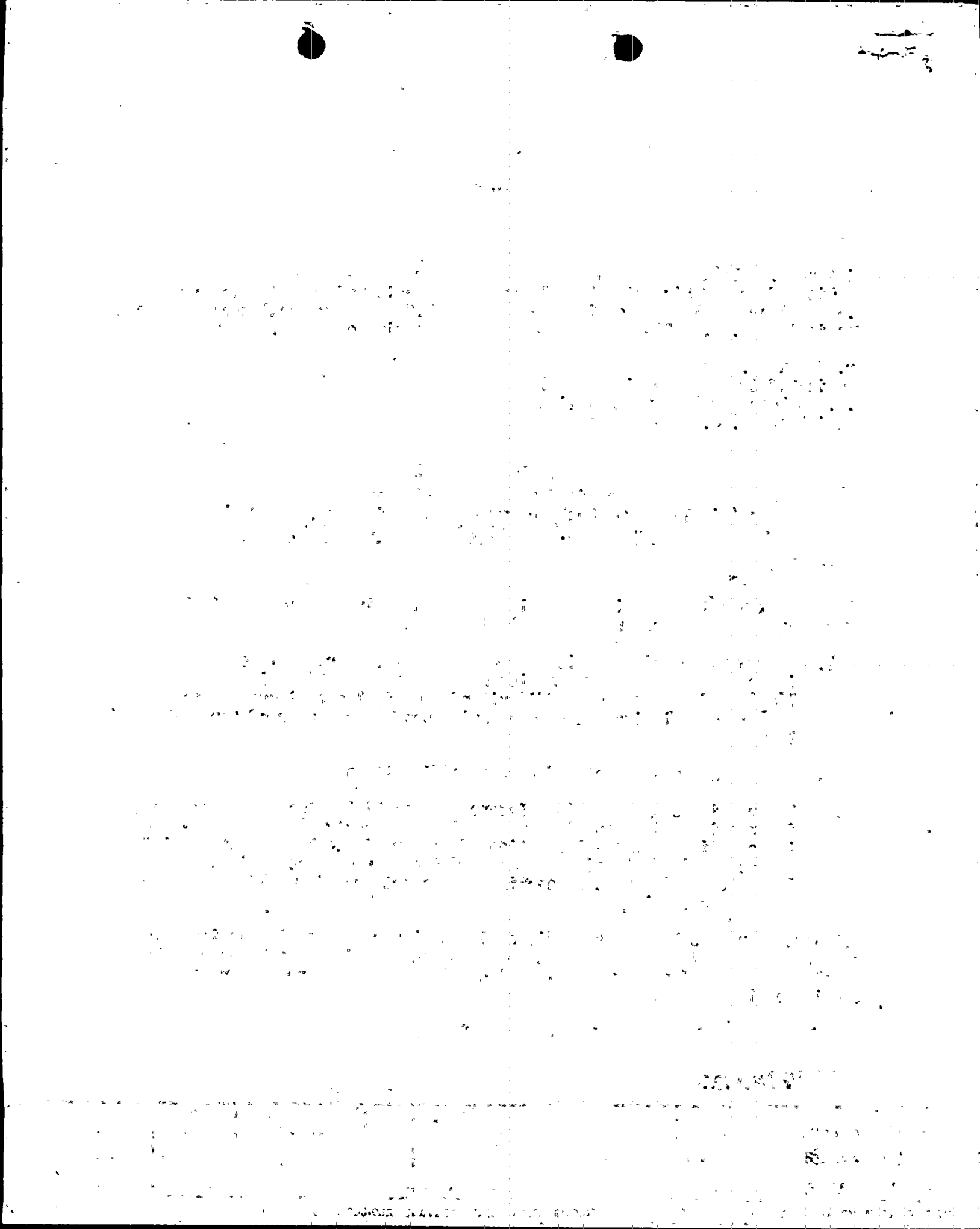
Although there has been no specific ruling on Governor Brown's participation relative to this issue, I have attempted to contact his counsel but have been unable to do so. In light of this stipulation, it would appear unnecessary to submit legal argument.

Sincerely,

8007070123

James R. Tourtellotte
Assistant Chief Hearing Counsel

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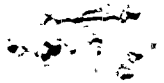
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