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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

BEFORE THE ATOMIC SAFETY AND LICENSING APPEAL BOARD

In the Matter of)

PACIFIC GAS AND ELECTRIC COMPANY)

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

Docket Nos. 50-275
50-323

(Full Power Proceeding)

PGandE EXCEPTIONS TO INITIAL DECISION
DATED AUGUST 31, 1982 AND MOTION TO
TOLL BRIEFING SCHEDULE

On August 31, 1982 the Atomic Safety and Licensing Board issued an Initial Decision on the full power portion of the Diablo Canyon licensing proceeding. Pursuant to 10 CFR 2.762(a) PGandE hereby takes exception to the following portions of the Initial Decision pending their clarification in response to the NRC Staff's request for clarification to be filed September 17, 1982.^{1/} Depending upon the response to the Staff's request PGandE may elect to withdraw one or more of the following exceptions.

1/

Since the first three of PGandE's exceptions are the same as the Staff's PGandE assumes the Staff's request for clarification will cover the points PGandE wishes to raise. However, if it does not, PGandE would like to reserve the right to supplement the Staff's request and, if necessary, will undertake to do so within three days of receipt of the Staff's request.

EXCEPTIONS

1. The Licensing Board erred in concluding there must be FEMA findings on the adequacy of the State Emergency Plan as it applies to Diablo Canyon prior to the granting of a full power operating license (Initial Decision pp. 20, 218.)

2. The Licensing Board erred in concluding that the SOP's in the County and State Plans required by Federal Regulations must be authenticated prior to issuance of a full power license (Initial Decision pp. 20, 218, Finding 31.)

3. The Licensing Board erred in concluding that the Director of Nuclear Reactor Regulation must obtain the written acquiescence of the appropriate State jurisdiction binding them to participate in those Standard Operating Procedures required to be followed by Federal Regulations prior to issuance of a full power operating license (Initial Decision p. 218.)

4. The Licensing Board erred in not including in the Conclusions of Law a provision as to offsite emergency preparedness. Conclusions 1 and 2 refer only to onsite emergency preparedness and the onsite emergency plan (Initial Decision p. 218.)

BRIEFING SCHEDULE

PGandE supports the Staff's motion to toll the period for filing briefs in support of or opposition to the exceptions until five days after the Board has ruled on the Staff's

request for clarification of the Initial Decision.

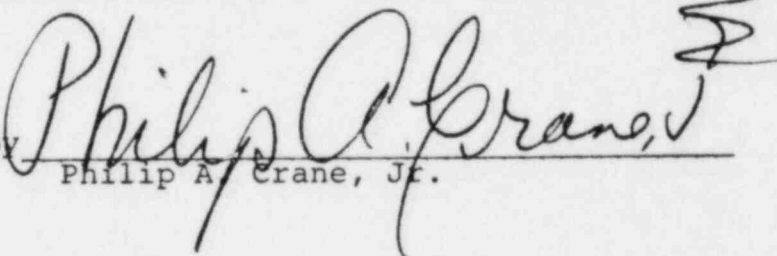
Respectfully submitted,

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By 
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DATED: September 15, 1982

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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

Docket No. 50-275
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CERTIFICATE OF SERVICE

The foregoing document(s) of Pacific Gas and Electric Company has (have) been served today on the following by deposit in the United States mail, properly stamped and addressed:

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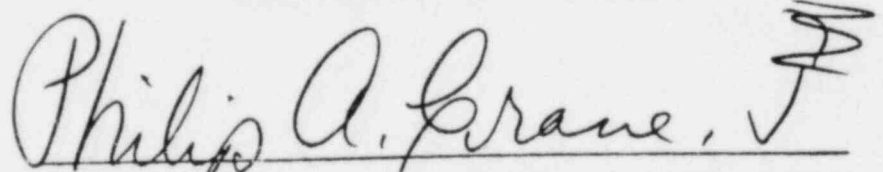
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Date: September 15, 1982