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June 30, 1983

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In the Matter of  
PACIFIC GAS AND ELECTRIC COMPANY  
(Diablo Canyon Nuclear Power Plant, Units 1 and 2)  
Docket Nos. 50-275 OL and 50-323 OL

Gentlemen:

The Staff has reviewed the schedule for the reopened hearing on design quality assurance proposed by the Applicant in a letter to the Chairman dated June 24, 1983. The following alternate schedule is proposed by the Staff:

- |          |  |
|----------|--|
| 7-1-83   | Contentions Submitted                                    |
| 7-18-83  | Begin discovery against Staff                            |
| 7-29-83  | Position on contentions submitted by all parties         |
| 8-4-83   | Prehearing Conference re: contentions and scheduling     |
| 8-19-83  | Completion of discovery                                  |
| 8-31-83  | Submission of testimony                                  |
| 9-20-83  | Start hearing  |
| 9-30-83  | Close hearing  |
| 10-14-83 | Submission of Findings -- Applicant                      |
| 10-24-83 | Submission of Findings -- Joint Intervenors and Governor |
| 11-4-83  | Submission of Findings -- Staff                          |
| 11-14-83 | Response to Findings -- Applicant                        |

The following factors bear on our recommendation of the above schedule. First, issuance of the Staff's SER is presently scheduled for late July 1983. We will advise the Appeal Board and parties of any significant change in the date for issuance of this document.

Second, because of the intervening hearing on the motions to reopen the record on construction quality assurance scheduled from July 19th to approximately July 22nd, and the attendant preparation, counsel will have

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little time to prepare submittals on contentions by July 14th as proposed by the Applicant. This matter is exacerbated for Staff counsel by a Congressional hearing scheduled for July 8th in California in which he is involved and which also requires advance preparation. Accordingly, July 29th is recommended as the date for the simultaneous submittal of comments on proposed contentions. A prehearing conference is suggested for August 4th for any further discussion which the Appeal Board may wish concerning proposed contentions and for consideration of any other scheduling matters. The foregoing dates could, we believe, permit a ruling on contentions by about August 12th.

Finally, the Staff proposes that the hearing start and close one week later than the dates suggested by the Applicant, with corresponding extensions of the dates for submission of findings and the ASLAB decision. This change is suggested in light of the occurrence of a religious holiday (Yom Kippur) commencing on the evening of September 16th through September 17th. Thus, while it may be possible to have counsel for the Staff at the hearing on those dates, lead counsel will not be available. Indeed, under the Commission's travel regulations, lead counsel may be wholly unable to attend the hearing during the first week if it commences on September 13th.

We believe that the above schedule could still allow for a decision by the Appeal Board sometime in December.

Sincerely,

Lawrence J. Chandler  
Deputy Assistant Chief Hearing Counsel

cc:

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*Old by /  
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