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~~Mann~~  
~~Beck~~ 11/2  
~~Price~~ 11/1

Joe Fouchard, News Service Branch  
Division of Public Information, HQ

November 6, 1963

Dale J. Cook, Assistant Information Officer, SAN

PG&E BRIEFS ASK COURT TO REJECT OPPONENT PETITIONS

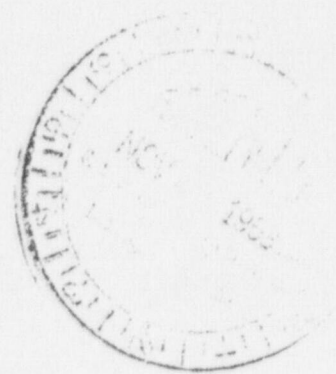
PI:DJC

PG&E Monday filed two briefs in the California State Supreme Court asking it to reject the petition of opponents to the Bodega project for a reopening of the PUC public hearing. Clips reporting this action are attached.

Attachment:

Clips, as stated, 11/6/63

cc: Harold Price, REC, HQ, w/attach.  
Robert Lowenstein, DL&R, HQ, w/attach.  
F. K. Pittman, DRD, HQ, w/attach.  
R. W. Smith, Compl. V., SAN, w/attach.



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## Briefs Says Bodega Foes 'Too Late'

10/11/62

The Pacific Gas and Electric Company asserts that critics of its proposed atomic power plant at Bodega Bay acted too late to keep construction of the plant legally.

Two briefs were filed with the State Supreme Court Monday by PG&E in answer to charges from the Northern California Association to Preserve Bodega Head and Harbor and by the Sierra Club.

The association asked the court September 17 to review a State Public Utilities Commission decision August 26 not to reopen public hearings on a license issued

See Page 20, Col. 1

## Bodega: Foes 'Too Late' Says PG&E

From Page 1

PG&E in November, 1962, to build the plant.

In announcing the briefs' contents yesterday, PG&E said they seek dismissal of the association's petition because "it was filed after the expiration of the filing period which followed the PUC decision."

Attorney Benjamin Dreyfus, whose law firm filed the association's petition, said yesterday "we believe it was timely filed."

The PG&E's brief also said that the association wrongly sought a "review of the entire matter rather than the PUC's rejection of review of only one portion of the proceedings."

Dreyfus said that the petition "only asked for a review of what the commission did on the day they made their decision."

In its second brief to the court, PG&E argued that the Sierra Club's "friend of the court" document, filed October 21 in support of the association's petition, raised "issues which are outside those properly before this court."

## Anti-Bodega Petition Too Late--PGE

A petition asking the State Supreme Court to block construction of the planned nuclear power plant at Bodega Bay was answered, partly yesterday by Pacific Gas & Electric Company.

The utility argued that objections presented by the Northern California Association to Preserve Bodega Head and Harbor were raised after expiration of the legal 60-day period following licensing of the project.

"If such a device were allowed," the utility's lawyers said, "one obtaining a certificate from the Public Utilities Commission could never safely be allowed without fear of interruption."

Regarding a separate objection to the plant filed by the Sierra Club, PG&E said it raised issues that were "not properly before the court."