

RAS 5162

December 19, 2002

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

DOCKETED
USNRC

December 30, 2002 (11:04AM)

In the Matter of)
)
PACIFIC GAS & ELECTRIC CO.)
)
(Diablo Canyon ISFSI))

Docket No. 72-26-ISFSI

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

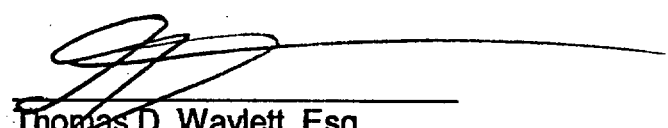
ASLBP No. 02-801-01-ISFSI

POSITION OF THE PORT SAN LUIS HARBOR DISTRICT
REGARDING RECONSIDERATION OF THE BOARD'S RULING
DENYING PARTY STATUS TO THE ENVIRONMENTAL CENTER OF
SAN LUIS OBISPO FOR LACK OF STANDING

Port San Luis Harbor District ("District") hereby responds to the Atomic Safety and Licensing Board's ("Board") order to respond to the motion by San Luis Obispo Mothers for Peace ("SLOMFP"), as lead intervenor, on behalf of the Environmental Center of San Luis Obispo ("ECSLO"), requesting reconsideration of that portion of the Board's ruling denying ECSLO party status because it lacks standing.

The District supports the motion filed by SLOMFP and requests that the Board grant SLOMFP's motion and reconsider whether the new evidence ECSLO has provided relevant to the issue adequately establishes ECSLO's standing. The District sees no appreciable prejudice resulting from reconsideration, while denying the motion in light of the new evidence would greatly prejudice ECSLO's interest in the proceedings.

Respectfully submitted,



Thomas D. Waylett, Esq.
Attorneys for The Port San Luis Harbor District

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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In the Matter of)	
)	
PACIFIC GAS & ELECTRIC CO.)	Docket No. 72-26-ISFSI
)	
(Diablo Canyon Power Plant Independent)	ASLBP No. 02-801-01-ISFSI
Spent Fuel Storage Installation))	

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing "Position of the Port San Luis Harbor District Regarding Reconsideration of the Board's Ruling Denying Party Status to the Environmental Center of San Luis Obispo for Lack of Standing" have been served upon the following persons by United States mail, first class; and by electronic mail as indicated by an asterisk (*) on this 19th day of December, 2002.

G. Paul Bollwerk, III
Administrative Judge*
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Mail Stop: T-3F23
Washington, D.C. 20555
E-mail: gpb@nrc.gov

Peter S. Lam*
Administrative Judge
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Mail Stop: T-3F23
Washington, D.C. 20555
E-mail: psl@nrc.gov

Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Mail Stop: T-3F23
Washington, D.C. 20555

Jerry R. Kline*
Administrative Judge*
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Mail Stop: T-3F23
Washington, D.C. 20555
E-mail: jrk2@nrc.gov
jkerry@comcast.net

Office of Commission Appellate Adjudication
U.S. Nuclear Regulatory Commission
Mail Stop: O-16C1
Washington, D.C. 20555

Office of the Secretary*
ATTN: Rulemakings and Adjudications Staff
U.S. Nuclear Regulatory Commission
Mail Stop: O-16C1
Washington, D.C. 20555
E-mail: HEARINGDOCKET@nrc.gov

Lorraine Kitman*
P.O. Box 1026
Grover Beach, CA 93483
E-mail: lorraine@bejoseeds.com
l.kitman@bejoseeds.com

County Supervisor Peg Pinard*
County Government Center
1050 Monterey Avenue
San Luis Obispo, California 93408
E-mail: ppinard@co.slo.ca.us

San Luis Obispo Mothers for Peace*
P.O. Box 164
Pismo Beach, CA 93448
E-Mail: beckers@thegrid.net
Jzk@charter.net

Seamus M. Slattery *
Chairman
Avila Valley Advisory Council
P.O. Box 58
Avila Beach, CA 93424
E-mail: jslat1@aol.com

Lawrence F. Womack
Vice President
Nuclear Services
Diablo Canyon Power Plant
P.O. Box 56
Avila Beach, CA 93424

Klaus Schumann*
Mary Jane Adams
26 Hillcrest Drive
Paso Robles, CA 93446
Email: jayklaus@email.msn.com

Darcie L. Houck, Staff Counsel *
California Energy Commission
Chief Counsel's Office
1516 Ninth Street, MS 14
Sacramento, CA 95814
E-Mail: Dhouck@energy.state.ca.us

General Counsel *
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555
E-mail: OGCMailCenter@nrc.gov
ABC1@nrc.gov

Diane Curran *
Harmon, Curran, Spielberg, &
Eisenberg, LLP
1726 M Street N.W., Suite 600
Washington, D.C. 20036
E-mail: dcurran@harmoncurran.com

Annette L. Vietti-Cook *
Office of the Secretary
U.S. Nuclear Regulatory Commission
Rockville, Maryland 20852-2738
Email: avc@nrc.gov

11555 Rockville Pike
David A. Repka*
Brooke D. Poole*
Winston & Strawn
1400 L Street N.W.
Washington, D.C. 20005-3502
E-Mail: bpoole@winston.com
drepka@winston.com

Robert R. Wellington, Esq.*
Robert W. Rathie, Esq.*
Wellington Law Offices
857 Cass Street, Suite D
Monterey, California 93940
E-Mail: info@dcisc.org


Barbara Byron*
Nuclear Policy Advisor
California Energy Commission
1516 9th Street, MS 36
Sacramento, CA 95814
E-Mail: Bbyron@energy.state.ca.us

James B. Lindholm, Jr., Esq.*
County Counsel for San Luis Obispo
County
County Government Center
1050 Monterey, Room 386
San Luis Obispo, CA 93408
Email: jlindholm@co.slo.ca.us

Sheldon L. Trubatch, Esq.*
4222 River Road
Washington, D.C. 20016
Facsimile: (202) 363-3924
lawofficesofsheldontrubatch@starpower.net

Robert K. Temple*
2524 N. Maplewood Avenue
Chicago, IL 60647
Email: nuclaw@mindspring.com

Dated at San Luis Obispo, California, this 19th day of December, 2002



Thomas D. Waylett, Esq.
444 Higuera Street, Suite 300
San Luis Obispo, CA 93401
waylett@adamskimoroski.com

Tracy Groshong

From:

Tracy Groshong

Sent:

Thursday, December 19, 2002 9:30 AM

To:

'psl@nrc.gov'; 'gpb@nrc.gov'; 'kjerry@comcast.net'; 'jrk2@nrc.gov'; 'ppinard@co.slo.ca.us';
'dcurran@harmoncurran.com'; 'lorraine@bejoseeds.com'; 'l.kitman@bejoseeds.com';
'jayklus@email.msn.com'; 'jslat1@aol.com'; 'bpooole@winston.com'; 'drepka@winston.com';
'HEARINGDOCKET@nrc.gov'; 'jlindholm@co.slo.ca.us'; 'nuclaw@mindspring.com';
'dhouck@energy.state.ca.us'; 'avc@nrc.gov'; 'Bbyron@energy.state.ca.us';
'beckers@they.id.net'; 'jzk@charter.net'; 'OGCMailCenter@nrc.gov'; 'ABC1@nrc.gov';
'info@dcisc.org'; 'LawOfficesofSheldonTrubach@Starpower.net'
'jaye@portsanluis.com'

Cc:

'jaye@portsanluis.com'

Response of Port San Luis Harbor District 12-19-02



pslhd RESPONSE to Mother's M...

Tracy Groshong, groshong@adamskimoroski.com

Secretary to Thomas D. Waylett, Esq., waylett@adamskimoroski.com

Adamski Moroski Madden & Green LLP

444 Higuera Street, Suite 300

San Luis Obispo, CA 93401

Phone: (805) 543-0990

Fax: (805) 543-0980