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35 WEST WACKER DRIVE  
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43 RUE DU RHONE  
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387H FLOOR  
833 SOUTH GRAND AVENUE  
LOS ANGELES, CALIFORNIA 90071-1543

1400 L STREET, N.W.  
WASHINGTON, D.C. 20005-3502

(202) 371-6700

FACSIMILE (202) 371-5950

www.winston.com

200 PARK AVENUE  
NEW YORK, NEW YORK 10166-4193

21 AVENUE VICTOR HUGO  
75116 PARIS, FRANCE

DAVID A. REPKA

(202) 371-5726

drepka@winston.com

January 29, 2003

**BY FEDERAL EXPRESS**

Cathy A. Catterson, Clerk  
United States Court of Appeals for the Ninth Circuit  
95 Seventh Street  
San Francisco, CA 94103-1526

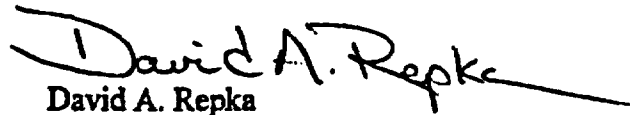
Re: *California Public Utilities Commission et al. v. Nuclear Regulatory  
Commission, Case No. 02-72735*

Dear Ms. Catterson:

Pursuant to Rule 28-4 of the United States Court of Appeals for the Ninth Circuit, please find enclosed for filing an original and four (4) copies of the "Motion of Pacific Gas and Electric Company for Enlargement of Brief Pursuant to Ninth Circuit Rule 28-4" in Case No. 02-72735.

Please also find enclosed a duplicate copy of Pacific Gas and Electric Company's filing. Please date-stamp this copy and return it in the enclosed self-addressed, stamped envelope. Thank you for your assistance in this matter.

Respectfully submitted,

  
David A. Repka

Counsel for Intervenor  
Pacific Gas and Electric Company

Enclosures

January 29, 2003

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

California Public Utilities Commission and  
County of San Luis Obispo,  
Petitioners,

v.

U.S. Nuclear Regulatory Commission,  
Respondent,

and

Pacific Gas and Electric Company, et al.,  
Intervenors.

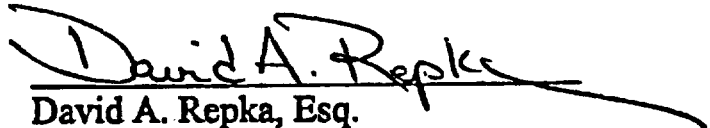
No. 02-72735

**MOTION OF PACIFIC GAS AND ELECTRIC COMPANY FOR  
ENLARGEMENT OF BRIEF PURSUANT TO NINTH CIRCUIT RULE 28-4**

Pursuant to Ninth Circuit Rule 28-4, intervenor Pacific Gas and Electric Company ("PG&E") hereby gives notice of its request for an enlargement of 1,400 words to respond to the joint brief of petitioners California Public Utilities Commission and San Luis Obispo County. However, PG&E is not requesting an

extension of time to file such enlarged brief.<sup>1</sup> PG&E has not previously been granted an enlargement of brief size, and this case has not been expedited.

Respectfully submitted,



David A. Repka, Esq.  
WINSTON & STRAWN  
1400 L Street, N.W.  
Washington, DC 20005-3502  
(202) 371-5700

William V. Manheim, Esq.  
Richard F. Locke, Esq.  
PACIFIC GAS & ELECTRIC COMPANY  
77 Beale Street, B30A  
San Francisco, CA 94105

ATTORNEYS FOR INTERVENOR  
PACIFIC GAS & ELECTRIC COMPANY

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<sup>1</sup> By Order dated November 20, 2002, this Court granted Petitioners' motion for extension of time to file an oversize brief. Petitioners' joint brief was filed on December 5, 2002. Subsequently, on December 17, 2002, Respondent Nuclear Regulatory Commission filed a request for extension of time in which to answer the joint brief, and ultimately filed its brief on January 27, 2003. Pursuant to the November 20, 2002, Order, PG&E's brief is due 14 days following the answering brief. Accordingly, PG&E intends to file its brief on February 10, 2003.

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

California Public Utilities Commission and  
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v.

U.S. Nuclear Regulatory Commission,  
Respondent,

and

Pacific Gas and Electric Company, et al.,  
Intervenors.

No. 02-72735

CERTIFICATE OF SERVICE

I hereby certify that copies of "MOTION OF PACIFIC GAS AND ELECTRIC COMPANY FOR ENLARGEMENT OF BRIEF PURSUANT TO NINTH CIRCUIT RULE 28-4" in the captioned proceeding have been served as shown below by United States mail, first class, this 29th day of January 2003.

Robert K. Temple, Esq.  
Sheldon L. Trubatch, Esq.  
Office of Robert K. Temple, Esq.  
2524 N. Maplewood Avenue  
Chicago, Illinois 60647


Gary M. Cohen, Esq.  
Arocles Aguilar, Esq.  
Laurence G. Chaset, Esq.  
Public Utilities Commission of  
the State of California  
505 Van Ness Avenue, Room 5131  
San Francisco, CA 94102

James B. Lindholm, Jr. Esq.  
Timothy McNulty, Esq.  
Office of the County Counsel for the  
County of San Luis Obispo  
County Government Center  
1050 Monterey Ave., Room 386  
San Luis Obispo, CA 93408

John F. Cordes, Esq.  
Jared K. Heck, Esq.  
Mail Stop O-15D21  
United States Nuclear Regulatory  
Commission  
Washington, DC 20555-0001

Robert C. McDiarmid, Esq.  
Daniel I. Davidson, Esq.  
Ben Finkelstein, Esq.  
Lisa G. Dowden, Esq.  
Spiegel & McDiarmid  
1350 New York Avenue, NW  
Washington, DC 20005-4798

Respectfully submitted,

  
David A. Repka, Esq.  
WINSTON & STRAWN  
1400 L Street, N.W.  
Washington, DC 20005-3502  
(202) 371-5700

William V. Manheim, Esq.  
Richard F. Locke, Esq.  
PACIFIC GAS & ELECTRIC COMPANY  
77 Beale Street, B30A  
San Francisco, CA 94105

ATTORNEYS FOR INTERVENOR  
PACIFIC GAS & ELECTRIC COMPANY

Dated in Washington, District of Columbia  
this 29th day of January 2003