

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

Before The Atomic Safety & Licensing Board

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In The Matter Of	)	
	)	
PACIFIC GAS & ELECTRIC COMPANY	)	Docket Nos. 50-275 OL
	)	50-323 OL
(Diablo Canyon Nuclear Power Plant,)	)	
Units 1 & 2)	)	

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INTERVENORS' REQUEST  
FOR ORAL ARGUMENT

Intervenors SCENIC SHORELINE PRESERVATION CONFERENCE, INC., SAN LUIS OBISPO MOTHERS FOR PEACE, SANDRA SILVER, ECOLOGY ACTION CLUB and JOHN J. FORSTER hereby request the Licensing Board to hear oral argument on the INTERVENORS' REQUEST FOR THE ISSUANCE OF LICENSING BOARD SUBPOENAS.

1. Substantial legal questions are raised in the written pleadings. These include whether the Licensing Board should subpoena, as its own witnesses, employees of the NRC consultant, the United States Geological Survey, who have not been designated as Staff witnesses, for the purpose of taking their testimony at the evidentiary hearing; whether the Licensing Board has the authority to subpoena, as its own witnesses, consultants to the Advisory Committee on Reactor Safeguards, for the purpose of taking their testimony at the evidentiary hearing, and, if so, whether the Licensing Board should exercise that authority; whether

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the Licensing Board should subpoena, as its own witnesses, six experts purporting to have first-hand knowledge relevant to the safety issues in controversy, for the purpose of taking their testimony at the evidentiary hearing; whether the Licensing Board should subpoena the above mentioned experts, for the purpose of taking their testimony at the evidentiary hearing, permitting cross examination by all parties, but requiring the Intervenor's to bear all costs.

2. The Licensing Board's disposition of the Intervenor's Motion will significantly shape the future course of these proceedings.

3. Oral argument will permit all parties to argue fully the issues raised in the pleadings, including whether subpoenas for all experts should issue permitting cross examination by all parties, but requiring the Intervenor's to bear all costs. This matter was first briefed by the Intervenor's in their reply.

4. Because of the great public interest in the Licensing Board's disposition of this particular Motion, Intervenor's request that oral argument be held in San Luis Obispo, California.

Respectfully submitted,

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