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April 5, 1993

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

DOCKETED  
USNRC

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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

OFFICE OF SECRETARY  
NUCLEAR REGULATORY COMMISSION

NRC STAFF RESPONSE TO  
SAN LUIS OBISPO MOTHERS FOR PEACE  
MOTION FOR EXTENSION OF DEADLINE

On April 2, 1993, at 2:02 p.m. PST, San Luis Obispo Mothers for Peace (SLOMP) filed by facsimile a motion to extend the time for responding to the Licensing Board's questions on the Addendum to the FES.<sup>1</sup> SLOMP states in its Motion that the Addendum to the FES was not in the public document room in San Luis Obispo, CA, and seeks the extension of time to answer the Licensing Board's questions regarding the Addendum until 10 days after it receives the Addendum.<sup>2</sup>

Without an extension, SLOMP's response to the questions in the Memorandum and Order would be due on April 6, 1993. Thus, without an extension, SLOMP would have five days from its receipt of the document to file its response. The Staff notes that SLOMP's need for the extension is said to be based on an assumption that substantial

<sup>1</sup> These questions were propounded in the Licensing Board's Memorandum and Order dated March 19, 1993, and served on March 22, 1993.

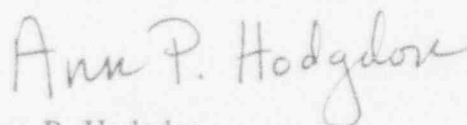
<sup>2</sup> The NRC Staff has been informed by the librarian at the local public document room in San Luis Obispo that SLOMP received the Addendum and copied it at about 2:30 p.m. on April 1, 1993, one day before the motion was filed.

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time will be required to read and analyze the material in the Addendum. However, as PG&E points out in its response of April 2, 1993, a published NRC decision shows SLOMP was served with a copy of the Addendum in May 1976. *See Pacific Gas and Electric Co.* (Diablo Canyon Nuclear Power Plant, Units 1 and 2), LBP-78-19, 7 NRC 989, 998 (1978). Further PG&E gave notice that it considered the Addendum in its Application of July 1992 and the Staff addressed the Addendum in its Environmental Assessment of February 3, 1993.

Thus, SLOMP has not shown good cause for the extension it requests in that it was given the Addendum in a previous Diablo Canyon proceeding seventeen years ago, was reminded of the document last summer when the Application was filed, and has had since April 1st to reacquaint itself with the document. Nevertheless, the Staff does not object to an extension of two days until April 8, 1993, provided the response is strictly limited to the two questions posed by the Board and the response is required to be sent by facsimile so as to be served upon the parties during business hours on April 8, 1993, EDT.

Respectfully submitted,

A handwritten signature in cursive script that reads "Ann P. Hodgdon".

Ann P. Hodgdon  
Counsel for NRC Staff

Dated at Rockville, Maryland  
this 5th day of April 1993

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

DOCKETED  
USNRC  
93 APR -6 A10:40

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

In the Matter of	)	
	)	Docket Nos. 50-275 OLA
PACIFIC GAS & ELECTRIC CO.	)	50-323 OLA
	)	
(Diablo Canyon Nuclear Power Plant,	)	(Construction Period Recapture)
Units 1 & 2)	)	

CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF RESPONSE TO SAN LUIS OBISPO MOTHERS FOR PEACE MOTION FOR EXTENSION OF DEADLINE" in the above captioned proceeding have been served on the following by deposit in the United States mail, first class or, as indicated by an asterisk, by deposit in the Nuclear Regulatory Commission's internal mail system this 5th day of April 1993:

Charles Bechhoefer\*  
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Atomic Safety and Licensing Board  
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U.S. Nuclear Regulatory Commission  
Washington, DC 20555

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Jerry R. Kline\*  
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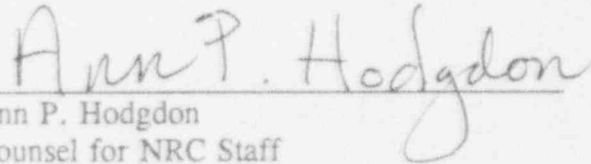
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