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April 27, 1993
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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of:)	
)	Docket Nos. 50-275-OLA 2
Pacific Gas and Electric Company)	50-323-OLA
)	(Construction Period
(Diablo Canyon Nuclear Power)	Recovery)
Plant, Units 1 and 2))	
)	

PACIFIC GAS & ELECTRIC COMPANY'S
RESPONSE TO SAN LUIS OBISPO MOTHERS FOR PEACE
MOTION FOR LEAVE TO FILE ADDITIONAL DISCOVERY
(IDENTIFICATION OF WITNESSES)

On April 12, 1993, the San Luis Obispo Mothers for Peace ("MFP") filed a motion for leave to file additional discovery requests.^{1/} Pacific Gas & Electric Company ("PG&E") herein responds. The late discovery requested by MFP (included in the Motion) involves the identity and area of expertise of each witness PG&E expects to call in any hearing in this proceeding, the educational and professional experience of each witness, and the "substance of testimony of each witness." MFP unilaterally claims that the "request is not burdensome for PG&E."

^{1/} "Intervenor San Luis Obispo Mothers for Peace Motion for Leave to File Additional Discovery (Identification of Witnesses)," April 12, 1993 ("Motion").

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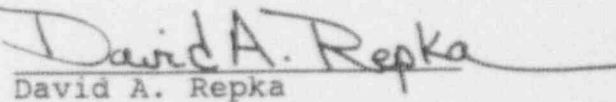
MFP, in its Motion, recognizes that this discovery request is late. Such additional, late discovery should be permitted, if at all, only upon good cause shown. MFP, however, states only that it "overlooked" the need to request from PG&E an identification of witnesses.^{2/} MFP therefore fails to show good cause. This lack of good cause is underscored by the fact that MFP itself has, thus far in this proceeding, failed to identify its own witnesses and failed to provide any information on those witnesses.

Nonetheless, PG&E will in this instance agree to provide to MFP the identity of its witnesses on the admitted contentions, once PG&E itself identifies the witnesses. At this time, PG&E has made no such determination. MFP has not responded to PG&E's pending discovery requests, and, as a result, PG&E does not yet know what MFP's issues are in this case. Therefore, until discovery responses are forthcoming from MFP, PG&E cannot identify witnesses. When PG&E provides the identity of its witnesses, it will also provide qualifications for each witness and a brief description of

^{2/} MFP has failed even to show a need for the requested information. The time for discovery requests on the two admitted contentions is passed, and MFP has not noticed depositions of any PG&E witness. Therefore, the identity of witnesses would seem to serve no purpose. Moreover, the identity of witnesses and the substance of testimony will be apparent when and if PG&E files direct testimony in this case. This pre-filed testimony will be available to MFP in advance of any hearing.

the topics to be addressed by each witness.^{2/} PG&E believes that this should be deemed sufficient to respond to MFP's request.

Respectfully submitted,


David A. Repka

WINSTON & STRAWN
1400 L Street, N.W.
Washington, DC 20005-3502
(202) 371-5726

Christopher J. Warner
Richard F. Locke

PACIFIC GAS AND ELECTRIC COMPANY
77 Beale Street
San Francisco, CA 94106

Attorneys for Pacific Gas and
Electric Company

Dated in Washington, DC
this 27th day of April, 1993

^{2/} The latter information should satisfy MFP's request for a description of "the substance of the testimony of each witness." Anything more than a brief description of the topics to be addressed by the witnesses would be, contrary to MFP's unilateral claim, burdensome to PG&E. The full "substance" of the testimony will become apparent in prefiled direct testimony.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD 3 APR 28 P2:50

In the Matter of:

Pacific Gas and Electric Company

(Diablo Canyon Power
Plant, Units 1 and 2)

)
) Docket Nos. 50-275-OLA
) 50-323-OLA
) (Construction Period
) Recapture)
)
)

CERTIFICATE OF SERVICE

I hereby certify that copies of "PACIFIC GAS & ELECTRIC COMPANY'S RESPONSE TO SAN LUIS OBISPO MOTHERS FOR PEACE MOTION FOR LEAVE TO FILE ADDITIONAL DISCOVERY (IDENTIFICATION OF WITNESSES)" 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 for Federal Express overnight delivery, this 27th day of April, 1993.

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

Frederick J. Shon*
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Jerry R. Kline*
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Office of Commission Appellate
Adjudication
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Office of the Secretary
U.S. Nuclear Regulatory Commission
Washington, DC 20555
Attn: Docketing and Service
Section
(original + two copies)

Ann P. Hodgdon, Esq.*
Office of the General Counsel
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Adjudicatory File
Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Peter Arth, Jr.
Edward W. O'Neill
Peter G. Fairchild
California Public Utilities
Commission
505 Van Ness Avenue
San Francisco, CA 94102

Nancy Culver, President
Board of Directors
San Luis Obispo Mothers for Peace
P.O. Box 164
Pismo Beach, CA 93448

Robert R. Wellington, Esq.
Diablo Canyon Independent Safety
Committee
857 Cass Street, Suite D
Monterey, CA 93940

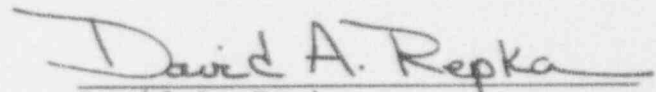
Robert Kinoshian
California Public Utilities
Commission
505 Van Ness, Rm. 4102
San Francisco, CA 94102

Mr. Gregory Minor
MHB Technical Associates
1723 Hamilton Ave., Suite K
San Jose, CA 95125

Truman Burns
California Public Utilities
Commission
505 Van Ness, Rm. 4103
San Francisco, CA 94102

Christopher J. Warner, Esq.*
Richard F. Locke, Esq.
Pacific Gas & Electric Company
77 Beale Street
San Francisco, CA 94106

Jill ZamEk*
1123 Flora Road
Arroyo Grande, CA 93420


David A. Repka

Counsel for Pacific Gas &
Electric Company