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BY EXPRESS MAIL

March 22, 1984

Nunzio Palladino, Chairman  
Victor Gilinsky, Commissioner  
Thomas Roberts, Commissioner  
James Asselstine, Commissioner  
Frederick Bernthal, Commissioner  
United States Nuclear Regulatory  
Commission  
Washington, D.C. 20555

Re: In the Matter of Pacific Gas and Electric Company  
(Diablo Canyon Nuclear Power Plant, Units 1 and  
2), Nos. 50-2750L, 50-3730L

Dear Chairman Palladino and Members of the Commission:

Enclosed please find the fully executed signature page  
for the Affidavit of Dr. Michio Kaku, submitted as an attachment  
to the Joint Intervenors' March 20, 1984 Renewal of Application  
for Stay.

In addition, several recent developments are pertinent  
to the Commission's consideration of the Joint Intervenors' stay  
application. First, on March 21, 1983, the Chairman of the  
Atomic Safety and Licensing Appeal Board for the above-entitled  
proceeding informed me that the Board had referred the Joint  
Intervenors' stay application to the Commission for decision.  
The basis for the Board's decision was its conclusion that  
jurisdiction lies with the Commission.

Second, in a conference call today with a  
representative of the clerk of the U.S. Court of Appeals,  
PGandE's counsel, Mr. Douglas Oglesby, informed me that, in the  
event the Commission votes on March 26, 1984 to reinstate the  
suspended low power operating license, criticality would not be

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PDR ADOCK 05000275  
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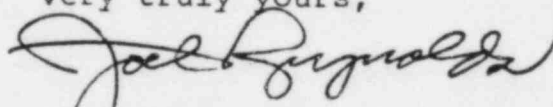


Nuclear Regulatory Commission  
March 22, 1984  
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achieved until the middle of next week -- Wednesday or Thursday -- according to PGandE's current schedule. He characterized as "extremely unlikely" the possibility that such schedule would be accelerated and agreed to provide immediate notice of any potential change in that schedule.

Under the circumstances, the Joint Intervenors reaffirm their request that, if it should vote to reinstate the suspended license, the Commission stay the effectiveness of its Order and the prior NRC orders underlying the low power license<sup>1/</sup> to permit an opportunity for court review prior to the irreversible irradiation of the fuel and contamination of the reactor associated with low power operation. As a minimum, in light of PGandE's schedule as indicated this morning, the grant of a limited stay of the authority to proceed to criticality should cause no harm to PGandE and would ensure the Joint Intervenors an opportunity to seek court review of this proceeding.

Very truly yours,



Joel R. Reynolds  
Counsel to the Joint  
Intervenors

JRR:cc  
Enclosure

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<sup>1/</sup> See Joint Intervenors' Application for Stay, at 1 (October 31, 1983).