

ORIGINAL

Decision No. 75283

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of PACIFIC GAS AND
 ELECTRIC COMPANY for a certificate
 of public convenience and necessity
 to construct, install, own, operate,
 maintain and use a second nuclear-
 fueled power plant in the County of
 San Luis Obispo, together with
 transmission lines and related
 facilities.
 (Electric)

Application No. 50028
(Filed January 2, 1969)

ORDER DENYING PETITION TO SET ASIDE
SUBMISSION AND REOPEN PROCEEDING OF
SCENIC SHORELINE PRESERVATION CONFERENCE, INC.

The above-entitled application was set for hearing at 10:00 a.m. on December 10, 1968, in the Council Chambers, City Hall, San Luis Obispo. Notice of the hearing was mailed to all known interested parties, including Fred Eissler, President of Scenic Shoreline Preservation Conference, Inc., on October 14, 1968.

The application for construction of Unit No. 2 was filed February 16, 1968. Notice was given and a pre-hearing conference was held September 10, 1968 and no appearance was made by petitioner at that time.

At the hearing on December 10, 1968, Mr. Ian McMillan appeared for Scenic Shoreline Preservation Conference, Inc. (Conference) and submitted a letter signed by Mr. Frederick Eissler, requesting a continuance to enable the Conference to gather evidence. Nothing is stated in the request relative to lack of notice of the hearing. The motion for a continuance was denied.

On January 2, 1969, the Conference filed the above-entitled petition. The Conference states in the petition that it did not have

time to review the Commission's Interrogatories and answers thereto; also, investigation and further studies should be made in connection with proposed Unit No. 2 relative to plant sites, geology, seismology, structural engineering aspects, marine ecology, sedimentation, erosion, marine environment, meteorology, standards and costs of design and construction, and objects to a section of cited agreement between the State Resources Agency and Pacific Gas and Electric Company.

The matters stated by the Conference in the petition herein were presented at the hearing on Unit No. 1, Decision No. 73278, dated November 7, 1967, in Application No. 49051. There were twenty days of hearings on Application No. 49051 for Unit No. 1 devoted to evidence on these very same issues and matters the petitioner desired to present. The Commission finds that in said decision it considered all the issues petitioner desires to raise.

The petition presents no new matter not heretofore considered by this Commission. The petition fails to state any material changes of fact or evidence found or reason why the petition should be granted.

The Commission finds that the petition fails to state a good cause for reopening the matter.

IT IS ORDERED that the petition to set aside submission and reopen proceedings filed January 2, 1969 by Scenic Shoreline Preservation Conference, Inc., be and the same hereby is denied. ✓

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this

17th day of FEBRUARY, 1969.

William S. Jones, Jr.
President

Augustus

Paul P. Moussey

Sharon M.

Commissioners

Commissioner J. P. Vukasin, Jr., being necessarily absent, did not participate in the disposition of this proceeding.