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October 31, 1979

Elizabeth S. Bowers, Esq.  
Chairman  
Atomic Safety and Licensing  
Board Panel  
U. S. Nuclear Regulatory  
Commission  
Washington, DC 20555

Dr. Oscar H. Paris  
Atomic Safety and Licensing  
Board Panel  
U. S. Nuclear Regulatory  
Commission  
Washington, DC 20555

Dr. Emmeth A. Luebke  
Atomic Safety and Licensing  
Board Panel  
U. S. Nuclear Regulatory  
Commission  
Washington, DC 20555

In the Matter of  
Florida Power & Light Company  
(Turkey Point Units Nos. 3 & 4)  
Docket Nos. 50-250-SP and 50-251-SP

Dear Members of the Board:

We have just received by mail a discovery request entitled "Intervenor Mark P. Oncavage's Interrogatories to, and Request for the Production of Documents from Licensee Florida Power and Light Company," with a certificate of service dated October 27, 1979, in an envelope postmarked October 29, 1979. A preliminary review of the discovery request discloses that it contains 69 pages, 276 numbered paragraphs, and multiple lettered subparagraphs. The Board's "Order Relative to Contentions and Discovery" issued September 25, 1979, provided that the final date for filing discovery requests on all contentions was Monday, October 22, 1979.

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Members of the Board  
October 31, 1979  
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We are unaware of any request by Intervenor to the Board, made prior or even subsequent to October 22, 1979, based upon a showing of good cause as required by 10 CFR 2.711, to extend the time for filing discovery requests. Absent such a motion and an order from the Board, we wish to inform the Board and the parties that we intend to treat the unauthorized filing as a nullity and do not intend to divert our efforts for prehearing and hearing preparation to address the many grounds of objection or to respond to it.

We shall continue to adhere to the discovery and hearing schedule contained in the Order of September 25 and shall be prepared to commence the hearing January 8, 1980.

Sincerely,



Harold F. Reis  
Counsel for Florida Power &  
Light Company

HFR:sgb

cc: See attached Certificate of Service



UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY & LICENSING BOARD

In the Matter of	)	Docket Nos. 50-250-SP
	)	50-251-SP
FLORIDA POWER & LIGHT COMPANY	)	
	)	(Proposed Amendments to Facility
(Turkey Point Nuclear Generating	)	Operating License to Permit
Units Nos. 3 and 4)	)	Steam Generator Repair)

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that copies of the attached letter to the Members of the Board dated October 31, 1979, captioned in the above matter, were served on the following by deposit in the United States mail, first class, properly stamped and addressed, this 31st day of October, 1979.

Elizabeth S. Bowers, Esquire\*  
Chairman  
Atomic Safety & Licensing Board Panel  
U. S. Nuclear Regulatory Commission  
Washington, DC 20555

Dr. Oscar H. Paris\*  
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Washington, DC 20555

\*/ Hand Delivery



Atomic Safety & Licensing Appeal  
Board Panel  
U. S. Nuclear Regulatory Commission  
Washington, DC 20555

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Dated: October 31, 1979

