

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD



In the Matter of )  
 )  
PUGET SOUND POWER & LIGHT ) DOCKET NOS. STN 50-522  
COMPANY, et al., ) 50-523  
 )  
(Skagit Nuclear Power Project, ) May 15, 1979  
Units 1 and 2) )  
\_\_\_\_\_ )

MOTION TO EXPEDITE ISSUANCE OF WRITTEN DECISION  
DENYING INTERVENTION

The Upper Skagit Indian Tribe, the Sauk-Suiattle Indian Tribe and the Swinomish Tribal Community, Petitioners for intervention in these dockets, move this Board for issuance of its written decision denying intervention. The grounds for this motion are the following:

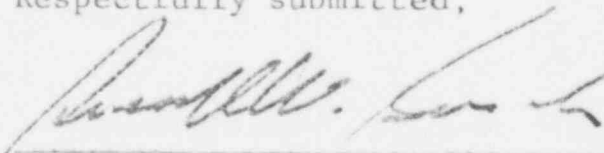
1. This Board granted intervention on November 24, 1978. The Appeals Board summarily reversed and remanded on January 12, with a full written decision following on January 29, 1979. The Tribes, in order to preserve their rights, petitioned for review by the full Commission. On March 8, 1979, the Commission entered an order deferring consideration of the petition "pending completion of action on the remanded issue by the Licensing Board and any subsequent review of it by the Appeals Board," noting that the Licensing Board "should proceed to consider the matter expeditiously." This Board did not issue any decision on

intervention until April 24, and delayed any appeal from its decision by requiring that the parties await issuance of a written decision.

2. The purpose of this motion is to request the Licensing Board to issue its written decision so that the Tribes may perfect the necessary appeals. The status of the Tribes has been ambiguous since Applicants' appeal on December 11. In the meantime, matters are before this Board which directly concern the Tribes and upon which the Tribes could, were this Board reversed on appeal, make a contribution. The Tribes are fearful that the Board's previous delay, and any further delay, will prejudice their position on appeal.

3. The Tribes did participate in the proceedings during the five-month period from November 24 to April 24. The Tribes, regardless of this Board's view of their status, will continue to seek a full and adequate evaluation of the risks to them and their members from issuance of a limited work authorization, construction permit or operating license. Although their initial intervention was tardy, they feel tardiness was justified, and they have acted in good faith to insure that their participation would not unduly burden the parties or delay the proceedings.

Respectfully submitted,



Russell W. Busch  
Attorney for Sauk-Suiattle and  
Upper Skagit Tribes  
520 Smith Tower  
Seattle, Washington 98104

295 234

Donald S. Means

Donald S. Means  
Attorney for Swinomish Tribal  
Community  
P.O. Box 277  
LaConner, Washington, 98257