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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

In the Matter of )  
BOSTON EDISON COMPANY, et al )  
(Pilgrim Nuclear Generating )  
(Station, Unit 2) )

Docket No. 50-471



MEMORANDUM OF THE MASSACHUSETTS GOVERNOR'S  
OFFICE OF ENERGY RESOURCES IN SUPPORT OF ITS  
PETITION FOR LEAVE TO PARTICIPATE AS AN IN-  
TERESTED STATE AGENCY OR IN LIEU THEREOF TO  
MAKE A LIMITED APPEARANCE

INTRODUCTION

On May 24, 1979, pursuant to 10 CFR § 2.715 (c), the undersigned petitioned this Board for leave to participate in these proceedings as an "interested state agency." In the alternative and pursuant to 10 CFR § 2.715 (a), petitioner requested leave to make a "limited appearance." In either case, the undersigned specified in its petition that its participation would be limited to questions relating to the "need for power" issue now pending before the Board. For the reasons stated in such petition and in the Affidavit of Joseph S. Fitzpatrick ("Fitzpatrick"), submitted there with the undersigned respectfully requests that the Board grant such leave and submits this memorandum in additional support thereof.

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(I) PETITIONER'S REQUEST AT THIS TIME SHOULD BE CONSIDERED A REQUEST FOR A "REASONABLE OPPORTUNITY" TO PARTICIPATE IN THESE PROCEEDINGS.

Although petitioner's request comes late in these proceedings, the intent of Section 274 of the Atomic Energy Act, 42 U.S.C. § 2021 (1), as implemented in 10 CFR § 2.715 (c), clearly supports the participation of a party such as petitioner at this time. As set forth in the Affidavit of Fitzpatrick, petitioner was established by a Directive of the Governor of Massachusetts on March 13, 1979 and has had no previous opportunity to participate in these proceedings. Although petitioner took over the responsibilities of a predecessor office (the Massachusetts Energy Office) at that time, petitioner was newly established and empowered with additional duties and responsibilities at that time. Such additional duties included budget and administrative control over the Massachusetts Energy Facilities Siting Council and the responsibilities for setting "all state policy regarding new energy facilities." As well, the Director, Mr. Fitzpatrick, was directed to attend all meetings of the Governor's Cabinet. This placed his position for the first time on a par with other cabinet-level officers. Since its inception, petitioner has had no opportunity in these proceeding to exercise its policy-making role regarding new energy facilities. Accordingly, it is appropriate that petitioner now be allowed to participate on the limited issue set forth in its petition.

Additionally, although petitioner is not required under 10 CFR § 2.715 (c) to meet the conditions for late filing by a party intervenor, petitioner's filing at this time meets the conditions set forth in 10 CFR § 2.714.

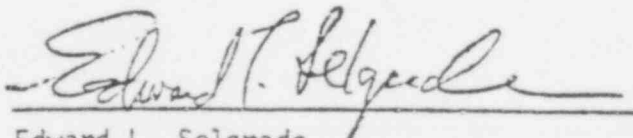
(II) PETITIONER CAN PROVIDE VALUABLE INFORMATION TO THE BOARD WHICH WOULD NOT OTHERWISE BE PROVIDED.

As the state agency with principal responsibility for formulating state policy concerning new energy facilities, petitioner can bring to these proceedings information based upon its analyses and investigations of the energy supply and demand picture for the applicant herein and the effect of the decision herein upon the economic condition of the energy-consuming public served by applicant. Petitioner submits that its mandate to perform such functions puts it in a unique position in relation to the other participants which do not operate under such a mandate.

Respectfully submitted,

MASSACHUSETTS GOVERNOR'S OFFICE  
OF ENERGY RESOURCES

BY ITS ATTORNEY



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NUCLEAR REGULATORY COMMISSION



Before the Atomic Safety and Licensing Board

In the Matter of  
Boston Edison Company, et. al.

(Pilgrim Nuclear Generating  
Station, Unit 2)

Nuclear No. 50-471

CERTIFICATE OF SERVICE

I, Edward L. Selgrade, hereby certify that the attached Memorandum of the Massachusetts Governor's Office of Energy Resources In Support of Its Petition to Participate as an Interested State Agency or In Lieu Thereof to Make a Limited Appearance submitted by the Massachusetts Governor's Office of Energy Resources has been served on the following list by depositing a copy thereof in the United States Mail, first class postage prepaid, this 1st day of June, 1979

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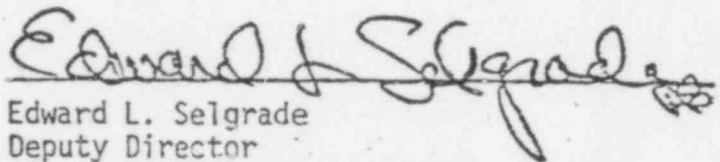
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