

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the matter of)	
Commonwealth Edison Co.,)	Docket Nos.
et al.)	S50-599 and
)	S50-600
(Carroll County Site))	



APPLICANT'S ANSWER TO PETITION TO INTERVENE
OF JAMES RUNYON, ED GOGOL AND CITIZENS
AGAINST NUCLEAR POWER AND APPLICANT'S
RESPONSE TO REQUEST OF J. LARRY PRISKE

I. Applicant has received a "Petition for Intervention and Request for Hearing" filed on July 6, 1979 on behalf of James Runyon, Ed Gogol, and Citizens against Nuclear Power. The time for filing petitions to intervene in this matter expired on June 4, 1979. 44 Fed. Reg. 26229, 26230 (May 4, 1979). Accordingly, this petition is not timely and we request that it be denied.

In the event the Board entertains the petition notwithstanding its non-time filing, Applicant believes that Petitioner Gogol has not shown that he has an interest which may be affected by this proceeding. 10 CFR §2.714(a). The petition states only that he resides and owns property in Chicago, about 133 miles east of the proposed site. This is far beyond any geographical zone of interest previously recognized in NRC licensing proceedings. See, e.g. Northern States Power Co., (Prairie Island Nuclear Generating Plant, Units 1 and 2) ALAB-107, 6 AEC 128, 190 (1973).

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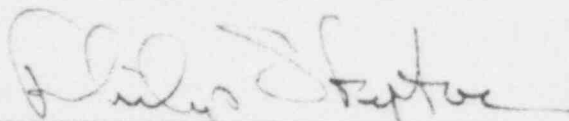
Applicant further requests that if Petitioners Runyon and Citizens against Nuclear Power ("CANP") are allowed to intervene, their participation be consolidated pursuant to 10 CFR Sections 2.714(e)(2) and 2.715(a), since the petition discloses that Mr. Runyon and CANP have substantially the same interests and wish to raise the same issues.

Finally, Applicant points out that the only specific aspect identified in the petition which is pertinent to early site review proceedings is "the utilization of the Mississippi River for cooling and other operational purposes." Accordingly we request that if one or more of these Petitioners is allowed to intervene, their participation be limited to that issue. 10 CFR §2.714(e)(1).

II. Applicant has also received a one page handwritten letter dated June 25, 1979 to the U.S. Nuclear Regulatory Commission from J. Larry Priske. The author requests "permission to act in private intervention" as well as "the chance to speak in opposition to the construction of the power plant." Applicant has no objection to this request if it is construed as a request to make a limited appearance. However, in the event this letter is treated as a petition

to intervene, Applicant requests that it be denied, since it is late-filed and fails to address the requirements of 10 CFR §2.714(a).

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Philip S. Taylor", is written over a horizontal line.

One of the Attorneys for
Applicant

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	
COMMONWEALTH EDISON COMPANY,)	
<u>et al.</u>)	Docket Nos. S50-599
(Carroll County Site))	S50-600

CERTIFICATE OF SERVICE

I, Philip P. Steptoe, hereby certify that copies of "Applicant's Answer to Petition to Intervene of James Runyon, Ed Gogol, and Citizens against Nuclear Power and Applicant's Response to Request of J. Larry Priske" in the above-captioned proceeding have been served on the following by depositing in the United States mail, first class, this 12th day of July, 1979:

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Atomic Safety and Licensing
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