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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of )  
 )  
HOUSTON LIGHTING AND POWER COMPANY ) Docket No. 50-466  
 )  
(Allens Creek Nuclear Generating )  
Station, Unit 1) )

APPLICANT'S RESPONSE TO  
PETITION FOR LEAVE TO INTERVENE  
FILED BY  
BRUCE A. PALMITER AND  
DOREEN J. DVORIN (MRS. BRUCE PALMITER)

Applicant files this response to the petition for leave to intervene filed by Bruce A. Palmiter and Doreen J. Dvorin (Mrs. Bruce Palmiter) which Applicant received from the NRC Docketing and Service Section on July 14, 1979. For the reasons discussed below, the petition should be denied.

Although petitioners state that they reside within fifty (50) miles of the proposed site and wish to be made a "full party" to this proceeding, they have not complied with the provisions of 10 CFR §2.714(a) requiring the petitioner to identify "the specific aspect or aspects of the subject matter of the proceeding as to which petitioner wishes to intervene." Rather, they merely state

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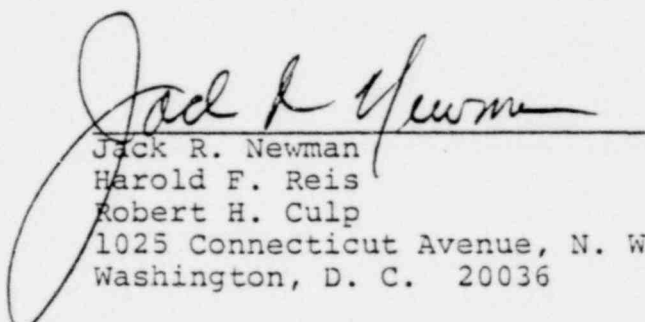
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that they "fear real and imminent danger" and that "as a farrier and professional horse trainer," they fear the proposed ACNGS "would pose a danger to our livihood [sic]," without setting forth, in any way, in what respects the proposed ACNGS would present a danger to them or would affect their livelihood. The petition should, therefore, be denied.

With respect to the question of timeliness of the petition, petitioners simply state that the "prior notices were too restrictive and ambiguous" and petitioners "did not know that it was expedient [to petition to intervene]." However, Applicant is unable to determine from this statement whether petitioners were actually aware of the restrictions in the Board's earlier notices, and, as a result did not file a petition for leave to intervene. The Board's Supplemental Notice (44 Fed. Reg. 35062, June 18, 1979) requires a clear statement that petitioner failed to file earlier "because of restrictions on permissible contentions contained in [earlier] notices." Petitioners equivocate in their response. Therefore, Applicant believes that, if the Board finds

that petitioners have established an interest, it should nevertheless inquire, perhaps by evidentiary proceedings held in conjunction with the next special prehearing conference, as to the accuracy of petitioners' statement.

Respectfully submitted,



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I hereby certify that copies of the foregoing Applicant's Response to Petition for Leave to Intervene Filed by Bruce A. Palmiter and Doreen J. Dvorin (Mrs. Bruce Palmiter) in the above-captioned proceeding were served on the following by deposit in the United States mail, postage prepaid, this 24th day of July, 1979.

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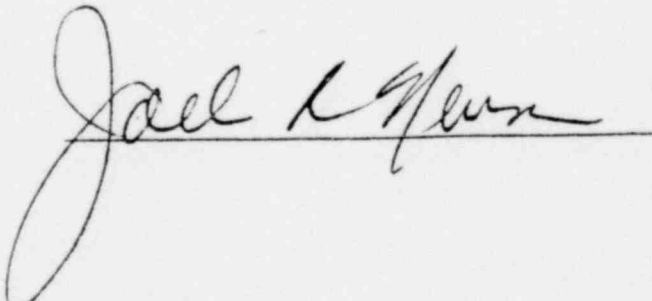
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