



Before The  
NUCLEAR REGULATORY COMMISSION  
Atomic Safety and Licensing Board Panel

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In re  
Application of  
OMAHA PUBLIC POWER DISTRICT  
(Fort Calhoun Station, Unit No. 1)  
For Amendment to  
Facility Operating License No. DPR-40  
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Docket No. 50-285 SP

MOTION TO STRIKE ANSWER

COMES NOW the Natural Resources Committee of the Citizens Advisory Board of the Metropolitan Area Planning Agency, by its Chairman and Attorney in fact Alan H. Kirshen, and comes now Alan H. Kirshen, individually (hereinafter "requestors") and moves to strike the Answer of applicant Omaha Public Power Commission, for reason that same does not comply with the requirements of Section 2.705, Title 10, Code of Federal Regulation in that same fails to state any matters required by Section 2.705 but instead is a substantive brief and argument against Requestor's Request for a Hearing in this cause, and for further reason that it is by no means clear what authority LeBoeuf, Lamb, Leiby and MacRae, Margaret R.A. Paradis and Harvey H. Voigt have in this matter, that these attorneys may be resisting a hearing in this matter

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without the knowledge and/or approval of the Omaha Public Power District, and accordingly should be required to produce written authorization from OPPD before the resistance to hearing is considered further.

WHEREFORE Requestors pray that the Consolidated Answer filed herein be stricken as failing to comply with Section 2.705 and for failure to demonstrate that same was done with the knowledge and approval of the Omaha Public Power District..

NATURAL RESOURCE COMMITTEE  
CITIZENS ADVISORY BOARD  
METROPOLITAN AREA PLANNING AGENCY

By

  
\_\_\_\_\_  
Alan H. Kirshen,  
Chairman and Attorney in fact

  
\_\_\_\_\_  
ALAN H. KIRSHEN  
c/o Creighton University School of Law  
2133 California  
Omaha, NE 68178

October 30, 1979

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CERTIFICATE OF SERVICE

I, Alan H. Kirshen, hereby certify that I served the foregoing Motion to Strike Answer on the 1st day of November 1979, by mailing true copies thereof, postage prepaid, to all parties of record in the above-entitled proceeding, to counsel, to the members of the Atomic Safety and Licensing Board Panel, and to the staff of the Commission as required by Section 2.701, Title 10, Code of Federal Regulation.

A handwritten signature in dark ink, appearing to read 'Alan H. Kirshen', is written over a horizontal line. The signature is somewhat stylized and includes a large circular flourish.

Alan H. Kirshen

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