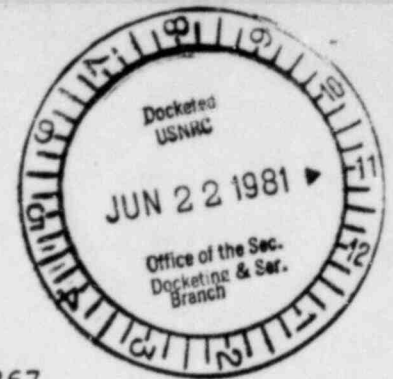


RELATED CORRESPONDENCE

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD



In the Matter of)	Docket No. 50-367
)	
NORTHERN INDIANA PUBLIC)	(Construction Permit
SERVICE COMPANY)	Extension)
)	
(Bailly Generating Station,)	
Nuclear-1))	Date: June 19, 1981

NIPSCO'S ANSWER IN OPPOSITION TO
"PCCI" MOTION TO EXTEND TIME TO
FILE ANSWERS OR OBJECTIONS TO
INTERROGATORIES



On April 23, 1981, Northern Indiana Public Service Company (NIPSCO) served its "Second Set of Interrogatories to Porter County Chapter Intervenors." Under NRC regulations, responses to that Second Set were due on May 12, 1981.

In connection with answers filed to NIPSCO's "First Set of Interrogatories to Porter County Chapter Intervenors," counsel for the intervenors frequently denominated "Porter County Chapter Intervenors" correctly noted that the Interrogatories would more properly have been directed separately to the three organizations and two individuals who have in fact been admitted to this proceeding--i.e., Porter County Chapter of the Izaak Walton League of America, Inc.; Concerned Citizens Against Bailly Nuclear Site; Businessmen for the Public Interest, Inc.; James E. Newman; and Mildred Warner. To eliminate any possibility of confusion which may

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have arisen, on May 29, 1981, NIPSCO refiled the same "Second Set," this time separately directed to each of the three organizations and two individuals. Under NRC regulations, responses to the Second Set were due June 17, 1981.

On June 15 (i.e., two days before the responses were due), counsel for "Porter County Chapter of the Izaak Walton League of America, Inc.; Concerned Citizens Against Bailly Nuclear Site; Businessmen for the Public Interest, Inc.; James E. Newman and Mildred Warner" filed a Motion requesting the Board to extend the time within which they may answer to and including July 8, 1981. The justification for this request is as follows:

The press of a large number of other activities, including compliance with many discovery and briefing schedules in this proceeding, will preclude adequate time being available for the preparation of answers and objections within this time period. We know of no prejudice which any other party will suffer if the short extension (sic) of time sought by this motion is granted.

NIPSCO urges that the Motion be denied and intervenors Porter County Chapter of the Izaak Walton League of America, Inc.; Concerned Citizens Against Bailly Nuclear Site; Businessmen for the Public Interest, Inc.; James E. Newman; and Mildred Warner ordered to respond to the "Second Set" promptly.

The Motion seeks an additional three weeks for responding to the interrogatories which were served on counsel on

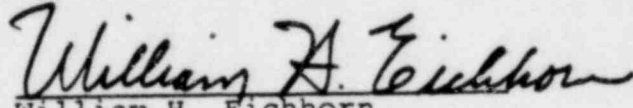
April 23, 1981. NRC regulations establish the period of fourteen days for responding to interrogatories; if the Motion is granted, the intervenors will have had a total of seventy-six days to respond to the question. There may be reasons which could justify that period to respond to interrogatories; none has been identified here.

As for "prejudice," NIPSCO is prejudiced when unwarranted delay prevents orderly progress in this proceeding to consider extension of the Bailly construction permit. Furthermore, in our view, the NRC's regulatory process is prejudiced when parties are permitted to abuse it.

Respectfully submitted,

EICHHORN, EICHHORN & LINK
5243 Hohman Avenue
Hammond, Indiana 46320

By:



William H. Eichhorn
Attorneys for Northern Indiana
Public Service Company

LOWENSTEIN, NEWMAN, REIS
& AXELRAD
1025 Connecticut Avenue, N.W.
Washington, D.C. 20036

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	Docket No. 50-367
)	
NORTHERN INDIANA PUBLIC SERVICE)	(Construction Permit
COMPANY)	Extension)
)	
(Bailly Generating Station,)	
Nuclear-1))	June 19, 1981
)	

CERTIFICATE OF SERVICE

I hereby certify that copies of NIPSCO'S Answer In Opposition to "PCCI" Motion To Extend Time To File Answers Or Objections To Interrogatories were served on the following by deposit in the United States mail, postage prepaid, this 19th day of June, 1981.

Herbert Grossman, Esquire, Chairman
Administrative Judge
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dr. Robert L. Holton
Administrative Judge
School of Oceanography
Oregon State University
Corvallis, Oregon 97331

Dr. J. Venn Leeds
Administrative Judge
10807 Atwell
Houston, Texas 77096

Docketing and Service Section
Office of the Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Howard K. Shapar, Esquire
Executive Legal Director
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Stephen H. Lewis, Esquire
Office of the Executive Legal Director
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Susan Sekuler, Esquire
Environmental Control Division
188 West Randolph Street
Suite 2315
Chicago, Illinois 60601

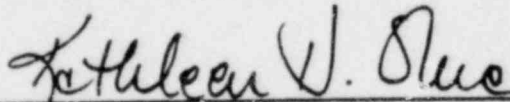
Robert J. Vollen, Esquire
c/o BPI
109 North Dearborn Street
Suite 1300
Chicago, Illinois 60602

Edward W. Osann, Jr., Esquire
One IBM Plaza
Suite 4600
Chicago, Illinois 60611

Robert L. Graham, Esquire
One IBM Plaza
44th Floor
Chicago, Illinois 60611

Mr. Mike Olszanski
Mr. Clifford Mezo
United Steelworkers of America
3703 Euclid Avenue
East Chicago, Indiana 46312

Mr. George Grabowski
Ms. Anna Grabowski
7413 W. 136th Lane
Cedar Lake, Indiana 46303


Kathleen H. Shea
LOWENSTEIN, NEWMAN, REIS
& AXELRAD
1025 Connecticut Avenue, N.W.
Washington, D.C. 20036