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July 7, 1981

Sheldon J. Wolfe, Esq., Chairman  
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Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

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Washington, D.C. 20555

To The Honorable Board:

On June 22, 1981 Mr. Doherty sent the Board a letter which is in reply to the Board's order of April 22, 1981. As Mr. Doherty has done with regularity (e.g. Tr. 14090), he has now attempted to change his contention rather than directly address the points raised by Applicant and Staff in response to his initial motion.<sup>1/</sup>

Mr. Doherty's original contention alleged that derating of Allens Creek would follow from the generic resolution of the void coefficient calculation. The Board rejected the contention in its order of March 10, 1980, because Mr. Doherty failed to show any basis for the assertion that derating would follow from the generic resolution of the problem.

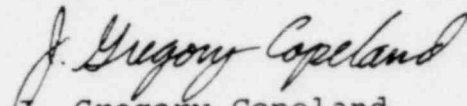
<sup>1/</sup> The Motion for Reconsideration is dated February 22, 1981. Applicant replied on March 5, 1981, and the Staff replied on March 24, 1981.

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All Mr. Doherty has done in his motion, and again in his June 22 letter, is establish that the generic resolution is still under way. He has again failed to show any basis for assuming that derating would occur. This is a critical failing since the Staff has concluded that this issue can be resolved as a post-CP item because no derating will occur regardless of the outcome of the generic resolution. In sum, Mr. Doherty's June 22 letter does not provide any substantive rebuttal to the pleadings filed by Applicant and Staff in response to Mr. Doherty's motion for reconsideration.

Respectfully submitted,



J. Gregory Copeland  
Attorney for Houston  
Lighting & Power Company

JGC:192  
cc: Service List