

August 7, 1981

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

In the Matter of)

THE CLEVELAND ELECTRIC)
ILLUMINATING CO., et al.)

(Perry Nuclear Power Plant,)
Units 1 and 2))

Docket Nos. 50-440

50-441

(Operating License)

APPLICANTS' ANSWER TO "NOTICE OF INTERVENTION"
OF ASHTABULA COUNTY COMMISSIONERS AND
ASHTABULA COUNTY DISASTER SERVICES AGENCY

In a filing dated July 23, 1981,* Ashtabula County Commissioners and Ashtabula County Disaster Services Agency petitioned to participate in this proceeding under 10 CFR §2.715(c).

The Notice of Opportunity for Hearing in this proceeding, 46 Fed. Reg. 12372 (February 13, 1981) required petitions for leave to intervene to be filed by March 16, 1981. The Notice stated that

Nontimely filing of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer, or the Atomic Safety and Licensing Board designated to rule on the petition and/or requests, that the petitioner has made a substantial

* The filing was not served on Applicants' counsel in this proceeding and was not received by The Cleveland Electric Illuminating Company until July 31, 1981.



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showing of good cause for the granting
of a late petition and/or request. That
determination will be based upon a
balancing of the factors specified in
10 CFR 2.714(a)(1)(i)-(v) and 2.714(d).

Apart from the requirement for this showing of good cause,
Applicants do not object to the participation of the Ashtabula
County Commissioners and the Ashtabula County Disaster Services
Agency under 10 CFR §2.715(c).

Respectfully submitted,

SHAW, PITTMAN, POTTS & TROWBRIDGE

By


Jay E. Salberg
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Counsel for Applicants

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Dated: August 7, 1981

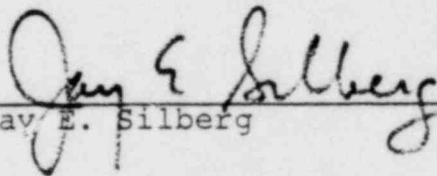
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(Perry Nuclear Power Plant,)	
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CERTIFICATE OF SERVICE

This is to certify that copies of "Applicants' Answer to 'Notice of Intervention' of Ashtabula County Commissioners and Ashtabula County Disaster Services Agency", were served, by deposit in the U. S. Mail, first class, postage prepaid, this 7th day of August, 1981, to all those on the attached Service List.



Jay E. Silberg

Dated: August 7, 1981

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NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

In the Matter of)	
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CLEVELAND ELECTRIC ILLUMINATING)	Docket Nos. 50-440
COMPANY, <u>et al.</u>)	50-441
)	
(Perry Nuclear Power Plant,)	
Units 1 and 2))	

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