



3 August, 1981

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

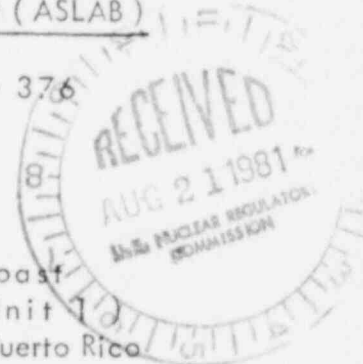
BEFORE THE ATOMIC SAFETY AND LICENSING APPEAL BOARD (ASLAB)

In the Matter of
PUERTO RICO ELECTRIC
POWER AUTHORITY (PREPA)
Applicant

GONZALO FERNOS, PRO SE, ET AL.
Intervenors

* * * * *

* DOCKET NO. 50- 376
*
*
*
*
* Proposed North Coast
* Nuclear Plant (Unit 1)
*
* Isote Ward, Arecibo, Puerto Rico



MOTION OF CONSOLIDATION AND REQUEST
FOR AN EXTENSION OF TIME TO FILE BRIEF

TO THE HONORABLE APPEAL BOARD :

● COMES NOW the undersigned Intervenor, Pro Se, and in representation of Members of Citizens for the Conservation of Natural Resources, Inc. (CCNR), collectively referred to as the Intervenor, and respectfully states, alleges and prays :

● 1.- That on February 27, 1981, the Licensing Board before Administrative Judges Hugh K. Clark, Dr. Donald P. de Sylva and Gustave A. Linenberger granted Philadelphia Electric Company a dismissal of proceedings With Prejudice regarding Dockets Nos. 50-463 CP and 50-464 CP, Fulton Generating Stations 1 and 1.* Thereafter, the applicant appealed the decision and the case is at this moment under advisement before the Appeal Board.

● 2.- That the Fulton case presents a common question of law and fact with the case at bar. Thus, it would be in the best interest of justice and economy to consolidate both cases.* *

* The intervenors in the Fulton case had the assistance of their congressmen. Intervenor of the instant case, however, lack such support. Although the Governor of Puerto Rico personally does not favor the construction of nuclear plants in Puerto Rico, being PREPA a government-owned public corporation, the public interest representation in the government is lacking.

DS03
1/0

EXHIBIT A

● 3.- That the undersigned Intervenor has been ill for the last ten days with a severe influenza from which he still has not recuperated completely. Consequently, the study and preparation of the Brief has remained idle and cannot possibly be done within the remaining time of two weeks. Since there is no active application in the hands of the ASLAB nor the ASLB, no party's interest will be affected if under such an extraordinary circumstance an additional extension of time to file the Brief is granted.

● WHEREFORE, it is respectfully requested that the Fulton case and the instant case be consolidated ; and that to file the Brief Intervenor be granted a fifteen (15) day extension of time counted from the date the consolidation order is issued. * * *

in San Juan, Puerto Rico, this 3rd day of August, 1981.



Gonzalo Fernós, Pro Se, and
representing Members of CCNP,
503 Barbé Street
Santurce, Puerto Rico 00912
TELS : (809) 727-0087 / 727-2287

(Footnote continuation from page 1)

* * The consolidation requested which falls under the discretionary power granted the Commission in 10 CFR § 2.402 (b) and § 2.716, is justified, naturally, provided the Fulton case has not been resolved yet.

* * * To expedite this proceeding without impairing the rights of any party, the Secretary of the Appeal Board may call the undersigned Intervenor by telephone to inform him the same day when decision on the above Motion is issued, so that Intervenor's time be running since that date.

CERTIFICATE OF SERVICE BY MAIL

• I HEREBY CERTIFY : That on this same date copy of the above writ entitled :
MOTION OF CONSOLIDATION AND REQUEST FOR AN EXTENSION OF TIME TO FILE BRIEF
has been served by First Class / Air Mail upon the following : Samuel J. Chilk, Esq., Secretary
of the Commission ; Alan S. Rosenthal, Esq., Chairman, ASLAB (Administrative Judge) ; Dr.
John H. Buck, Esq., Member, ASLAB (Administrative Judge) ; Sheldon J. Wolfe, Esq., Chair-
man, ASLB (Administrative Judge) ; Dr. Richard F. Cole, Member, ASLB (Administrative Judge) ;
Mr. Gustave A. Linenberger, Member, ASLB (Administrative Judge) ; Henry J. McGurren, Esq.
Counsel for NRC Staff ; two copies to Docketing and Service Section ; (All the above bearing
same address as follows : U.S. Nuclear Regulatory Commission, Washington, D.C. 20555) ; to
Maurice Axelrad, Esq., Lowenstein, Reis & Axelrad, 1025 Connecticut Avenue, N.W., Wash-
ington, D.C. 20036 ; José F. Irizarry, Esq., General Counsel, PREPA, GPO Box 4267, San
Juan, Puerto Rico 00936 ; and Dr. Tomás Morales-Cardona, School of Medicine, University of
Puerto Rico, GPO Box 5067, San Juan, Puerto Rico 00936.




Gonzalo Fernós