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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNRC

ATOMIC SAFETY AND LICENSING APPEAL BOARD JUN 25 1990 DP 3:41

Administrative Judges:

Christine N. Kohl, Chairperson
Thomas S. Moore
Howard A. Wilber

OFFICE OF SECRETARY
DOCKETING
June 20, 1990

In the Matter of)

FLORIDA POWER & LIGHT CO.)

(Turkey Point Nuclear Plant
Units 3 and 4))

Docket Nos. 50-250-OLA-4
50-251-OLA-4

(Pressure/Temperature
Limits)

APPELLANT'S MOTION TO MOVE PLACE OF ORAL ARGUMENT

The Atomic Safety and Licensing Appeal Board's (ASLAB's) ORDER of June 7, 1990 established that oral argument is to take place in Bethesda, Maryland on July 10, 1990. Appellant hereby submits a motion to move place of oral argument to Miami, Florida and would state in support of their motion that:

1. Receiving oral argument in Bethesda, Maryland would compel Appellant to incur the expense and cost of travel and lodging to Bethesda, Maryland and therefore place an extreme financial burden on Appellant. The Nuclear Energy Accountability Project, (NEAP) is a non-profit environmental organization funded solely through public donations and membership dues, with little or no assets in reserve. Thus, receiving oral argument in this proceeding in Bethesda, Maryland adversely affects the Appellant by placing an unreasonable requirement on Appellant.

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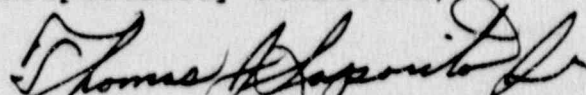
2. Receiving oral argument in Bethesda, Maryland would adversely affect the public's interest in this proceeding. The licensed plant germane to this proceeding is the Turkey Point nuclear plant which is located about 25 miles south of Miami, Florida. Thus, any public hearing concerning the Turkey Point nuclear plant should be held in Miami, Florida to enable public attendance at the hearing by people who live and work in the community near the Turkey Point nuclear plant.

3. Receiving oral argument in Bethesda, Maryland would establish a public hearing well outside the Nuclear Regulatory Commission's 50 mile "zone of interest". Participants in NRC administrative proceedings have historically been required to establish requisite standing by demonstrating "interest and injury in fact" within the NRC's "zone of interest". Thus, oral argument in this proceeding should be presented within the NRC's zone of interest in Miami, Florida thereby providing a fair opportunity for the public to attend.

4. The licensee, Florida Power and Light Company, would not be aggrieved if oral argument were presented in Miami, Florida because the Turkey Point nuclear plant is located about 25 miles south of Miami, Florida. Additionally, the licensee's counsel, Steel, Hector and Davis, is located in Miami, Florida.

For all the foregoing reasons and because the United States Congress intended that these proceedings provide the public a forum to participate in these administrative proceedings, Appellant's motion should be granted.

Respectfully submitted,



Thomas J. Saporito, Jr.
Executive Director, NEAP

Nuclear Energy Accountability
Project
Post Office Box 129
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cc: see service sheet

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NUCLEAR REGULATORY COMMISSION

In the Matter of
FLORIDA POWER & LIGHT CO.
(Turkey Point Nuclear Plant
Units 3 and 4)

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Docket No. 90-11W 25 50-250-OLA-4
50-251-OLA-4

OFFICE OF SECRETARY
(Pressure/Temperature
Limits) BRANCH

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing "Appellant's Motion to Move Place of Oral Argument" have been served upon the following persons by U.S. mail, first class and properly stamped.

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U.S. Nuclear Regulatory Comm.
Washington, D.C. 20555

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Administrative Judge
Howard A. Wilber
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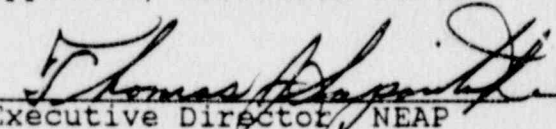
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Dated at Miami, Florida this
20 day of June 1990.


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