

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board



In the Matter of)
)
The Cincinnati Gas & Electric) Docket No. 50-358
Company, et al.)
)
(Wm. H. Zimmer Nuclear Power)
Station))

APPLICANTS' MOTION FOR LEAVE TO RESPOND
TO REPLY BRIEF OF MIAMI VALLEY POWER PROJECT

On July 14, 1983, counsel for The Cincinnati Gas & Electric Company, et al., ("Applicants") received a copy of a reply brief in the captioned matter filed by Miami Valley Power Project ("MVPP"), along with its motion for a protective order and other pleadings filed with the Appeal Board and Commission. The reply and attachments total several hundred pages. As the Atomic Safety and Licensing Board ("Licensing Board" or "Board") is aware, it has been the intention of Applicants since MVPP first raised its eight quality assurance contentions over a year ago to have the matter resolved expeditiously. Nonetheless, after reviewing the reply quickly, we conclude that there are a number of points which could not have been anticipated by Applicants in filing their opposition to MVPP's motion and that, in several instances, MVPP's reply severely distorts the record and Applicants' position.

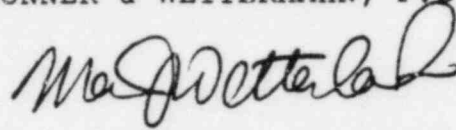
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Accordingly, we have reluctantly determined that Applicants' rights might be prejudiced unless an appropriate response is made on their behalf. Applicants therefore ask that they be permitted to file a response to MVPP's reply brief by July 29, 1983.

Respectfully submitted,

CONNER & WETTERHAHN, P.C.

A handwritten signature in cursive script, appearing to read "Troy B. Conner, Jr.", written in dark ink.

Troy B. Conner, Jr.
Counsel for the Applicants

July 15, 1983

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CERTIFICATE OF SERVICE

I hereby certify that copies of "Applicants' Motion for Leave to Respond to Reply Brief of Miami Valley Power Project," dated July 15, 1983, in the captioned matter, have been served upon the following by deposit in the United States mail this 15th day of July, 1983:

Alan S. Rosenthal, Chairman
Atomic Safety and Licensing
Appeal Board
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Stephen F. Eilperin
Atomic Safety and
Licensing Appeal Board
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Howard A. Wilber
Atomic Safety and
Licensing Appeal Board
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Judge John H. Frye, III
Chairman, Atomic Safety and
Licensing Board
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Dr. Frank F. Hooper
Chairman of Resource
Ecology Program
School of Natural
Resources
University of Michigan
Ann Arbor, MI 48104

Dr. M. Stanley Livingston
Administrative Judge
1005 Calle Largo
Santa Fe, NM 87501

Chairman, Atomic Safety
and Licensing Appeal
Board Panel
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Chairman, Atomic Safety
and Licensing Board
Panel
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Charles A. Barth, Esq.
Counsel for the NRC Staff
Office of the Executive
Legal Director
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Deborah Faber Webb, Esq.
7967 Alexandria Pike
Alexandria, Kentucky 41001

Andrew B. Dennison, Esq.
Attorney at Law
200 Main Street
Batavia, Ohio 45103

Lynne Bernabei, Esq.
Government Accountability
Project/IPS
1901 Q Street, N.W.
Washington, D.C. 20009

John D. Woliver, Esq.
Clermont County
Community Council
Box 181
Batavia, Ohio 45103

Brian Cassidy, Esq.
Regional Counsel
Federal Emergency
Management Agency
Region I
John W. McCormick POCH
Boston, MA 02109

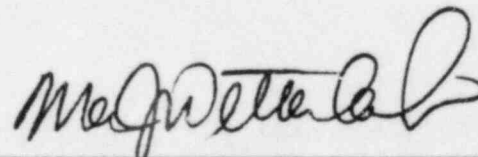
David K. Martin, Esq.
Assistant Attorney General
Acting Director
Division of
Environmental Law
Office of Attorney General
209 St. Clair Street
Frankfort, Kentucky 40601

George E. Pattison, Esq.
Prosecuting Attorney of
Clermont County, Ohio
462 Main Street
Batavia, Ohio 45103

William J. Moran, Esq.
Vice President and
General Counsel
The Cincinnati Gas &
Electric Company
P.O. Box 960
Cincinnati, Ohio 45201

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

Stephen H. Lewis, Esq.
U.S. Nuclear Regulatory
Commission
Region III
799 Roosevelt Road
Glen Ellyn, Illinois 60137



Mark J. Wetterhahn

cc: Robert F. Warnick
Director, Enforcement
and Investigation
NRC Region III
799 Roosevelt Road
Glen Ellyn, Illinois 60137