

SHAW, PITTMAN, POTTS & TROWBRIDGE

A PARTNERSHIP OF PROFESSIONAL CORPORATIONS

1800 M STREET, N. W.
WASHINGTON, D. C. 20036

DOCKETED
USNRC

'83 OCT -7 P4:03

RAMSAY C. POTTS, P.C.
STUART L. PITTMAN, P.C.
GEORGE F. TROWBRIDGE, P.C.
STEPHEN D. POTTS, P.C.
GERALD CHARNOFF, P.C.
PHILIP D. BOSTWICK, P.C.
R. TIMOTHY HANLON, P.C.
GEORGE M. ROGERS, JR., P.C.
FREDA A. LITTLE, P.C.
JOHN B. RHINELANDER, P.C.
BRUCE W. CHURCHILL, P.C.
LESLIE A. NICHOLSON, JR., P.C.
MARTIN D. KRALL, P.C.
RICHARD J. KENDALL, P.C.
JAY E. SILBERG, P.C.
BARBARA M. ROSSOTTI, P.C.
GEORGE V. ALLEN, JR., P.C.
FRED DRASNER, P.C.
R. KENLY WEBSTER, P.C.
NATHANIEL P. BREED, JR., P.C.
MARK AUGENBLICK, P.C.
ERNEST L. BLAKE, JR., P.C.
CARLETON S. JONES, P.C.
THOMAS A. BAXTER, P.C.
JAMES M. BURGER, P.C.

SHELDON J. WEISEL, P.C.
JOHN A. McCULLOUGH, P.C.
J. PATRICK HICKEY, P.C.
J. THOMAS LENHART, P.C.
STEVEN L. MELTZER, P.C.
DEAN D. AULICK, P.C.
JOHN ENGEL, P.C.
CHARLES B. TEMKIN, P.C.
STEPHEN B. HUTTLER, P.C.
WINTHROP N. BROWN, P.C.
JAMES S. HAMLIN, P.C.
RANDAL B. KELL, P.C.
ROBERT E. ZAHLER, P.C.
ROBERT B. ROBBINS, P.C.
STEVEN M. LUCAS, P.C.
DAVID M. RUBENSTEIN, P.C.
RICHARD C. GALEN
LYNN WHITTLESEY WILSON
MATIAS F. TRAVIESO DIAZ
VICTORIA J. PERKINS
JOHN H. O'NEILL, JR.
JAY A. ERSTIEN
RAND L. ALLEN
ELISABETH M. PENDLETON
HARRY H. GLASSPIEGEL

(202) 822-1000
—
TELECOPIER
(202) 822-1099 & 822-1199

RAPIDFAX 100

(202) 822-1072

TELEX

89-2693 (SHAWLAW WSH)

CABLE SHAWLAW

JOHN F. DEALY*

COUNSEL

JEFFERY L. YABLON
JACK MCKAY
THOMAS H. MCCORMICK
JOHN L. CARR, JR.
PHILIP J. HARVEY
ROBERT M. GORDON
BARBARA J. MORGEN
BONNIE S. GOTTLIEB
HOWARD H. SHAFFERMAN
DEBORAH B. BAUSER
SCOTT A. ANENBERG
CAMPBELL KILLEFER
PAUL M. THOMAS
SETH H. HODGASIAN
SHEILA MCC. HARVEY
DELISSA A. RIDGWAY
KENNETH J. HAUTMAN
DAVID LAWRENCE MILLER
FREDERICK L. KLEIN
STEVEN P. PITLER*
RICHARD J. PARRINO
ELLEN A. FREDL*
HANNAH E. M. LIEBERMAN
SANDRA E. FOLSON
JUDITH A. SANDLER

EDWARD D. YOUNG, III
ANDREW D. ELLIS
RICHARD A. SAMP
THOMAS E. SROCKER, JR.
WENDELINA WHITE
STANLEY M. BARG
LESLIE K. SMITH
VIRGINIA S. RUTLEDGE
KATHERINE P. CHEEK
JANICE LEHRER-STEIN
TRAVIS T. BROWN, JR.
RICHARD H. KRONTHAL
STEPHEN B. HEIMANN
SANDRA E. BRUSCA*
EILEEN L. BROWNELL
PAMELA H. ANDERSON
ALEXANDER D. TOMASZCZUK
PHILIP D. PORTER
MICHAEL A. SWIGER
ELLEN SHERIFF
ANITA J. FINKELSTEIN
EILEEN M. GLEIMER
DAVID R. SAHR
C. BOWDOIN TRAIN
*NOT ADMITTED IN D.C.

WRITER & DIRECT DIAL NUMBER

(202) 822-1051

October 7, 1983

HAND DELIVER

Samuel J. Chilk, Esq.
Office of the Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

In the Matter of
Wisconsin Electric Power Company
(Point Beach Nuclear Plant, Units 1 & 2)
Docket Nos. 50-266 OLA and 50-301 OLA

Dear Mr. Secretary:

The "Petition For Review of Appeal Board Decision" in the above-captioned proceeding is presently pending before the Commission. The Certificate of Service attached to Decade's Petition indicates that the Petition was served on September 23, 1983, to the respective Chairmen of the Licensing and Appeal Boards in this proceeding, as well as on Staff counsel. However, in contravention of the Commission's Rules of Practice, 10 C.F.R. § 2.712(b), Decade failed to serve any of Licensee's counsel of record in this proceeding -- Bruce W. Churchill, Delissa A. Ridgway, and John H. O'Neill. Instead, Decade served Gerald Charnoff.

8310110274 831007
PDR ADOCK 05000266
PDR

DS03

SHAW, PITTMAN, POTTS & TROWBRIDGE

A PARTNERSHIP OF PROFESSIONAL CORPORATIONS

Letter to Samuel J. Chilk, Esq.

October 7, 1983

Page Two

While Mr. Charnoff is a member of the same law firm as Messrs. Churchill and O'Neill, and Ms. Ridgway, Mr. Charnoff has never entered an appearance either in this "sleeving" proceeding or in the companion "steam generator replacement" proceeding. Mr. Charnoff first discovered the Petition in some mail he was reviewing while traveling on business, but even then he did not realize that Licensee's counsel of record were not aware of the existence of the Petition, until he mentioned it in a telephone conversation with Ms. Ridgway on October 5, 1983. Thus, Licensee's counsel in this proceeding did not receive Decade's Petition until the copy Decade sent to Mr. Charnoff was obtained by Ms. Ridgway on October 6, 1983.

Accordingly, pursuant to 10 C.F.R. § 2.786(b)(3), Licensee will file its response to Decade's Petition on October 17, 1983. Licensee has contacted Staff counsel to inform him of this schedule.

Respectfully submitted,

SHAW, PITTMAN, POTTS & TROWBRIDGE



Bruce W. Churchill

Delissa A. Ridgway

Counsel for Licensee

Enclosure

cc: Chairman Nunzio J. Palladino
Commissioner Victor Cilinsky
Commissioner John F. Ahearne
Commissioner Thomas M. Roberts
Commissioner James K. Asselstine
Service List attached

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNRC

Before the Atomic Safety and Licensing Appeal Board

'83 OCT-7 P4:03

In the Matter of)

WISCONSIN ELECTRIC POWER COMPANY)

(Point Beach Nuclear Plant,)
Units 1 and 2))

Docket Nos. 50-266 (NOLA-1)
50-301 (NOLA-1)

SERVICE LIST

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

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

Dr. W. Reed Johnson
Atomic Safety and Licensing
Appeal Board
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

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

Dr. Reginald L. Gotchy
Atomic Safety and Licensing
Appeal Board
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

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

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

Stuart A. Treby, Esquire
Office of the Executive
Legal Director
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Dr. Hugh C. Paxton
1229 - 41st Street
Los Alamos, New Mexico 87544

Richard G. Bachmann, Esquire
Office of the Executive
Legal Director
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Dr. Jerry R. Kline
Atomic Safety and Licensing
Board
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Myron Karman, Esquire
Office of the Executive
Legal Director
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Atomic Safety and Licensing
Appeal Board-Service List
Page Two

Mr. Peter Anderson
Co-Director
Wisconsin's Environmental Decade, Inc.
114 North Carroll Street
Suite 208
Madison, Wisconsin 53703