

UNITED STATES OF AMERICA
before the
NUCLEAR REGULATORY COMMISSION

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USNRC

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In the Matter of)

PUBLIC SERVICE COMPANY OF)
NEW HAMPSHIRE, et al.)

(Seabrook Station, Units 1 and 2)

) Docket Nos. 50-443 OL
) 50-444 OL
)

APPLICANTS' RESPONSE TO "JOINDER
OF THE SEACOAST ANTI-POLLUTION LEAGUE
IN THE 'REQUEST OF CONNECTICUT DIVISION OF
CONSUMER COUNSEL TO DENY RENEWAL OF
CONSTRUCTION PERMIT FOR SEABROOK 2'"

On October 26, 1983, The Connecticut Division of
Consumer Counsel (DCC) filed with the Commission a
"Request . . . to Deny Renewal of Construction Permit
for Seabrook 2." The "Request" was in no form
recognizable in Commission practice and sought relief
of a nature which, under prior Commission precedent, is
unavailable on the grounds asserted. Washington Public
Power Supply System (WPPSS Nuclear Project Nos. 1 & 2),
CLI-82-29, 16 WRC 1221, 1229 (1982); Washington Public

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Power Supply System (WPPSS Nuclear Project No. 2), ALAB-722, 17 NRC 546, 553 & n.6 (1983). On November 29, 1983 the NRC Staff, while expressing its own perplexity as to precisely what the document was,^{1/} filed a response thereto. The Staff's response contains a thorough and precise analysis of the applicable law, which the applicants hereby adopt as their response to the legal merits of the original request.

On January 4, 1984, the Seacoast Anti-Pollution League (SAPL), an intervenor in the pending operating license proceeding with respect to the above-named facility, filed a "Joinder" in the original DCC "Request". SAPL's joinder adds nothing of substance to the DCC "Request" and indeed is confined to an argument that CLI-82-29, supra, which bars the relief sought, was wrongly decided by this Commission.

^{1/}Response of the NRC Staff to "Request of Connecticut Division of Consumer Counsel to Deny Renewal of Construction Permit for Seabrook 2" at notes 2, 3, 6.

CONCLUSION

The DCC "Request", joined by SAPL, should be dismissed.

Respectfully submitted,




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Dated: January 17, 1984

CERTIFICATE OF SERVICE

I, Thomas G. Dignan, Jr., one of the attorneys for the Applicants herein, hereby certify that on January 17, 1984, I made service of the within document by mailing copies thereof, postage prepaid, to:

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