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* NOT ADMITTED IN D.C.

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January 9, 1984

RECEIVED & SERIALIZED 833-3500
BRANCH
CABLE ADDRESS: ATOMLAW

Honorable Marshall E. Miller
Chairman, Atomic Safety and
Licensing Board
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Dr. Peter A. Morris
Atomic Safety and
Licensing Board
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Dr. James H. Carpenter
Atomic Safety and Licensing
Board
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

In the Matter of
Public Service Electric and Gas Company
(Hope Creek Generating Station)
Docket No. 50-354 OL

Gentlemen:

By letter dated December 1, 1983, counsel for the Public Advocate furnished the Licensing Board with a motion for summary disposition it had filed with the Appellate Division in Public Service Electric and Gas Company v. Joseph H. Rodriguez, Docket No. A-572-83T3, regarding the action by PSE&G challenging the Public Advocate's statutory authority to intervene in the Hope Creek licensing proceeding.

In an Order, dated December 19, 1983, and received by the undersigned counsel on January 6, 1984, the Appellate Division denied the Public Advocate's motion for summary disposition. A copy is attached.

Sincerely,

Troy B. Conner, Jr. RMR

Troy B. Conner, Jr.

Enclosure

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PDR ADOCK 05000354
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A-572-83T3

ORDER ON
MOTIONS/PETITIONS

JAN - 6 1984

PUBLIC SERVICE ELECTRIC AND
GAS COMPANY

VS.

JOSEPH H. RODRIGUEZ, PUBLIC
ADVOCATE OF THE STATE OF NEW
JERSEYSUPERIOR COURT OF NEW JERSEY
APPELLATE DIVISION

DOCKET NO. A-572-83T3

MOTION NO. M-1320-83

BEFORE PART C

JUDGES:

FRITZ
FURMAN
DEIGHANFILED
APPELLATE DIVISION

DEC 22 1983

NO
Elizabeth H. Langlin
Clerk

December 17, 1983

REC'D.
APPELLATE DIVISION

DEC 22 1983

MOVING PAPERS FILED

ANSWERING PAPERS FILED

DATE SUBMITTED TO COURT

December 16, 1983

DATE ARGUED

DATE DECIDED

December 19, 1983

A-17
Elizabeth H. Langlin
Clerk

ORDER

THIS MATTER HAVING BEEN DULY PRESENTED TO THE COURT, IT IS
HEREBY ORDERED AS FOLLOWS:MOTION/~~EXISTEN~~ FOR
SUMMARY DISPOSITION

GRANTED

DENIED

OTHER

	X	
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SUPPLEMENTAL:

Copy:
T. B. Conner, Esq.I hereby certify that the foregoing
is a true copy of the original on file
in my office.*Elizabeth H. Langlin*
Clerk

FOR THE COURT:

John W. Fritz
JOHN W. FRITZ P.J.A.D.WITNESS, THE HONORABLE
JUDGE OF PART C, SUPERIOR COURT OF NEW JERSEY, APPELLATE DIVISION,
THIS 19th DAY OF DECEMBER, 1983.*Elizabeth H. Langlin*
CLERK OF THE APPELLATE DIVISION