

April 13, 1984

DOCKETED
USNRC

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

'84 APR 16 10:52

In the Matter of)	OFFICE OF SECRETARY
)	DOCKETING & SERVICE
)	BRANCH
METROPOLITAN EDISON COMPANY, <u>ET AL.</u>)	Docket No.50-289-OLA
)	ASLBP 83-491-04-OLA
(Three Mile Island Nuclear Station,)	(Steam Generator Repair)
Unit No. 1))	

LICENSEE'S ANSWER TO TMIA MOTION
FOR APPOINTMENT OF EXPERT OR,
IN THE ALTERNATIVE, FOR INTERVENOR FUNDING

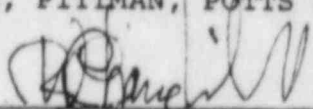
By motion dated April 3, 1984, TMIA has asked the Licensing Board to appoint one or more individual experts to assist TMIA in this proceeding or, in the alternative, to provide funding to TMIA for purposes of hiring an expert. Either alternative constitutes Commission funding of an intervenor in a regulatory proceeding, and is therefore proscribed by statute. Cincinnati Gas and Electric Co. (William H. Zimmer Nuclear Power Station, Unit No. 1), CLI-82-40, 16 N.R.C. 1717, 1718 (1982); see also Energy & Water Development Appropriation Act, 1984, Pub. L. No. 98-50, § 502, 97 Stat. 247, 261 (1983).

Accordingly, the Commission not having the authority to provide the relief requested, the motion must be denied.

Respectfully submitted,

SHAW, PITTMAN, POTTS & TROWBRIDGE

By


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Station, Unit No. 1))	

CERTIFICATE OF SERVICE

I hereby certify that copies of "Licensee's Motion for Leave to File Reply to TMIA's Response to Licensee's Motion for Summary Disposition", "Licensee's Reply to TMIA's Response to Licensee's Motion for Summary Disposition", "Licensee's Answer to TMIA Motion for Reconsideration of Protective Order", and "Licensee's Answer to TMIA Motion for Appointment of Expert or, in the Alternative, for Intervenor Funding", dated April 13, 1984, were served upon those persons on the attached Service List, by deposit in the United States mail, postage prepaid, this 13th day of April, 1984.

Wilbert Washington, II

Wilbert Washington, II

Dated: April 13, 1984

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SERVICE LIST

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Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Atomic Safety and Licensing
Board Panel
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