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April 17, 1984

In the Matter of )  
 )  
CONSUMERS POWER COMPANY ) Docket Nos. 50-329-OM  
 ) 50-330-OM  
 ) 50-329-OL  
(Midland Plant, Units 1 ) 50-330-OL  
and 2) )

Charles Bechhoefer, Esq.  
Atomic Safety & Licensing  
Board Panel  
U.S. Nuclear Regulatory Com-  
mission  
Washington, D. C. 20555

Dr. Jerry Harbour  
Atomic Safety & Licensing  
Board Panel  
U.S. Nuclear Regulatory Com-  
mission  
Washington, D. C. 20555

Dr. Frederick P. Cowan  
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Dear Administrative Judges:

Mr. Miller called Chief Judge Bechhoefer last week to inform him that Consumers Power Company had become aware of the existence of certain documents which might possibly be relevant and material to the Licensing Board's imminent decision on Intervenor's August 8, 1983 "Motion to Litigate Issues Raised by Dow Suit and to Open Discovery on the Dow Issues". He asked that you withhold your decision until Consumers has an opportunity to review the documents and determine whether disclosure to the Board and the other parties is required. Mr. Miller promised to provide further information to the Board and the parties by early this week.

Unfortunately, we have not yet been able to complete our review of the documents in question. Accordingly, we respectfully repeat our request to the Licensing Board to continue to withhold issuance of its decision on Intervenor's August 8, 1983 Motion. We anticipate it may take

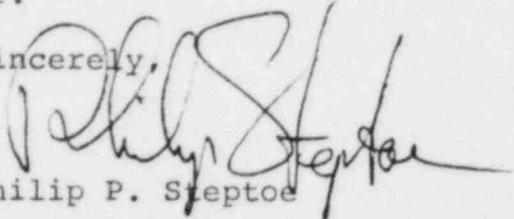
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Administrative Judges  
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two more weeks to resolve this matter.

Sincerely,

A handwritten signature in dark ink, appearing to read "Philip P. Steptoe", written over the typed name.

Philip P. Steptoe

PPS:es

cc Service List

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