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October 12, 1984  
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USNRC

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of  
  
THE CLEVELAND ELECTRIC  
ILLUMINATING COMPANY, ET AL.  
  
(Perry Nuclear Power Plant,  
Units 1 and 2)

)  
)  
) Docket Nos. 50-440 o c  
) 50-441 o c  
)  
)  
)

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APPLICANTS' MOTION FOR LEAVE TO FILE REPLY

Applicants respectfully move the Licensing Board pursuant to 10 C.F.R. §2.730(c) to permit the filing of the attached reply to "OCRE Response to Applicants' Motion for Specification of a Credible Accident Scenario Under Issue #8," dated October 3, 1984.<sup>1/</sup> In its response, OCRE advances new legal arguments and seeks new relief from the Board, based on SECY-83-357, portions of which are attached to OCRE'S response. OCRE's selective use of SECY-83-357, and OCRE's new legal arguments that the Board should now disregard established Commission, Appeal Board, and Licensing Board precedent governing Issue #8, necessitate that Applicants be permitted a reply.

1/ OCRE's filing is in response to "Applicants' Motion for Specification of a Credible Accident Scenario Under Issue #8," dated September 18, 1984.

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For these reasons, Applicants request that its motion be granted.

Respectfully submitted,

SHAW, PITTMAN, POTTS & TROWBRIDGE

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Dated: October 12, 1984