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Samuel J. Chilk, Secretary  
Office of the Secretary  
U.S. Nuclear Regulatory  
Commission  
Washington, D.C. 20555

In the Matter of  
Philadelphia Electric Company  
(Limerick Generating Station, Units 1 and 2)  
Docket Nos. 50-352 and 50-353

Dear Mr. Chilk:

Enclosed is a copy of DRBC Resolution No. 84-1, which we referred to at page 10 of Applicant's petition seeking review of ALAB-785, but which we inadvertently did not attach to the brief.

Sincerely,

*Robert M. Rader*

Robert M. Rader  
Counsel for the Applicant

RMR/dlf  
Enclosure  
cc: Service List

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A RESOLUTION to authorize the General Counsel to file appropriate papers before the Pennsylvania Public Utility Commission in proceedings which may affect the water management jurisdiction of the Delaware River Basin Commission, and to take other steps as necessary to protect the jurisdiction of the Commission.

WHEREAS, the Delaware River Basin Commission is charged by Federal-Interstate Compact, enacted by Congress and the legislatures of the signatory States, with the responsibility and power: (1) to formulate, adopt and implement a comprehensive plan for the immediate and long-range development and uses of the water resources of the Basin; (2) to allocate the waters of the Basin to and among the States, their subdivisions and citizens; (3) to review and approve projects which may have a substantial effect on the water resources of the Basin; and (4) to develop, manage and allocate storage capacity in reservoir facilities for domestic, municipal, agricultural, and industrial water supply; and

WHEREAS, pursuant to such authority, the Commission has since 1966 asserted jurisdiction over, and exercised its Compact power to review, approve and regulate the water management and environmental impacts of a series of projects and facilities related to the supply of water to central Bucks and Montgomery Counties and to the Limerick Nuclear Generating Station, as evidenced by Commission Docket Nos. D-65-76 CP (8), D-69-210 CP and D-79-52 CP; and

WHEREAS, there are currently pending before the Pennsylvania Public Utility Commission proceedings relating to elements of said projects and facilities, In re. Application of Philadelphia Electric Company - PUC Docket No. A-00103956 (Bradshaw Pumphouse), in which issues have been raised relating to matters of water allocation, water management, use of storage owned by the DRBC, and related environmental impacts which have been and are subject to the jurisdiction and decision of this Commission; and

WHEREAS, although the Delaware River Basin Commission was not made a party to said PUC proceedings, the Commission is concerned that an attempt was made by certain parties in such proceedings to adjudicate issues directly affecting the rights, jurisdiction, and responsibilities of the Commission with respect to the management and allocation of the water resources of the Basin and the use of storage facilities owned and operated by the Commission; and

WHEREAS, the Initial Decision and Ruling on Exceptions of the Public Utility Commission's Administrative Law Judge in said PUC proceedings set forth findings and proposed regulatory conditions regarding water management and related matters which appear to be inconsistent with the decisions of the Delaware River Basin Commission; and

WHEREAS, the Initial Decision and Ruling on Exceptions of the Public Utility Commission's Administrative Law Judge appear to misstate and misconstrue testimony provided by members and staff of this Commission regarding water management matters subject to DRBC jurisdiction; now therefore

BE IT RESOLVED by the Delaware River Basin Commission:

1. The General Counsel is hereby authorized and directed to file with the Pennsylvania Public Utility Commission appropriate papers advising the Public Utility Commission of the jurisdiction, position, and current status of actions of this Commission regarding the water management and related matters raised in PUC Docket No. A-00103956.

2. The General Counsel and Executive Director are authorized to undertake any other steps which are necessary and appropriate to protect the jurisdiction of this Commission, and to assure that any actions taken with respect to these projects and facilities, that may affect the water resources of the Basin, are consistent with the Compact and the determinations and decisions of this Commission.

3. The General Counsel and Executive Director are further authorized and directed to file a copy of this resolution with the Pennsylvania Public Utility Commission.

/s/ George J. Kanuck, Jr.

George J. Kanuck, Jr., Chairman pro tem

/s/ Susan M. Weisman

Susan M. Weisman, Secretary

ADOPTED: January 25, 1984

This is to certify that the attached is a true and correct copy of a Resolution duly adopted by the Delaware River Basin Commission on January 25, 1984.

*Susan M. Weisman*

Susan M. Weisman, Secretary