

July 30, 1984

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

In the Matter of	)	
	)	
THE CLEVELAND ELECTRIC	)	Docket Nos. 50-440
ILLUMINATING COMPANY, <u>ET AL.</u>	)	50-441
	)	
(Perry Nuclear Power Plant,	)	
Units 1 and 2)	)	

APPLICANTS' STATEMENT OF MATERIAL FACTS  
AS TO WHICH THERE IS A GENUINE ISSUE TO BE HEARD

Pursuant to 10 C.F.R. §2.749(a), Applicants state, in support of their Answer in Opposition to OCRE Motion for Summary Disposition of Issue No. 6, that there are genuine issues to be heard with respect to the following material facts:<sup>1/</sup>

1. The standby liquid control system for the Perry Nuclear Power Plant has not already been designed to include automatic initiation.
2. The standby liquid control system for the Perry Nuclear Power Plant has not already been built to include automatic initiation.

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<sup>1/</sup> Applicants anticipate that the motion for summary disposition of Issue No. 6 that they intend to file will show that there is no genuine issue as to these facts.

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July 30, 1984

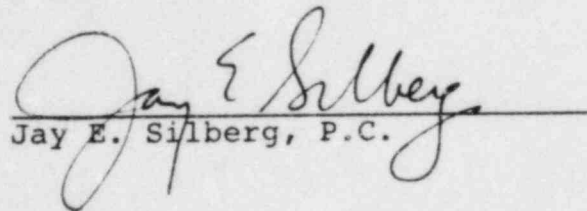
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CERTIFICATE OF SERVICE

This is to certify that copies of the foregoing  
"Applicants' Answer in Opposition to OCRE Motion for Summary  
Disposition of Issue No. 6" and "Applicants' Statement of  
Material Facts As to Which There Is a Genuine Issue to Be  
Heard" were served by deposit in the United States Mail, First  
Class, Postage Prepaid, this 30th day of July, 1984, to all  
those on the attached Service List.

  
Jay E. Silberg, P.C.

Dated: July 30, 1984

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NUCLEAR REGULATORY COMMISSION

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  
50-441

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