

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION



ATOMIC SAFETY AND LICENSING APPEAL BOARD

Alan S. Rosenthal, Chairman
Dr. John H. Buck
Michael C. Farrar

In the Matter of
HOUSTON LIGHTING & POWER COMPANY
(Allens Creek Nuclear Generating
Station, Unit 1)

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Docket No. 50-466

NOTICE OF APPEAL

KATHRYN OTTO, by and through her attorney of record STEPHEN A. DOGGETT, hereby gives notice of her appeal of the Order dated November 19, 1979 by the Atomic Safety and Licensing Board ruling that her letters of July 18, 1979 and of September 13, 1979 will be treated as merely a request to make a limited appearance as opposed to a petition for leave to intervene as a full party.

BRIEF IN SUPPORT OF APPEAL

The Atomic Safety and Licensing Board Order dated November 19, 1979 treating KATHRYN OTTO's letter of September 13, 1979 is erroneous for 2 reasons:

(1) the publication of notice in the Federal Register only is a denial of fair notice and due process and (2) the Supplemental Notice of Intervention Procedures dated June 12, 1979 published in the Federal Register is defective in requiring Petitioners to state that they failed to file petitions for leave to intervene pursuant to the Board's prior notices because of restrictions in those notices; the defective notices are tantamount to no notice and the requirement of a statement or proof of intimidation by the restrictions in prior notices denies due process.

Respectfully submitted,

Stephen A. Doggett
Stephen A. Doggett

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