

April 7, 1981 y

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION  
BEFORE THE ATOMIC SAFETY & LICENSING BOARD

In the Matter of:

HOUSTON LIGHTING & POWER CO  
(Allens Creek Nuclear Generating  
Station, Unit 1)

Docket No. 50-466 CP



INTERVENOR'S MOTION TO REQUIRE APPLICANT TO RETISSUE, IN  
FORM AND TITLE A MOTION IN PLACE OF ITS MARCH 30, 1981  
"APPLICANT'S BRIEF ADDRESSING THE NEED TO DISQUALIFY TEXPIRG'S  
COUNSEL PURSUANT TO DISCIPLINARY RULES 5-101 and 5-102

John F. Doherty, Intervenor in the above proceedings  
now moves the Board require Applicant to properly title  
the above March 30, 1981, or disqualify it from consideration.  
The title is deceptive on its face. The filing is in fact a motion  
to dismiss, which includes the lesser Brief requested by the  
Board in the March 16, 1981 hearing.

However, the defective title does not put all parties  
on notice that a motion has been made, to which all parties  
have the right to respond, and a limit of 10 days to carry  
out such response.

Custom has been clearly established in this proceeding  
that all motions be titled as such. The interests of justice  
are not served if applicant is permitted to have its motion  
considered with no notice on the face of the filing to that  
effect.

Therefore, this Intervenor moves the Board not consider  
the "Motion" on p. 2 of the filing of March 30, 1981 until  
all parties are served with a properly titled motion.

Respectfully,

*John F. Doherty*  
John F. Doherty.

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Copies of this Notice were served on all parties in this  
proceeding, this 12th April, 1981 via First Class Mail  
from Houston, Texas.



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