

RELATED CORRESPONDENCE



CIUDADANOS PRO CONSERVACION DE RECURSOS NATURALES, INC.
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27 May, 1981

Ms. Kathleen H. Shea
Lowenstein, Newman, Reis & Axelrad
1025 Connecticut Avenue, N.W.
Washington, D.C. 20036

Re : NRC Docket No. 50-376
North Coast Nuclear Plant
Isle Ward, Arecibo, P.R.

Dear Ms. Shea :

In Applicant's Response of May 21, 1981, submitted by you*, your concern alleged lack of understanding of several issues raised in Intervenor's pleading of May 12, 1981. For your benefit I wish to clarify as follows :

• 1.- Intervenor's pray the Appeal Board to acknowledge its jurisdiction to deal with the Appeal in question because Applicant had beforehand untimely raised objection to the granting of an extension of time until May 15, 1981 to file the Appeal. Had the ASLAB reversed and revised its order granting until May 15, 1981 to file the Appeal, obviously it would have lacked jurisdiction to resolve the controversy. That is so because jurisdiction is concomitant with the timing of acting some way permissible or taking some proceeding within a prescribed period.

• 2.- Your allegation that the connection between the investigation of Applicant's operations and the question on appeal is "too attenuated" -- whatever you mean by that -- to merit consideration is in and of itself a premature unsupported allegation. Perhaps you overlook the fact that the Reports of the Investigations, already underway by the Department of Justice as ordered by the Governor of Puerto Rico and by the Legislature *sua sponte*, is unprecedented in any NRC licensing proceeding, and the least to say, of utmost importance to the granting of a withdrawal of an application without prejudice. Further, bribery has already been proven in Applicant's dealings with contracts. The connection is clear: NRC supposedly will not leave the door open to a prospective applicant who has been proven corrupt or let it sin no more by forbidding it to resubmit in a near future applications for licenses to build nuclear plants in Puerto Rico.

If you, presumably a lawyer, have some further doubts on fact and law with regard to the instant case which need clarification, please do not hesitate to call on this layman and we will be most happy to set the record straight again for you.

xc : All concerned.

Gonzalo Ferns
Gonzalo Ferns
Chairman, CCNR

* Intervenor's have not received any copy of Notice of Appearance from you to ASLAB as Applicant's additional counsel.



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