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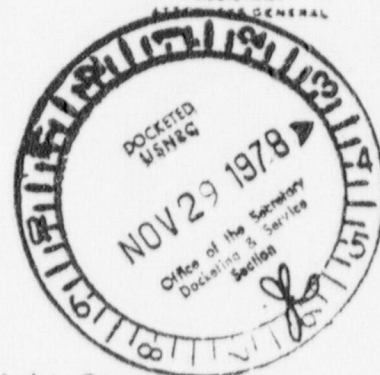


STATE OF MARYLAND
OFFICE OF
THE ATTORNEY GENERAL
DEPARTMENT OF NATURAL RESOURCES
TAWES STATE OFFICE BUILDING
ANNAPOLIS, MARYLAND 21401
(301) 269-2251
November 27, 1978

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Michael C. Farrar, Esquire
Chairman, Atomic Safety and
Licensing Appeal Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Re: Delmarva Power & Light Co.
(Summit Units 1 and 2)
Docket Nos. 50-450, 50-451

Dear Mr. Farrar:

This is in reply to the Appeal Board's request by letter of November 1, 1978 for comments regarding the Applicant's suggestions of October 26, 1978 for further proceedings on the Summit application. The State of Maryland has no objection to a remand of the application for consideration by the Licensing Board pursuant to 10 C.F.R. §2.600 et seq., early partial decisions on site suitability. In this context, we would agree that complete relitigation of all issues should be unnecessary and that, assuming concurrence from all parties, individual segments of the present Partial Initial Decision could be summarily reaffirmed.

In regard to the question of entrainment of striped bass, the only issue appealed by Maryland, it is clear that new information is available to modify the existing record and for this reason the State agrees that a remand without prejudice to any party is appropriate. However, we do not believe that this is equivalent to dismissal of Maryland's appeal on grounds of mootness, since striped bass entrainment remains an issue of key importance in these proceedings. We would therefore suggest that the Appeal Board simply vacate the existing decision and remand the case for consideration of new information and rebriefing before the Licensing Board.

Very truly yours,

Michael J. Scibinico, II

MJS:ldw

cc: Donald P. Irvin, Esq.
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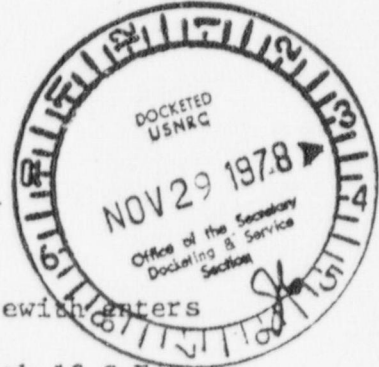
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BEFORE THE
UNITED STATES
NUCLEAR REGULATORY COMMISSION

In the Matter of:

DELMARVA POWER AND LIGHT COMPANY
PHILADELPHIA ELECTRIC COMPANY
(Summit Power Station, Units 1 and 2)

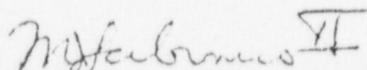
) Docket Nos. 50-450
) and 50-451
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NOTICE OF APPEARANCE

Notice is hereby given that the undersigned attorney herewith enters an appearance in the above-entitled matter. In accordance with 10 C.F.R. §2.713, the following information is provided:

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APPEARING ON BEHALF OF:	Department of Natural Resources State of Maryland Tawes State Office Building Annapolis, Maryland 21401



Assistant Attorney General
Department of Natural Resources
for the State of Maryland

DATED: November 27, 1978

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DELMARVA POWER AND LIGHT COMPANY
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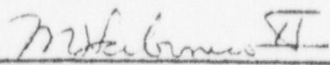
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DATED: November 27, 1978