

Public Law Utilities Group

One American Place, Suite 1601 Baton Rouge, Louisiana 70825 (504) 383-9970

Stephen M. Irving, Director
Doris Falkenheiner, Assistant Director

CERTIFIED MAIL NO. 928216

June 7, 1979

FREEDOM OF INFORMATION
ACT REQUEST

Mr. Joseph Hendrie, Chairman
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

FOIA-79-217
REC'D 6-12-79

RE: Louisiana Power and Light Company - Waterford Steam Electric
Station, Unit 3; Docket No. 50-382

Dear Mr. Hendrie:

I received a copy of a telegram on June 1 which was sent by Mr. James M. Wyatt, President of Louisiana Power and Light Company to you on May 25, 1979 at 6:30 p.m. (copy enclosed). The telegram asserts that the Commission is going to delay the above proceeding for a period of six months to complete the Three Mile Island investigation. The telegram contains a vehement objection to this delay and makes an assertion as to its cost.

We are quite distressed that Louisiana Power and Light has been advised of this delay and the intervenors were not privy to this discussion. As best I can determine, there has been no formal notice of the proposed delay. I have discussed this situation with other intervenors and they, too, have heard protests from the respective applicant without any communication from the Commission as to any proposal for the delay. It appears that in those cases, also, there were communications which lawful intervenors were not privy to.

I request that the Commission notify me in writing as soon as possible of any proposal to delay this proceeding. I further request that the Commission provide me with copies, under the Freedom of Information Act, of all letters, telegrams, memos, memorandums, notes of telephone calls, or meetings made or written on or after March 28, 1979 wherein the possibility of a delay in the above proceeding or in any group of proceedings that might include the above proceeding was communicated to any party, other than direct employees of the Commission, specifically including any agent, employee, or representative of Louisiana Power and Light Company or the Atomic Industrial Forum.

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Mr. Joseph Hendrie
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Sincerely,

Stephen M. Irving
Attorney for Intervenors -
Louisiana Consumer's League, Inc.

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03374 NEWORLEANS LA 398 05-25 0630P CDT
PMS JOSEPH P HENDRIE, CHAIRMAN
NUCLEAR REGULATORY COMMISSION
WASHINGTON DC 20555



TODAY THE FOLLOWING TELEGRAM WAS SENT TO MEMBERS OF THE LOUISIANA CONGRESSIONAL DELEGATION:

"WE HAVE AN URGENT SITUATION IN LOUISIANA WHICH NEEDS YOUR INDULGENCE IN THE FOLLOWING DETAILS. AS WE UNDERSTAND IT, THE NUCLEAR REGULATORY COMMISSION STAFF RECOMMENDS THAT IT DELAY PROCESSING AND THE SUBSEQUENT ISSUANCE OF THE OPERATING LICENSE FOR OUR WATERFORD-3 NUCLEAR UNIT FOR A PERIOD OF AN ADDITIONAL 6-MONTHS AND GRAND GULF UNIT

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ONE IN MISSISSIPPI FOR 12-MONTHS, BOTH A PART OF THE MIDDLE SOUTH UTILITIES SYSTEM.

IF THESE DEFERRALS WERE TO BE APPROVED BY THE COMMISSION, A SUBSEQUENT SHORTAGE OF ELECTRIC ENERGY WOULD OCCUR ON THE MIDDLE SOUTH UTILITIES SYSTEM IN LOUISIANA, ARKANSAS AND MISSISSIPPI DURING THE SUMMER PEAK SEASONS IN 1981 AND 1982 AND COULD RESULT IN BLACKOUTS.

THIS WOULD OCCUR AS A RESULT OF THE LOSS OF SOME 2360 MEGAWATTS OF MSU BASELOAD CAPACITY FOR WHICH WE KNOW OF NO SOURCE OF REPLACEMENT AT THE PRESENT TIME. WHY? SIMPLY BECAUSE THE NRC STAFF ALSO RECOMMENDS THE DELAY OF NUCLEAR UNITS IN AREAS CONTIGUOUS TO LOUISIANA AND THIS

MEANS OUR USUAL SOURCES OF REPLACEMENT ENERGY WOULD ALSO BE IN DIRE CIRCUMSTANCES THROUGHOUT THE ENTIRE SOUTHERN REGION.

DURING THE STAFF'S PROPOSED DELAY PERIOD, WE ESTIMATE THAT THE LOST NUCLEAR CAPABILITY AND ENERGY WOULD REQUIRE THE CONSUMPTION OF AN ADDITIONAL 18,000,000 BARRELS OF OIL IF, INDEED, WE HAD SUFFICIENT FACILITIES TO BURN OIL UNDER OUR BOILERS. THE FUEL COST DIFFERENTIAL IN THE TIMEFRAME OF 1981-'82 WOULD BE AT A MINIMUM, \$195,000,000. IF, HOWEVER, THE REPLACEMENT ENERGY MUST BE PURCHASED ON AN EMERGENCY BASIS FROM VARIOUS OTHER UTILITIES, THE COSTS, OBVIOUSLY, WOULD BE FAR HIGHER.

THE DELAYS NOW CONTEMPLATED BY THE STAFF WOULD ADD, BY

CONSERVATIVE ESTIMATES, TO THE CONSTRUCTION COSTS OF WATERFORD-3 AND GRAND GULF ONE, ONE-THIRD OF A BILLION DOLLARS, WHICH WOULD ULTIMATELY HAVE TO BE BORNE BY OUR RESPECTIVE CUSTOMERS.

FURTHER, IF GRAND GULF ONE COMPLETION DATE IS DELAYED BEYOND DECEMBER OF 1982, THE MSU-OPERATING COMPANIES (INCLUDING LOUISIANA POWER AND LIGHT COMPANY) ARE OBLIGATE TO PAY AN ADDITIONAL \$250,000,000 A YEAR FOR MSU SYSTEM FINANCING CHARGES.

ASIDE FROM THESE MENACING DOLLAR FIGURES, THE SPECTER OF THE UNAVAILABILITY OF ELECTRIC ENERGY IN THIS TRI-STATE AREA IS UNCONSCIONABLE. TO SAY NOTHING OF ECONOMIC CHAOS.

POOR ORIGINAL

FURTHER, AS WE ARE LED TO BELIEVE, THE REASON FOR THE DELAY IN NO WAY INVOLVES THE SAFETY OF THE RESPECTIVE PLANTS. RATHER, THE PROPOSED DELAYS ARE OCCASIONED BY THE HEAVY PAPER-WORK LOAD IMPOSED ON THE STAFF FOLLOWING THREE ISLAND THE UNUSUALLY HEAVY DEMANDS ON THE STAFF TO ADDRESS ENDLESS CONGRESSIONAL HEARINGS AND INDIVIDUAL INQUIRIES. THEREFORE, WE ARE CONFIDENT YOU WILL RECOGNIZE THAT IF NRC IS UNDERSTAFFED TO MEET ITS PRESENT WORKLOAD, THE ANSWER TO THE PROBLEM IS NOT A DEFERRAL OF LICENSING PROCEDURES, BUT RATHER, THE IMMEDIATE ADDITION OF SUFFICIENT PERSONNEL TO EXPEDITE RATHER THAN DELAY THESE URGENTLY NEEDED NUCLEAR UNITS FOR ALL AREAS OF THE UNITED STATES.

FINALLY, WE BELIEVE YOU WILL AGREE THAT IT IS INCUMBERT UPON YOU, FOR THE WELL BEING OF THE CONSUMERS IN LOUISIANA, TO INTERCEDE WITH THE NRC TO AVOID ANY ACTION OR INACTION ON THEIR PART WHICH WOULD RESULT IN THE PROPOSED STAFF DELAY IN THE PROCESSING OF OPERATING LICENSES. WE UNDERSTAND THE NEXT NRC MEETING WILL BE HELD WEDNESDAY, MAY 30TH.

FURTHER, WE ARE CONFIDENT YOU WILL CONTACT THE NECESSARY CONGRESSIONAL APPROPRIATIONS COMMITTEES TO PROVIDE THE FUNDS NECESSARY FOR THE NRC TO ACQUIRE COMPETENT STAFF PERSONNEL TO CARRY OUT THE CONGRESSIONAL MANDATES TO NRC.

AS WE OPENED, THIS IS URGENT TO LOUISIANS AND WE TRULY APPRECIATE YOUR INDULGENCE AND PERSONAL ACTION IN ANSWER TO

OUR REQUEST ON THEIR BEHALF.

JAMES M WYATT, PRESIDENT
LOUISIANA POWER AND LIGHT COMPANY
NEW ORLEANS, LA 70174

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U.S. NUCLEAR REGULATORY COMMISSION

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