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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

10/25/78

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)

HOUSTON LIGHTING & POWER COMPANY)

(Allens Creek Nuclear Generating)
Station, Unit 1))

Docket No. 50-466



NRC STAFF RESPONSE TO VARIOUS SUBMISSIONS RECEIVED PURSUANT
TO THE BOARD'S CORRECTED NOTICE OF INTERVENTION PROCEDURES

At this Board's direction, a "Corrected Notice of Intervention Procedures" was published in the Federal Register on September 11, 1978 (43 FR 40328). Pursuant to that notice, submissions requesting the opportunity to participate in this proceeding were received from the following individuals and groups:

Mr. D. Michael McCaughan
Ms. Shirley Caldwell
Mr. Robert S. Framson
Carro Hinderstein
Ms. Ann Wharton
Mr. Emanuel Baskir
Mrs. R. M. Bevis
Mr. F. H. Potthoff, III
Brenda A. McCorkle
Steven Gilbert, Esq.
Mr. Jean-Claude De Bremaecker
Mr. Brent Miller
Mr. Allen D. Clark
D. Marrack
Mr. John R. Schreffler

Dr. Joe C. Yelderman
Ms. Kathryn Hooker
Ms. Patricia L. Day
Mr. David Marke
Ms. Madeline Bass Framson
Charles L. Michulka
Gregory Kainer
Ms. Lois H. Anderson
Mr. John V. Anderson
Mr. John Renaud, Jr.
Mr. George Broze
National Lawyers Guild
Edgar Crane
Mr. Lee Loe

The Commission's Rules of Practice provide for two methods of participation in Commission proceedings. Under 10 CFR §2.714, individuals or groups may petition for leave to intervene as full parties to the case,

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with all the rights and responsibilities attendant thereto. Under 10 CFR §2.715, persons may participate by making a "limited appearance statement," usually on the first day of the evidentiary hearing, in which they set forth their concerns with regard to the proposed facility. They may also raise questions which they would like answered, and the Board, if it deems the questions relevant to the proceeding, may order the Applicant and Staff to respond to them.

With regard to all of the above submissions, except those of Mr. David Marke and the National Lawyers Guild, it is unclear whether the petitioners desire full party status pursuant to 10 CFR §2.714 or the opportunity to make a limited appearance statement pursuant to 10 CFR §2.715.

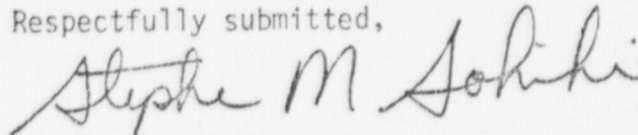
The Staff's general impression from studying the petitions, and from telephone conversations with certain of the petitioners, is that many of the petitioners may prefer the latter alternative.

The Staff, therefore, urges the Board to seek immediate clarification from the above individuals with regard to their intended form of participation in this proceeding. In any event, should any of these petitioners file contentions within the time limits specified in 10 CFR §2.714 (15 days before the special prehearing conference), the Staff will then address both standing and contentions. We will assume that those

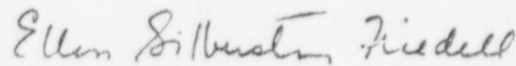
petitioner's who do not file contentions within the prescribed time period intend to make a limited appearance statement.

The Staff, therefore, believes that the Board should defer ruling on the newly received petitions (except for those of Mr. Marke and the National Lawyers Guild) until the intentions of the respective petitioners are clarified. The petitions of Mr. Marke and the Guild will be addressed in separate pleadings.

Respectfully submitted,



Stephen M. Sohinki
Counsel for NRC Staff



Ellen Silberstein Friedell
Counsel for NRC Staff

Dated at Bethesda, Maryland
this 25th day of October, 1978

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

Docket No. 50-466

Atomic Safety and Licensing
Appeal Board*
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

Atomic Safety and Licensing
Board Panel*
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

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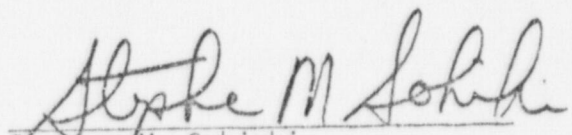
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