

DOCKET NUMBER  
PETITION RULE PRM 50-70  
(65 FR 30550)

1800 M Street, N.W.  
Washington, D.C. 20036-5869  
202-467-7000  
Fax: 202-467-7176

Morgan, Lewis  
& Bockius LLP  
C O U N S E L O R S   A T   L A W

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John E. Matthews  
202-467-7524

September 18, 2000

Annette L. Vietti-Cook  
Secretary of the Commission  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Re: Request that NRC Strike Unauthorized Reply of Eric Joseph Epstein (65 FR 30550)

Dear Madame Secretary:

PPL Susquehanna, LLC ("PPL Susquehanna"), respectfully requests that the Commission strike the unauthorized Reply of Eric Joseph Epstein dated September 5, 2000. The NRC's rules do not authorize any Reply by a moving party to an Answer or Response to the party's Motion.

On August 15, 2000, Mr. Epstein filed a "Motion to Separate *Pro Se* Representation of . . . Employees From Their Affiliated Organizations" ("Motion to Separate") and a "Motion to Dismiss Delinquent Filings" ("Motion to Dismiss"). On August 25, 2000, PPL Susquehanna submitted a timely Response or "Answer" to this motion. This is the appropriate record contemplated under the NRC's rules for consideration of a motion, and no further pleading is authorized. For example, NRC's Subpart G rules provide in 10 CFR 2.730(c) that "[t]he moving party shall have no right to reply, except as permitted by the presiding officer or the Secretary or the Assistant Secretary." Nevertheless, on September 5, 2000, Mr. Epstein submitted a reply entitled "Response to PPL Susquehanna, LLC's Request to Deny Petitioner's Motions to dismiss Delinquent Filings (1) and Separate *Pro Se* Representations (2)" ("Reply").

Although Mr. Epstein himself emphasizes his desire "that the NRC recognize and enforce its own rules and regulations," Reply at 6, he has disregarded the fact that NRC's rules do not permit the filing of a Reply. Notably, Mr. Epstein has also failed to seek leave to file his unauthorized pleading, and therefore, he provides no basis for granting such leave.

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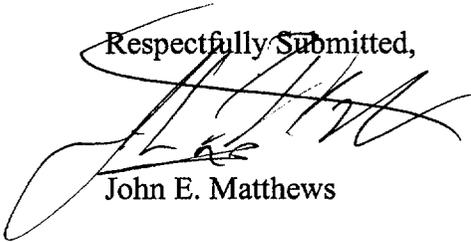
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For the foregoing reasons, PPL Susquehanna respectfully requests that the unauthorized Reply of Eric Joseph Epstein be stricken from the record.

Respectfully Submitted,



John E. Matthews

cc: Service List (attached).

Before the

NUCLEAR REGULATORY COMMISSION

Petition for Rulemaking filed by )  
Eric Joseph Epstein ) 10 CFR Part 50  
65 Federal Register 30550 ) Docket No: PRM-50-70

**CERTIFICATE OF SERVICE**

I hereby certify that on September 18, 2000 copies of a letter requesting that NRC strike Eric Joseph Epstein's "Response to PPL Susquehanna, LLC's Request to Deny Petitioner's Motions to Dismiss Delinquent Filings (1) and Separate Pro Se Representations (2)" and this Certificate were served by U.S. Mail, postage pre-paid, on the following:

Mr. John W. Holt  
Manager, Generation and Fuels  
National Rural Electric Cooperative Association  
4301 Wilson Boulevard  
Arlington, VA 22203-1860

Otto Hoffman & Patricia Hoffman, Esq.  
Allegheny Electric Cooperative  
212 Locust Street  
P.O. Box 9500  
Harrisburg, PA 17108-9500

Mr. Thomas S. LaGuardia, PE, CCE, Esq.  
President, TLG Seviles  
148 New Milford Road East  
Bridgewater, CT 06752

Mr. Richard J. Meyers  
Sr. Director, Economics & Public Policy  
Nuclear Energy Institute  
1776 I Street, N.W.  
Suite 400  
Washington, DC 20006-3708

Gary J. Newell, Esq.  
Spiegel & McDiarmid  
Publicly Owned Systems Group  
1350 New York Avenue, N.W.  
Washington, DC 20005-4798

Daniel F. Stenger, Esq.  
Perry D. Robinson, Esq.  
N. Beth Emery, Esq.  
Counsel for New England Power Company  
Ogelthrope Power Corporation  
Hopkins & Sutter  
888 16th Street, N.W.  
Washington, DC 20006-4103

Mr. David L. Meyer, Chief  
U.S. NR.C  
Rules and Directives Branch  
Division of Administrative Services  
Office of Administration  
Washington, DC 20555-0001

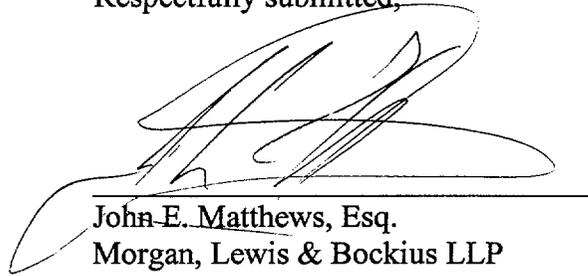
S. L. Bernhoft, Director  
Nuclear Regulatory Affairs  
Florida Power Corporation  
Crystal River Energy Complex  
15760 W. Power Line Street  
Crystal River, FL 34428-6708

Mr. John R. Caves  
Regulatory Affairs  
Carolina Power & Light Company  
P.O. Box 1551  
411 Fayetteville Street Mall  
Raleigh, NC 27602

Bryan A. Snapp, Esq.  
Associate General Counsel  
PPL Electric Utilities Corporation  
Two North Ninth Street, M.C. GENTW3  
Allentown, Pennsylvania 18101-1179

Eric Joseph Epstein  
4100 Hillsdale Road  
Harrisburg, PA 17112

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John E. Matthews", is written over a horizontal line. The signature is stylized and somewhat cursive.

John E. Matthews, Esq.  
Morgan, Lewis & Bockius LLP  
1800 M Street, N.W.  
Washington, DC 20036

Date: September 18, 2000