

Ray Carter

August 29, 1973

VIA: AIRMAIL AND
SPECIAL DELIVERY

Mr. Daniel P. Hale
1000 Airport Road
Apartment D4
Huntsville, Alabama 35802

In the Matter of Tennessee Valley Authority
(Bellefonte Nuclear Plant, Units 1 and 2)
Docket Nos. 50-438 and 50-439

Dear Mr. Hale:

This is the response to your recent telephone discussion with Mr. Newton of this office in which you requested information on procedures for petitioning for leave to intervene in the construction permit hearing to be held for the Tennessee Valley Authority's Bellefonte Nuclear Plant.

To participate in a public hearing on the issuance of a construction permit, AEC regulations require that an interested party submit, under oath or affirmation, a petition for leave to intervene in accordance with the provisions of 10 CFR 2.714. We are enclosing for your information a copy of the Commission's "Rules of Practice", 10 CFR Part 2, which includes section 2.714.

The provisions of 10 CFR 2.714 require that a petition for leave to intervene shall set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, and any other contentions of the petitioner including the facts and reasons why he should be permitted to intervene, with particular reference to the following factors: (1) The nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. Any such petition shall be accompanied by a supporting affidavit identifying the specific aspect or aspects of the subject matter of the proceeding as to which the petitioner wishes to intervene and setting forth with particularity both the facts pertaining to his interest and the basis for his contentions with regard to each aspect on which he desires to intervene.

On August 3, 1973, the Commission published in the Federal Register (38 FR 20932) a Notice of Hearing On Application For Construction Permits for the Bellefonte Nuclear Plant, Units 1 and 2. (See enclosure).

LB

Dr. Daniel P. Hale

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Any petition for leave to intervene must be filed with the Office of the Secretary of the Commission, United States Atomic Energy Commission, Washington, D. C. 20545, Attention: Chief, Public Proceeding Staff, not later than September 4, 1973.

Copies of the Tennessee Valley Authority's application for construction permits and TVA's Draft Environmental Statement are available for inspection by members of the public at the Scottsboro Public Library, 1002 South Broad Street, Scottsboro, Alabama.

If you have any further questions regarding the Bellefonte proceeding, please do not hesitate to contact me or Mr. William Paton, counsel for the AEC regulatory staff. I can be reached by mail at the Office of the General Counsel, United States Atomic Energy Commission, Washington, D. C. 20545, and by telephone at (301) 973-7474.

Sincerely yours,

Joseph F. Scinto
Assistant Chief Hearing Counsel

Enclosures:

- 10 CFR Part 2
- 10 CFR Part 50
- Notice of Hearing (2)

cc w/o enclosures:

- Lewis Wallace, Esq.
- ASLB
- ASLAB
- Mr. Frank W. Karas

Distribution:

- OGC
- Newton
- Scinto
- Shapar
- Engelhardt
- Reg. Central
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DATE ▶	8/29/73					