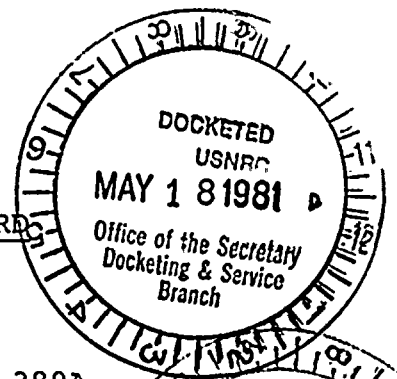


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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

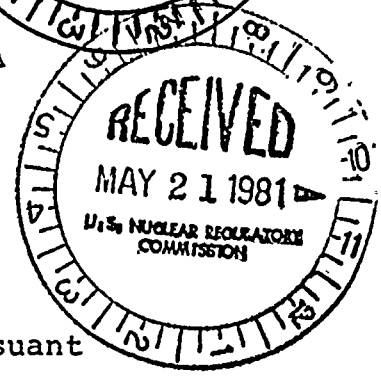
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD



In the Matter of)
FLORIDA POWER & LIGHT COMPANY)
(St. Lucie Plant, Unit No. 2))

Docket No. 50-389A

RESPONSE OF FLORIDA POWER &
LIGHT COMPANY TO CITIES'
MOTION TO LODGE



Florida Power & Light Company (FPL) responds, pursuant to 10 CFR § 2.730(c), to Cities' "Motion to Lodge" filed by the Cities on April 22, 1981. FPL's counsel did not receive a copy of this Motion until yesterday, May 14, 1981, when a copy was hand-delivered by Cities' counsel. Apparently, the service copies intended for FPL's counsel were mislaid due to clerical error or were lost in the mail. FPL respectfully requests that the Board receive this response out of time, and counsel for FPL is authorized to state that counsel for the Cities and for the NRC Staff have no objection to the filing of this response out of time.

FPL opposes the Motion to Lodge. Apparently, the Cities intended that this matter be considered by the Board in connection with its ruling on the Joint Motion of FPL, the Department of Justice and the NRC Staff filed on September 12, 1980. FPL is unable to perceive any relevance of the materials sought to be lodged to those issues. In any event, the Board has ruled and no matters to which these materials can conceivable pertain is now pending before the Board.

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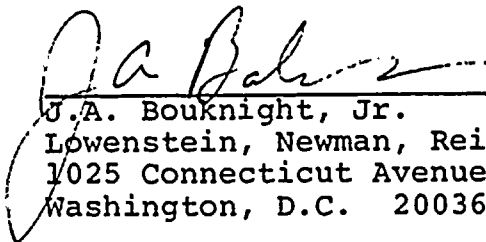
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The material attached to the Motion to Lodge does not relate to any matter pending before this Board, has no relation to the antitrust issues which the Board has indicated will be the subject of any further proceeding in this matter and can be given no evidentiary weight in any context merely by reason of having been "lodged" with the Board as an attachment to some pleading.

Wherefore, FPL respectfully requests that the Motion be denied.

Respectfully submitted,



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DATED: May 15, 1981

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)
FLORIDA POWER & LIGHT COMPANY) Docket No. 50-389A
(St. Lucie Plant, Unit No. 2))

CERTIFICATE OF SERVICE

I hereby certify that copies of "Response Of Florida Power & Light Company To Cities' Motion To Lodge" and "Response Of Florida Power & Light Company To Motion Of Parsons & Whittemore, Inc. And Resources Recovery (Dade County), Inc. For Extension Of Time To Respond To Florida Power & Light Company's Application For Issuance Of Subpoena" have been served by hand delivery * or by deposit in the U.S. Mail, first class postage prepaid this 15th day of May, 1981.

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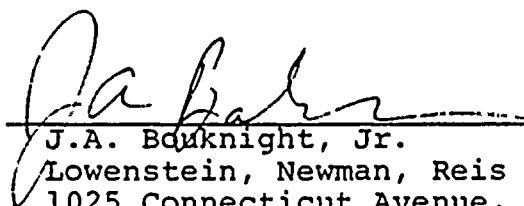
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DATED: May 15, 1981



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