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RECEIVED DATE 5/29/81

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May 14, 1981

Marshall E. Miller, Chairman
Dr. Emmeth A. Luebke
Dr. Oscar H. Paris
U.S. Nuclear Regulatory Commission
Atomic Safety and Licensing Board
Washington, D.C. 20555

MAY 18 1981
ers

Re: In the Matter of Florida Power and Light Company
(Turkey Point Nuclear Generating Units 3 and 4);
Docket Nos. 50-250-SP and 50-251-SP; (Proposed
Amendments to Facility Operating License to
Permit Steam Generator Repairs)

Dear Members of the Board:

This letter is in response to Mr. Reis's letter of May 13, 1981. The Intervenor would point out that the NRC Staff filed an objection to proposed Amended Contention 1 and Third Motion for Summary Disposition. The Licensee joined in this procedure and in addition designated their joinder of the objections as a Motion to Dismiss. The Staff and Licensee joined two Motions within the same document. In an abundance of caution the Intervenor considered the objections to the Contention and Motion to Dismiss as a motion under Rule 2.730.

Intervenor intends to respond to the actual Motion for Disposition by May 20th, 1981. The Staff and Licensee have confused the posture of the pleadings, not the Intervenor and would consider any further response by the Licensee as set forth in the letter of May 13th, 1981, as being improper.

The Intervenor will, of course respond to the Motion to Strike the Pleadings which is supposedly to be filed by Monday, May 18th, 1981, within the time provisions of Section 2.730.

Very truly yours,

Neil Chonin
Neil Chonin

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cc: See Attached Certificate of Service

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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|-------------------------------|---|-----------------------------|
| In the Matter of |) | Docket Nos. 50-250-SP |
| |) | 50-251-SP |
| FLORIDA POWER & LIGHT COMPANY |) | |
| (Turkey Point Nuclear |) | (Proposed Amendments to |
| Generating Units Nos. 3 |) | Facility Operating Licenses |
| and 4) |) | to Permit Steam Generator |
| |) | Repairs) |

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Letter to the Members of the Board was mailed on this the 14th day of May, 1981, to the following addressees.

Marshall E. Miller, Esq. Administrative Judge
Chairman, Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

Dr. Emmeth A. Luebke, Administrative Judge
Atomic Safety and Licensing Board Panel
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Washington, D. C. 20555

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

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By Neil Chonin
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