

General Solution of Problem: promulgation of rules giving legal and binding effect to requests for information and authorized communications to appropriate employees of the Commission over WATS and business telephone lines which it supports and operates and public hearings in which the Commission and/or such employees are involved.

Petitioner's Interest: Petitioner participates in several proceedings and activities of the Commission and has occasion to attend public hearings in which the Commission and its employees are involved. Petitioner is insolvent and often cannot afford the cost of telegrams or long-distance phone calls or U.S. Postal Service Express Mail service to said Commission and/or employees, and thus avails himself of the Commission's toll-free telephone number and open and public nature of hearings pursuant to the APA and implementing regulations and case law. Petitioner maintains permanent citizenship within the Evacuation Planning Zone of the Turkey Point Plant in Dade Co, FLA, and recent residence within the Diablo Canyon Nuclear Power Plant Evacuation Planning Zone.

Issues Involved: Licensees are afforded the benefit of modern communications devices which are not included in legal definitions of service or written pleadings, etc, often at Commission expense. However, Petitioner, who as many interested citizens in Commission proceedings cannot afford to keep pace with the licensees' devices, is not given the benefit of such communications that are sparsely available, even when afforded, to the public. Specifically, in the Turkey Point proceeding, as described in Jaffer v. NRC, D.C. Circuit Court of Appeals, 81-8055, petitioner's numerous understandings with Commission staff, which were absolutely legal and in good faith concerning notice of the public hearing in that matter, were totally disregarded by the Commission in the ensuing litigation.

Prior Confering with Staff: See letter, Jaffer to Chalk, 21 JAN 1982.

Submitted 12 FEB 1982  
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