

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

9/21/78

In the Matter of)

PENNSYLVANIA POWER & LIGHT COMPANY)

and)

ALLEGHENY ELECTRIC COOPERATIVE, INC.)
(Susquehanna Steam Electric Station,)
Units 1 and 2))

Docket Nos. 50-387
50-388

APPLICANTS' ANSWER TO PETITION FOR
LEAVE TO INTERVENE AND REQUEST FOR
HEARING SUBMITTED BY THE
SUSQUEHANNA ENVIRONMENTAL ADVOCATES

On August 9, 1978, the Nuclear Regulatory Commission ("NRC") published in the Federal Register a "Notice of Receipt of Application for Facility Operating Licenses; Availability of Applicant's Environmental Report; and Consideration of Issuance of Facility Operating Licenses Opportunity for Hearing". 43 Fed. Reg. 35406. This Notice stated that the NRC, following completion of specified actions, will consider the issuance of operating licenses to Pennsylvania Power & Light Company and Allegheny Electric Cooperative, Inc. (collectively "Applicants") for the Susquehanna Steam Electric Station, Units 1 and 2 ("SSES"). The Notice provided that any person whose interest may be affected by the proceeding may file, by September 8, 1978, a petition to intervene.

In a filing dated September 7, 1978, the Susquehanna Environmental Advocates ("SEA") requested a hearing and petitioned for leave to intervene.

The tests for petitions for leave to intervene are set forth in 10 CFR §2.714 and were described in the NRC's August 9, 1978

Federal Register notice. The petition must set forth with particularity the petitioner's interest in the proceeding, how that interest may be affected by the results of the proceeding, and the specific aspect or aspects of the subject matter of the proceeding as to which the petitioner wishes to intervene. The petition should also address the nature of the petitioner's right under the Atomic Energy Act to be made a party, the nature and extent of the petitioner's interest in the proceeding, and the possible effect of any order which may be entered in the proceeding on petitioner's interest. Under the recent revisions to 10 CFR §2.714, 43 Fed. Reg. 17801 (April 26, 1978), a petitioner has until 15 days prior to the first prehearing conference to submit the contentions which he seeks to litigate.

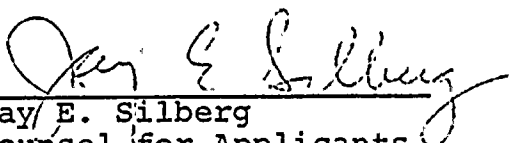
SEA's petition would appear to satisfy these requirements. Applicant would agree that SEA has adequately demonstrated its interest in this proceeding.

SEA's pleading also includes a Supplemental Petition for Attorneys Fees, Costs of Expert Witnesses and Miscellaneous Costs. NRC has ruled against such direct financial assistance and that ruling mandates denial of SEA's request. See Nuclear Regulatory Commission (Financial Assistance to Participants in Commission Proceedings), CLI-76-23, 4 NRC 494 (1976); Detroit Edison Co. (Greenwood Energy Center, Units 2 and 3), ALAB-376, 5 NRC 426, 428 (1977).

Respectfully submitted,

SHAW, PITTMAN, POTTS & TROWBRIDGE

By


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Dated: September 21, 1978

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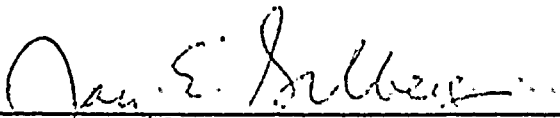
CERTIFICATE OF SERVICE

This is to certify that copies of the foregoing "Applicants' Answer to Petition for Leave to Intervene and Request for Hearing Submitted by the Susquehanna Environmental Advocates" were served by deposit in the U. S. mail, first class, postage prepaid, this 21st day of September, 1978, to:

Secretary of the Commission
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

James M. Cutchin, IV, Esquire
Office of the Executive Legal Director
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Susquehanna Environmental Advocates -
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500 River Street
Wilkes-Barre, Pennsylvania 18702



Jay E. Silberg

Dated: September 21, 1978