

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION



In the Matter of)
The Cincinnati Gas & Electric)
Company, et al.)
(Wm. H. Zimmer Nuclear Power)
Station))

Docket No. 50-358

POOR ORIGINAL

MIAMI VALLEY POWER PROJECT'S MOTION TO REOPEN
DISCOVERY FOR CONTENTION 13

MVPP moves the Atomic Safety and Licensing Board to reopen discovery for Contention 13.

In a letter dated July 30, 1979, counsel for Applicants revealed that a review of the project schedule and costs resulted in a new estimated cost for the Zimmer Power Station of \$850 million.

MVPP's Contention 13 deals with the financial ability of Applicants to build, operate and properly maintain the Zimmer Station. It has recently come to MVPP's attention that the costs of the Zimmer Station have increased by \$186 million. It is imperative that MVPP be able to discover the nature of these additional costs and how they will affect the financial ability of the Applicants to operate and maintain the plant.

It should be known that two of the applicant companies are presently seeking large rate increases, substantial portions of which are based on adding the Zimmer Station to the rate base on a Construction Work in Progress basis. The requirement that 75% of anticipated costs of the construction project have already accrued in order to add CWIP to the rate base is no longer met when the increased costs are considered. Thus it is necessary that MVPP discover how Applicants will raise revenues to finance the Zimmer project.

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In order that MVPP prepare its case on Contentio 13 in light of the recent additional cost disclosure, it is necessary that discovery be reopened.

For the above reasons, the Board should grant MVPP's motion to reopen discovery.

Respectfully submitted,

August 24, 1979



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