

UNITED STATES OF AMERICA  
BEFORE THE NUCLEAR REGULATORY COMMISSION



In The Matter of METROPOLITAN :  
EDISON COMPANY, et al. : Docket No. 50-289  
(Three Mile Island Unit 1) : (Restart)

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PETITION FOR LEAVE TO FILE A BRIEF  
ADDRESSING ISSUES RAISED BY THE RESPONSE  
OF NRC STAFF TO THE CONSUMER ADVOCATE'S  
PETITION FOR NRC FUNDING OF INTERVENOR WITNESSES

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The Consumer Advocate of Pennsylvania, participating in the above-captioned action as an interested state agency, hereby petitions this Honorable Commission and the Secretary thereof for leave to file a Brief of issues raised by the NRC staff in its Response to the Petition of the Consumer Advocate requesting funding for intervenor witnesses in the above-captioned action and in furtherance thereof avers as follows:

1. The Consumer Advocate of Pennsylvania has filed with this Honorable Commission a "Petition To Seek NRC Funding For Consumer Intervenors To Finance Witness Expenses."

2. On November 21, 1979 the legal staff of the NRC filed a Response to the above-described Petition of the Consumer Advocate, which raises issues which could not have been anticipated by the Consumer Advocate when he filed his original Petition.

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3. The issues to be adjudicated in the above-captioned action are novel and of first impression, and may necessitate a modification of this Honorable Commission's general policy against the intervenor funding. The Consumer Advocate, therefore, believes that all issues presented by his Petition should be fully briefed and brought to this Commission's attention.

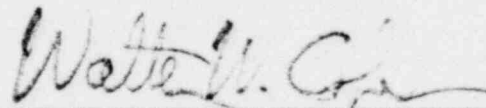
4. The Consumer Advocate has prepared, for consideration by this Honorable Commission, and filed simultaneously with this Petition a Brief addressing issues raised by the Staff in its Response to the Petition of the Consumer Advocate for funding of intervenor witnesses.

5. Section 2.730(c) of 10 CFR provides that a moving party has no right to reply to an answer to its motion, except as permitted by the Secretary or the Assistant Secretary of the NRC. The Consumer Advocate is, therefore, filing this Petition for leave to file in the belief that such Petition may be necessary to invoke the discretion of this Honorable Commission and the Secretary thereof.

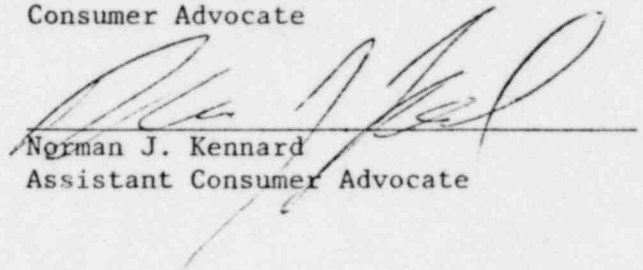
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WHEREFORE, the Consumer Advocate of Pennsylvania respectfully requests that he be granted leave to file a Brief of Issues raised by the staff in its Response to the Petition of the Consumer Advocate for funding of intervenor witnesses.

Respectfully submitted,



Walter W. Cohen  
Consumer Advocate



Norman J. Kennard  
Assistant Consumer Advocate

Date: December 3, 1979

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND  
LICENSING BOARD

In the Matter of :  
METROPOLITAN EDISON :  
COMPANY, et al. : Docket No. 50-289 (Restart)  
(Three Mile Island, Unit 1) :

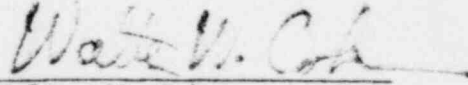
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CERTIFICATE OF SERVICE

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I, Walter W. Cohen, hereby certify that I have this 3rd day of December, 1979 served copies of the attached statement of the Pennsylvania Office of Consumer Advocate's Petition For Leave To File A Brief Addressing Issues Raised By The Response Of NRC Staff To The Consumer Advocate's Petition For NRC Funding Of Intervenor Witnesses on each of the persons named in the attached service list by causing the same to be deposited in envelopes addressed to said persons, first class, postage prepaid, and deposited with the United States Postal Service at 813 Market Street, Harrisburg, Pennsylvania 17105.

Respectfully submitted,

  
Walter W. Cohen  
Consumer Advocate

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND

LICENSING BOARD

In the Matter of :  
METROPOLITAN EDISON :  
COMPANY, et al. : Docket No. 50-289 (Restart)  
(Three Mile Island, Unit 1) :

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