



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555

January 10, 1980

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

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

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

In the Matter of  
Kansas Gas and Electric Company &  
Kansas City Power and Light Company  
(Wolf Creek Generating Station, Unit No. 1)  
Docket No. 50-482

Gentlemen:

We have before us the Missouri Public Service Commission's (MPSC) December 21, 1979 "Suggestions in Support of Petition for Leave to Intervene as an Interested State 10 C.F.R. Section 2.715(c)" and the permittees' January 3, 1980 letter in response thereto. It is clear from MPSC's pleading that its sole objective in seeking leave to participate in this proceeding under §2.715(c) was to "be placed upon the service list and to receive all documents filed in this matter." p. 2. The Staff has for some time now had Ms. Treva Hearne, Counsel for MPSC, on the Wolf Creek service list. She should, therefore, have been receiving and continue to receive copies of all correspondence from the NRC Staff to the permittees in this docket, which would include all correspondence related to the proposed sale of partial ownership to Kansas Electric Power Cooperative, Inc. (KEC). We note that permittees, in their letter to the Board of January 3, 1980, indicate that they have already agreed to include MPSC on their service list for all documents related to this proposed sale and that this arrangement is satisfactory to counsel for MPSC.

Thus, MPSC is no longer requesting that a hearing be held on the proposed inclusion of KEC as a co-permittee. Nor is a hearing required upon this proposed amendment to the construction permit absent a petition to intervene which satisfies the Commission's requirements. See Notice of Proposed Issuance of Amendment to Construction Permit, 44 Fed. Reg. 55071 (September 24, 1979). In this situation, we concur with the permittees' view that a hearing is unnecessary and that the Licensing Board should issue an order terminating this proceeding.

Sincerely,

*Stephen H. Lewis*

Stephen H. Lewis  
Counsel for NRC Staff

1763 204

cc: See page 2.

8001170 504

G

cc: Gerald Charnoff, Esq.  
Ralph Foster, Esq.  
William H. Griffin, Esq.  
James T. Wiglesworth, Esq.  
Edward G. Collister, Jr.  
William H. Ward, Esq.  
Honorable John Carlin  
Mr. John M. Wylie, II  
Treva J. Hearne, Esq.  
Mr. Gary Haden  
Office of the County Clerk  
Mr. Ernest H. Cannon, Jr.  
Mrs. Diane Tegtmeier  
Atomic Safety and Licensing  
Board Panel  
Atomic Safety and Licensing  
Appeal Board Panel  
Docketing and Service Section

1763 205