ANNEX

Pursuant to 10 CFR § 2.749(a) permittees herein set forth the material facts relevant to the foregoing motion as to which permittees contend there is no genuine issue to be heard.

1. If the sunk costs at Seabrook may properly be counted in the comparison of Seabrook, assuming cooling towers. With any other alternate site, then no alternate site is "obviously superior" to the Seebrook site even assuming use of cooling towers.

By their attorneys,

John A. Ritsher Thomas G. Dignan, Jr. R. K. Gad III Ropes & Gray

495 344

CERTIFICATE OF SERVICE

I, Thomas G. Jignan, Jr., one of the attorneys for the applicants herein, hereby certify that on June 6, 1979, I made service of the within document by mailing copies thereof, postage prepaid, first class or airmail, to:

Alan S. Rosenthal, Chairman Atomic Safety and Licensing Appeal Board U.S. Nuclear Regulatory Commission Washington, D.C. 20555 Washington, D.C. 20555

Dr. John H. Buck Atomic Safety and Licensing Appeal Board U.S. Nuclear Regulatory Commission 208 State House Annex Washington, D.C. 20555

Michael C. Farrar, Esquire Atomic Safety and Licensing Appeal Board J.S. Nuclear Regulatory Commission Washington, D.C. 20555

Ivan W. Smith, Enquire Atomic Safety and Licensing Board Panel U.S. Nuclear Regulatory Commission Washington, D.C. 20555

Joseph F. Tubridy, Esquire 4100 Cathedral Avenue, N.W. Washington, D.C. 20016

Dr. Nurvin M. Mann Atomi Safety and Licensing Board Panel U.S. Nuclear Regulatory Commission 116 Lowell Street Washington, D.C. 20555

Lawrence Brenner, Esquire Office of the Executive Legal Director U.S. Nuclear Regulatory Commission Boston, Massachusetts 02108 Washington, D.C. 20555

Atomic Safety and Licensing Board Panel U.S. Nuclear Regulatory Commission

E. Tupper Kinder, Esqui Assistant Attorney Gen al Environmental Protection Division Office of the Attorney General Concord, New Hampshi e 03301

Karin P. Sheldon, Esquire Sheldon, Harmon, Roisman & Weiss Suite 506 1725 I Street, N.W. Washington, D.C. 20006

Dr. Ernest O. Salo Professor of Fisheries Research Institute College of Fisheries University of Washington Seattle, Washington 98195

Dr. Kenneth A. McCollum 1107 West Knapp Street Stillwater, Oklahoma 74074

Robert A. Backus, Esquire O'Neill Backus Spielman Manchester, New Hampshire 03105

Laurie Burt, Esquire Assistant Attorney General One Ashburton Place