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Mr. Frederick J. Shon, Member
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U. S. Nuclear Regulatory
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Washington, D. C. 20555

Dr. Paul W. Purdom, Director
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Re: In the Matter of the Application of)
Public Service Company of Oklahoma,)
Associated Electric Cooperative, Inc.)
and) Docket Nos. STN 50-556
Western Farmers Electric Cooperative) STN 50-557
)
(Black Fox Station, Units 1 and 2))

Gentlemen:

On August 3, 1979, I informed the Licensing Board and the parties during a conference call of Applicants' desire to reopen the hearing record for the purpose of exploring those aspects of the Three Mile Island accident pertinent to the construction permit application for the Black Fox Station. During the conference call, it became evident that more time was needed to determine the Attorney General's willingness to support the notion of a hearing and to establish a mutually agreeable hearing schedule. Counsel for the parties agreed to continue their discussions and the

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Chairman urged counsel to make a reasonable effort to obtain a consensus of views.

I have had a number of conversations with Messrs. Rogers, Davis and Farris since August 3. No agreement has been reached. Mr. Farris has made his position clear. His clients are unwilling to go forward with hearings until after the President's Commission on the Accident at Three Mile Island submits its recommendations to the President and the Rogovin Special Inquiry submits its report to the NRC Commissioners. The Attorney General's position is less clear; however, I believe his position to be similar to that of the Intervenors.

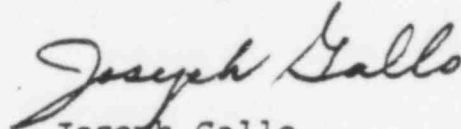
In our view, the position of the Intervenors and the Attorney General is unreasonable because they can go forward immediately to hearings without prejudicing their positions. They will have ample opportunity during the course of the resumed hearings to convince the Licensing Board to hold the record open until the other TMI investigations are completed. In any event Intervenors and the Attorney General do not agree, and further attempts to reconcile these differences would be of no avail. Consequently, Applicants are filing with this letter a pleading styled as a "Request for Hearing and Motion to Establish Hearing Schedule."

Applicants are very anxious to resolve this impasse so that the decision-making process which has been stalled since April can once again proceed. As explained in the attached pleading, the matter is now ripe for hearing, and we suggest that a prehearing conference would be useful to facilitate the Licensing Board's ruling. The Licensing Board would then be able to obtain any necessary clarification of the parties' positions and issue an oral ruling from the bench with a written confirming order to follow thereafter. Replies to Applicants' pleading are due by August 24 and we suggest August 29 or 30 as an appropriate date for the prehearing conference.

Accordingly, we respectfully request that the Licensing Board hear oral argument at a prehearing conference

to be held in Tulsa on either August 29 or 30 and that it issue an oral ruling from the bench with a written confirming order to follow.

Sincerely,


Joseph Gallo

JG:ds

ccs: BFS Service List

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