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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

Ivan W. Smith, Chairman
Dr. Walter H. Jordan
Dr. Linda W. Little

In the Matter of:)
)
Metropolitan Edison Company)
)
(Three Mile Island Nuclear)
Station, Unit No. 1))

Docket No. 50-289

STATEMENT OF THE PENNSYLVANIA
PUBLIC UTILITY COMMISSION

The PENNSYLVANIA PUBLIC UTILITY COMMISSION ("Public Utility Commission") hereby states, pursuant to the order of the Atomic Safety and Licensing Board ("Board") dated September 21, 1979 setting the special prehearing conference, the subject matters on which it desires to participate, and alerts the Board and the parties to matters which should be developed on the record, as follows:

The Order and Notice of Hearing of the Nuclear Regulatory Commission ("NRC") dated August 9, 1979 and the unique circumstances of this proceeding require that the Board go beyond the technical and engineering requirements

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of safe operation of TMI-1 to develop a record on and fully consider the operational, managerial and financial ability of the licensee to meet the requirements to be set by the NRC. The existing obligations of Metropolitan Edison Company as licensee of TMI-1, and of TMI-2, are definite, relevant limitations of the resources of the licensee. In addition, Metropolitan Edison Company is a public utility subject to the jurisdiction of the Public Utility Commission and is required to provide safe, adequate, and reliable electric public utility service at just and reasonable rates. The licensee's concurrent Pennsylvania statutory obligation to provide safe, adequate and reliable public utility service at just and reasonable rates is a definite, relevant limitation on the resources of the licensee available to fulfill the requirements to be set by the NRC.

The Public Utility Commission desires to participate in these proceedings to develop an adequate record on and urge full consideration of the operational, managerial, and financial limitations of the licensee in meeting the requirements to be set by the NRC, and in particular the obligations imposed by State law on the licensee as a public utility. The Public Utility Commission's participation will be directed toward the following subject matters:

- A. With respect to actions required to maintain TMI-1 in a safe and stable shutdown condition:
 - (1) the costs associated with those actions,
 - (2) the timing of such costs,

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- (3) the effect of those actions on the licensee's operation and maintenance of its generation, transmission and distribution facilities,
- (4) the sources of funds required to finance those actions, and
- (5) the amounts and timing of rate relief requests necessary in order to finance those actions.

B. With respect to actions required to permanently shutdown TMI-1:

- (1) the costs associated with those actions,
- (2) the timing of such costs,
- (3) the effect of those actions on the licensee's operation and maintenance of its generation, transmission and distribution facilities,
- (4) the sources of funds required to finance those actions, and
- (5) the amounts and timing of rate relief requests necessary in order to finance those actions.

C. With respect to actions required to convert TMI-1 to a non-nuclear generating facility:

- (1) the costs associated with those actions,
- (2) the timing of such costs,

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- (3) the effect of those actions on the licensee's operation and maintenance of its generation, transmission and distribution facilities,
- (4) the sources of funds required to finance those actions, and
- (5) the amounts and timing of rate relief requests necessary in order to finance those actions.

D. With respect to actions required to start up TMI-1:

- (1) the costs associated with those actions,
- (2) the timing of such costs,
- (3) the effect of those actions on the licensee's operation and maintenance of its generation, transmission and distribution facilities,
- (4) the sources of funds required to finance those actions, and
- (5) the amounts and timing or rate relief requests necessary in order to finance those actions.

E. With respect to actions required to operate TMI-1 after start up:

- (1) the costs associated with those actions,
- (2) the timing of such costs,

- (3) the effect of those actions on the licensee's operation and maintenance of its generation, transmission and distribution facilities,
- (4) the sources of funds required to finance those actions, and
- (5) the amounts and timing of rate relief requests necessary in order to finance those actions.

Because of its status as a quasi-judicial administrative body, the Public Utility Commission may be required to hear and decide contested issues with respect to the public utility service, facilities and rates of Metropolitan Edison Company. In the interests of affording all potential litigants before it adequate opportunity to present arguments and defenses, and to preserve the due process of law, the Public Utility Commission cannot decide issues not presently before it. For that reason, the Public Utility Commission reserves the right to decline to argue or take a position on specific issues raised in this proceeding to the extent that such actions may be

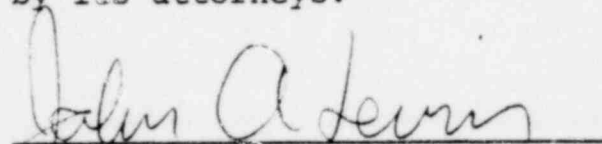
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inconsistent with its responsibilities to hear and decide matters within its jurisdiction.

Respectfully submitted,

Pennsylvania Public Utility Commission

by its attorneys:



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DATE: *October 22nd, 1979*

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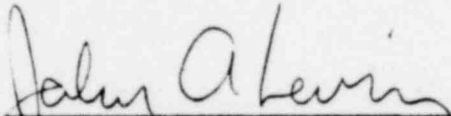
UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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

CERTIFICATE OF SERVICE

I hereby certify that I have caused to be forwarded the attached "Statement of the Pennsylvania Public Utility Commission" upon those persons as shown by the following Service List by deposit in the United States mail, postage prepaid, this 22nd day of October, 1979.



John A. Levin
Assistant Counsel
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