



Northern Indiana Public Service Company

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E. M. SHORB

SENIOR VICE PRESIDENT-OPERATIONS

February 7, 1979

Mr. Harold R. Denton, Director
Office of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Re: Northern Indiana Public Service Company
Bailly Generating Station, Nuclear 1
Docket No. 50-367
Construction Permit No. CPPR-104

Dear Mr. Denton:

Northern Indiana Public Service Company (NIPSCO) hereby requests issuance of an amendment to the referenced construction permit pursuant to Section 185 of the Atomic Energy Act of 1954, as amended, and 10 CFR § 50.55(b) of the NRC regulations. For the reasons listed below, we request that the latest construction completion date for Bailly Generating Station, Nuclear 1 (BGSN-1) be extended from September 1, 1979 to September 1, 1985.

Completion of construction of BGSN-1 has been delayed beyond the latest completion date due to the following factors:

1. The latest completion date presently incorporated in the construction permit (September 1, 1979) was identified by NIPSCO in 1973 and was based on the assumption that the construction permit would be issued on January 1, 1974. The construction permit was actually issued on May 1, 1974, four months later than anticipated resulting in a concomitant four-month delay in commencement of construction.
2. Since issuance of the permit on May 1, 1974, because of a variety of delays beyond NIPSCO's control, NIPSCO has been able to achieve only the equivalent of approximately 14 months of construction. Although construction contractors were mobilized upon issuance of the permit and preliminary

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site excavation was accomplished, construction was suspended as required by a stay issued by the U.S. Court of Appeals for the Seventh Circuit on October 16, 1974. Thereafter, judicial proceedings continued and construction was not resumed until after the Supreme Court finally denied petitions for certiorari on November 8, 1976. At that time, two months were required for remobilization of contractors. In addition, when construction resumed, approximately two months were required for installation of a slurry wall which was not included in the original construction schedule. Finally, construction has been effectively stopped since September 28, 1977, pending completion of the NRC Staff's review during the course of construction, as contemplated by the Safety Evaluation Report, of the method to be used for installation of foundation piles for the facility. Assuming that pile placement is resumed not later than March 1, 1979, there will have been an aggregate delay in construction of approximately 44 months since May 1, 1974.

3. The September 1, 1979 latest completion date contemplated a construction period not in excess of 68 months even including an allowance for unforeseeable delays. At the present time, however, experience shows that lengthier construction periods are required because of the additional engineering effort necessary to complete final design and corresponding construction work in light of, among other things, more numerous and more detailed regulatory guides. Thus, the projected construction period set forth in Attachment 1 shows that approximately 66 months will be required to complete construction of BGSN-1. Together with about 14 months of construction completed to date, this reflects an overall construction period of approximately 80 months. Accordingly, the currently projected reasonable construction period for BGSN-1 requires approximately 12 months more than the originally estimated maximum construction period.

Assuming pile placement is resumed no later than March 1, 1979, construction should be completed approximately 66 months thereafter. However, experience dictates that a reasonable period of time for uncertainties should be included in nuclear plant construction schedules, which is the basis for the requested extension of Construction Permit CPPR-104 until September 1, 1985.

The foregoing constitute good cause for the requested extension of the latest date for completion of BGSN-1.

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Since the requested amendment to extend the latest completion date in the construction permit involves no significant hazards considerations, we respectfully request that the Commission dispense with notice and publication requirements as authorized under Section 189(a) of the Atomic Energy Act of 1954, as amended.

Since the amendment has no safety or environmental significance, it falls within Class II under 10 CFR § 170.22. The appropriate fee is therefore \$1,200.00 and our check in that amount is enclosed.

Your prompt and favorable action on this request will be appreciated.

Yours very truly,

NORTHERN INDIANA PUBLIC SERVICE COMPANY

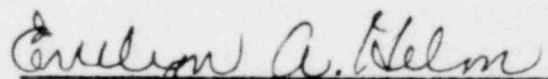
By:


E. M. Sholtz

Senior Vice President, Operations

STATE OF INDIANA)
) SS:
COUNTY OF LAKE)

Subscribed and sworn to before me this 7th day of February, 1979.


Evelyn A. Helm, Notary Public

My Commission expires:
February 6, 1983