



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

February 25, 1980

Elizabeth S. Bowers, Esq., Chairman
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Richard Cole, Esq., Member
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Dr. Forrest J. Remick, Member
Atomic Safety and Licensing Board
305 E. Hamilton Avenue
State College, PA 16801

In the Matter of
Texas Utilities Generating Company, et al.
(Comanche Peak Steam Electric Station, Units 1 and 2)
Docket Nos. 50-445 and 50-446

Dear Members of the Board:

On January 25, 1980, the NRC Staff filed a "Status Report on Proposed Stipulations and Request to Schedule Prehearing Conference." This report responded to the request of the Atomic Safety and Licensing Board (the Licensing Board) for an appraisal of the status of negotiations among the parties to this proceeding concerning the contentions of the respective Intervenor. The report reflected the Staff's belief, on that date, that the stipulations on contentions which had been executed by the Applicants and the Staff would shortly be executed by the Intervenor. Accordingly, the Staff 1) suggested that the Licensing Board schedule a prehearing conference on March 20, 1980, to hear oral argument on contentions and 2) proposed that the parties file statements of position on contentions on February 29, 1980.

Since the filing of the Staff's status report, the stipulations have not been executed by the Intervenor. The staff continues to be hopeful that it will be possible to reach a stipulation on contentions. However, since the parties have not yet reached such a stipulation, the Staff believes that it would be premature to file statements of position on contentions on February 29, 1980, especially since the Licensing Board is not considering having a prehearing conference until April 30, 1980. The Staff therefore does not intend to file a statement of position on contentions on February 29, 1980. In the event that the parties reach a stipulation on contentions, it is the Staff's intention that the stipulation provide that the parties will file statements of position on contentions no later than twenty (20) days prior to the holding

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of the prehearing conference. If it is not possible to reach a stipulation, the Staff will file a statement of position on the contentions originally proposed or as amended by the Intervenors no later than twenty (20) days prior to the prehearing conference.

Sincerely,

Marjorie Ulman Rothschild

Marjorie Ulman Rothschild
Counsel for NRC Staff

cc: Service List