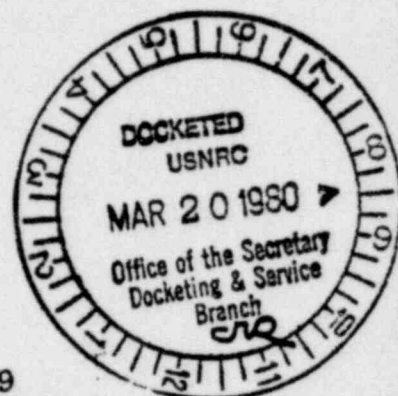


UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD

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



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

MEMORANDUM AND ORDER ON
CEA OMNIBUS MOTION
(March 11, 1980)

By motion dated February 13, 1980, CEA has made one general and six numbered specific requests.

Requests (1) and (4) (related to discovery schedule and procedure for discovery against the staff) have been noted "resolved" by CEA and need not be addressed here. They were in fact resolved at the February 13, 1980 prehearing conference as further reflected in the board's Memorandum on Revised Discovery Schedule (February 20, 1980), and in the Fourth Special Prehearing Conference Order (February 29, 1980), at p. 21. "Fourth Order". In addition, request (2) (that we admit CEA Contentions 2(b), 2(c), 2(d), and 3) has since been disposed of in the Fourth Order, at pp. 14-17, and need not be addressed further.

CEA makes a general request that we certify to the Commission any interpretation by the board of the Commission's

8004080022

August 9, 1979 Order which "will tend to inhibit the development of a full and adequate record" There is nothing before the board to rule upon in such a request. We will be sensitive to specific situations as they arise. However, in making specific rulings, we have previously expressed our strong disinclination to certify matters to the Commission in this proceeding, absent extraordinary circumstances. Such circumstances would include strong doubt as to what the Commission intended and the potential, if we are wrong, for great prejudice to a party which could not be corrected by the Commission's review of the decision by the board subsequent to the evidentiary hearing.

Request (3) by CEA once again asks the board to reconsider, or certify to the Commission, the matter of intervenor funding. We deny the request. We have ruled several times on this question, as set forth in the staff's February 28, 1980 response, at p. 3. There is nothing new upon which to base a ruling different than our prior ones -- that the Commission knowingly has declined to authorize intervenor funding (except for the still pending question of funding of intervenors with psychological stress contentions), and that we have neither authority nor money to grant such funding on our own.^{1/}

^{1/} After the licensee and staff had responded to CEA's Omnibus Motion and as the Board was preparing to issue this order, (footnote continued)

Request (5) by CEA is of interest to the board. CEA correctly points out that the mass of filings in this proceeding makes it difficult to organize and keep track of them. We are unsure how CEA's labeling system would solve the worst aspects of the problem, involving organization, indexing and retrievability of documents. But the recommendation offers the advantage of making documents easier to identify by party and date at a uniform location on the first page. We will not direct the parties to adopt CEA's system exactly as it has been presented because we are concerned that it may not be readily mastered by everyone. However CEA's recommendation does call to our attention that the name of the filing party and the date should appear on the first page of filed document. This has been our practice on board orders. We also believe that it would be helpful if the initials or

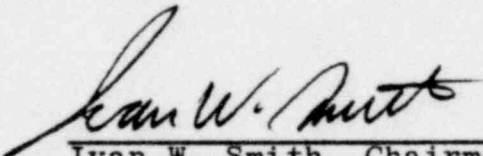
1/ continued

CEA on March 6, 1980, filed its CEA Supplement To Its Omnibus Motion to the Board. In the supplement CEA repeats and expands upon its request for general intervenor funding and submits a budget request, but adds nothing to persuade the board to change its prior rulings on the subject. CEA's persistence in arguing repeatedly its case for intervenor funding with no new material support is disruptive. The licensee and the staff have already fallen behind schedule in preparing papers on important safety issues and can scant afford the time to respond again and again to CEA's filings on intervenor funding. Therefore if CEA again files motions and requests on this subject the parties are excused from responding unless the board specifically invites responses.

shortened name of the filing party and the date of the document in numerals be placed in the upper right corner. Although an abbreviation of the title of the document might be useful to some parties, referring to documents in the manner employed by CEA could be confusing. We do not favor references to documents solely by the very short identifications used by CEA.

In sum, in future filings parties shall indicate the name of the filing party and the date of the document on the first page. Parties are invited to place their initials or shortened name and the date in numerals in the upper right corner.

THE ATOMIC SAFETY AND
LICENSING BOARD



Ivan W. Smith, Chairman

Bethesda, Maryland
March 11, 1980.