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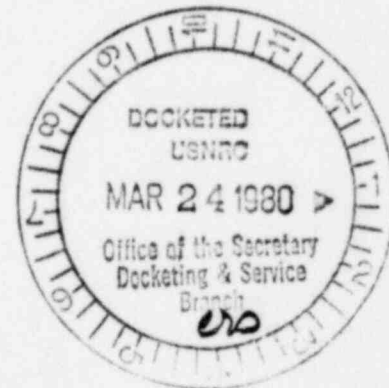
March 21, 1980

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Ivan W. Smith, Chairman
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Dr. Walter H. Jordan
881 West Outer Drive
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5000 Hermitage Drive
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Re: In the Matter of Metropolitan Edison Company,
Three Mile Island Nuclear Station, Unit No. 1,
Docket No. 59-289 (Restart).

Dear Chairman Smith and Members of the Board:

Since the outset of the restart hearings, Three Mile Island Alert, Inc., has been an active participant. No other intervenor has so actively questioned the management and financial competency of the Licensee to operate TMI-1. In order to fully develop these two areas, TMIA has utilized depositions and interrogatories. While depositions are more costly, they are infinitely superior to interrogatories in obtaining important and revealing information.

To this date, TMIA has taken twenty depositions at a cost of almost \$2,000, not including attorney's time. It had planned to complete an additional twenty-eight by the end of the discovery period, and continue using some depositions for follow-up discovery. That is now impossible, since TMIA has, for all practical

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Ivan W. Smith, Chairman
Dr. Walter H. Jordan
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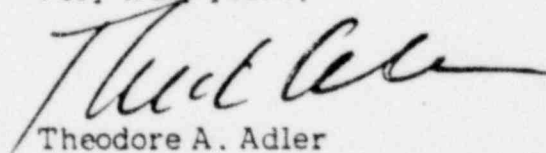
purposes, depleted all its financial resources. Because of this, the Board will be deprived of information which we believe is essential if the Board is to adequately deal with the Commission's concerns as expressed in its March 7, 1980 Order.

TMIA, Inc., will continue to remain in these proceedings. However, it is crippled by its lack of resources. We submit that TMIA's inability to fully explore the management and financial competency issues will likewise cripple this Board's ability to develop a full and complete record. In order to avoid this eventuality, we urge the Board to use whatever powers it has to insist that those parties that do have unlimited funding, more specifically, the NRC staff, do more than they have in developing these issues.

Unless and until the Commission approves some type of intervenor funding, TMIA has no option but to make a substantially smaller contribution to these proceedings. It is unfortunate that this Board will be deprived of important input on the management and financial competency of the Licensee, and will, thus, be forced to build a record based upon the self-serving testimony of Licensee and the cross-examination thereof.

When we filed our most recent motion to extend the time for completing depositions, TMIA was hopeful of receiving sufficient funds to complete them. These hopes proved to be false. The indulgence the Board exhibited in granting this motion was, nevertheless, greatly appreciated. If, however, TMIA's financial situation improves, we will again resume active follow-up discovery in accordance with this Board's Order dealing with such discovery.

Very truly yours,



Theodore A. Adler

TAA/ack

cc: Service List

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))



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