



UNITED STATES NUCLEAR REGULATORY COMMISSION

In the Matter of)
MAINE YANKEE ATOMIC POWER COMPANY) Docket No. 50-309
(Maine Yankee Atomic Power Station),) (To Increase and Modify
Applicant.)) Spent Fuel Pool Capacity
and Systems; Compaction)

INTERVENOR'S OPPOSITION TO APPLICANT'S MOTION
TO POSTPONE SPECIAL PREHEARING CONFERENCE

Pursuant to 10 CFR §2.730(c), Intervenor Sensible Maine Power opposes the motion of Applicant Maine Yankee to postpone the Special Prehearing Conference herein. Said Conference is now proper and timely under 10 CFR §2.751a, and Intervenor respectfully requests that the same be scheduled at the earliest mutual convenience of this Board, Intervenor, Applicant, and such other parties or interests as may be represented herein.

As grounds for such opposition Intervenor states as follows:

1. The statutory language and purpose of Part 2 of the Commission's Rules and Regulations clearly favor, if not in fact require, the expeditious scheduling of the Special Prehearing Conference in this matter.
2. Said statutory goals and purposes can be overborne or excepted only if the moving party satisfies both the quantum and specificity of reasons required in the governing law, including 10 CFR §2.730(b) and 2.711.
3. Applicant's efforts to delay said Conference should also be dimly viewed where a motivating factor appears to be Applicant's goal of avoiding adverse publicity relative to a State of Maine referendum

scheduled for September 23, 1980.

4. Applicant should also be held estopped from this delayed effort at postponement where Applicant has thus far directed all its efforts to hurrying these proceedings forward.

5. Applicant also fails of any showing of prejudice to or against its interests given the proper and timely scheduling of the Special Prehearing Conference herein.

6. More particularly, Applicant is not only not prejudiced by the proper and timely scheduling of said Conference, but all parties hereto, including Applicant, are significantly and demonstrably benefited by the same.

7. Last, several due process considerations of a constitutional dimension also clearly favor the timely, proper and expeditious scheduling of the Special Prehearing Conference in conformity with the accompanying draft Order.

For these reasons, and for the reasons in law and fact as set forth in the accompanying Memorandum, Intervenor respectfully requests that Applicant's motion for postponement be denied, and that the Special Prehearing Conference herein be scheduled at the earliest mutual convenience of all participants.



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Certificate of Service follows Memorandum.