



Portland General Electric Company

Donald J. Boehl Assistant Vice President

DOCKET NUMBER

June 11, 1980

PETITION RULE

PRM-2-10<sup>(2)</sup>

(45 FR 26071)



Secretary of the Commission  
ATTN: Docketing and Service Branch  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Dear Sir:

We have reviewed the proposed amendments to 10 CFR Part 2 requested in a petition for rulemaking from the Citizens Advisory Board of the Omaha, Nebraska-Council Bluffs, Iowa Metropolitan Area Planning Agency (Federal Register, Vol. 45, No. 76, April 17, 1980, Page 26071-72). In our view, this petition should be denied outright for the following reasons:

1. One of the fundamental purposes of having a governmental/regulatory agency such as the NRC is to provide unbiased, qualified review of licensing issues so as to represent the entire public in a timely manner and not prejudice the rights of the beneficiaries of a power generation facility. This petition ignores this role of a governmental/regulatory agency.
2. Requiring an informal public hearing in every instance of issuance, amendment or modification of a Facility Operating License would be a deterrent and/or detriment to public health and safety. The hearing process as requested would be overly burdensome, inefficient and nonconducive to expeditious improvements in facility operation.
3. Permitting "interested persons" to request a formal hearing and participate in a limited manner in all aspects of a proceeding is akin to permitting any person to participate in any proceeding at any time and is completely subversive to an orderly licensing process. Existing rules governing formal intervention are necessary and sufficient to ensure that persons with bona fide interests are given full opportunity to participate as a party in a proceeding. The public welfare is better served by this approach than by a scheme to enhance the arbitrary role of "interested persons".

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Portland General Electric Company

Secretary  
June 11, 1980  
Page two

4. Permitting "Interested persons" to be fully informed of and have access to all aspects of licensing proceedings would be an unwieldy process providing little, if any, meaningful benefit. Interested persons are adequately informed in accordance with the existing noticing requirements of 10 CFR 2.
5. The cost-benefit aspects of this petition compel denial. The financial burdens placed upon the licensee would lead to unnecessary rate increases placing an unwarranted financial burden on rate payers.

Your serious consideration of these comments is appreciated.

Sincerely,

A handwritten signature in cursive script, appearing to read "Donald J. Brash".