

MIDDLE SOUTH SERVICES, INC./BOX 61000/NEW ORLEANS, LA. 70161/(504) 529-5262

JOEL D. PATTERSON
MANAGER, ENVIRONMENTAL AFFAIRS

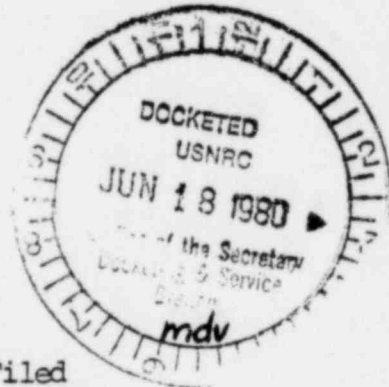
June 12, 1980

DOCKET NUMBER

PETITION RULE

PRM-2-10⁽⁴⁾
(45 FR 26071)

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



Re: Petition for Rulemaking Filed
by the Citizens Advisory Board
of the Omaha, Nebraska-Council
Bluffs, Iowa Metropolitan Area
Planning Agency
Docket No. PRM-2-10

Dear Sir:

Middle South Services, Inc., on behalf of the Middle South Utilities System, has reviewed the petition for rulemaking filed by the Citizens Advisory Board of the Omaha, Nebraska-Council Bluffs, Iowa Metropolitan Area Planning Agency.

The Middle South Utilities System serves approximately 1,500,000 electric customers in portions of Arkansas, Louisiana, Mississippi, and Missouri. The following companies are included in the System:

- Arkansas Power and Light Company
- Arkansas-Missouri Power Company
- Louisiana Power and Light Company
- Mississippi Power and Light Company
- New Orleans Public Service, Inc.
- System Fuels, Inc.
- Middle South Energy, Inc.
- Middle South Services, Inc.

The System companies wish to express their disagreement with the changes proposed by the petition. Although the "supporting statement" required by 10 CFR 2.802(c)(3) was not available, the petition itself only implies the current rules to be deficient. The petition does not show the need for a change

SERVING: MIDDLE SOUTH UTILITIES, INC. • ARKANSAS POWER & LIGHT COMPANY • ARKANSAS-MISSOURI POWER COMPANY

• LOUISIANA POWER & LIGHT COMPANY • MISSISSIPPI POWER & LIGHT COMPANY • NEW ORLEANS PUBLIC SERVICE, INC.

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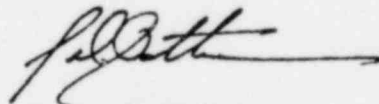
in the present regulations nor analyze the benefits of the proposed change. For example, Middle South perceives that the budgetary and personnel impact on NRC would not be insignificant.

The petition's stated goal of increasing public participation in the governmental decision-making process appears laudable. However, the real issue raised by the petition is not increasing public participation but rather the obstruction and delay of the NRC licensing function. Once the viewpoint of the general public has been determined by current methods, "five interested persons" could further delay an already expensive and lengthy licensing process.

NRC is the representative of the general public in a licensing procedure. Given the extensive opportunities already provided for public involvement in the decisions of a "public" agency, we see no justification for a favorable decision on the petition for rulemaking submitted by the Citizens Advisory Board of the Omaha, Nebraska-Council Bluffs, Iowa Metropolitan Area Planning Agency.

In conclusion, we believe that any true benefits that might be suggested by the proposed rule changes already exist. Middle South does not believe the proposed rule changes will enhance the quality of public participation or the regulatory and licensing process. We appreciate the opportunity to submit these comments and hope that they will be helpful in NRC's response to the petition.

Sincerely,



J. D. Patterson
Manager
Environmental Affairs

JDP:lmt