



UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)
CONSUMERS POWER COMPANY)
)
(Midland Plant, Units 1 and 2))
_____)

Docket Nos. 50-329-0L
50-330-0L

CONSUMER POWER COMPANY'S OBJECTIONS
TO MARY SINCLAIR INTERVENORS' INTERROGATORIES
DATED APRIL 2, 1980

Consumers Power Company ("Applicant") objects to Mary Sinclair Intervenors' "Interrogatories Directed to Consumers Power Company" dated April 2, 1980. Pursuant to 10 CFR §2.740b(b) Applicant states the reasons for its objections:

INTERROGATORY NO. 1:

This interrogatory

(1) does not relate, as it must pursuant to 10 CFR §2.740(b)(1), to any matter in controversy which was identified by the Atomic Safety and Licensing Board in the Special Prehearing Conference Order dated February 23, 1979. There are no contentions admitted into controversy regarding construction cost estimates or construction schedules.

(2) is overbroad and unduly burdensome in that it requests the identity of each document and communication

which "relates", as defined in the "definitions and instructions" Appendix A to the Interrogatories, to the subject matter of the interrogatory.

INTERROGATORY NO. 2:

This interrogatory does not relate, as it must pursuant to 10 CFR §2.740(b)(1), to any matter in controversy which was identified by the Atomic Safety and Licensing Board in the Special Prehearing Conference Order dated February 23, 1979. There are no contentions admitted into controversy regarding construction cost estimates or construction schedules.

INTERROGATORY NO. 3:

This interrogatory

- (1) is vague and incomprehensible;
- (2) does not relate, as it must pursuant to 10 CFR §2.740(b)(1), to any matter in controversy which was identified by the Atomic Safety and Licensing Board in the Special Prehearing Conference Order dated February 23, 1979. The only contention which purported to deal with unspecified "unresolved safety problems" was Number 52 which dealt with "generic unresolved problems". That contention was rejected by the Board and is not a matter in dispute.

Applicant specifically reserves its rights under 10 CFR §2.740 (c) to move at a later date for a protective order if it is determined that Applicant must answer the

interrogatories.

Respectfully submitted,

Alan S. Farnell
Alan S. Farnell
Attorney for Applicant

Dated: April 21, 1980

ISHAM, LINCOLN & BEALE
One First National Plaza
Suite 4200
Chicago, Illinois 60603
312/558-7500

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)

CONSUMERS POWER COMPANY)

(Midland Plant, Units 1 and 2))

) Docket Nos. 50-329-0L
) 50-330-0L

CERTIFICATE OF SERVICE

I, Alan S. Farnell, hereby certify that a copy of Consumer Power Company's Objections to Mary Sinclair Inter-venors' Interrogatories dated April 2, 1980 was served personal delivery on Myron M. Cherry, c/o Cherry, Flynn & Kanter, One IBM Plaza, Suite 4501, Chicago, Illinois 60611, and a copy was served upon all other persons shown in the attached Service List by deposit in the United States mail, first class, this 21st day of April, 1980.

Alan S. Farnell

Alan S. Farnell

OPERATING LICENSE SERVICE LIST

Frank J. Kelley, Esq.
Attorney General of the
State of Michigan
Stewart H. Freeman, Esq.
Assistant Attorney General
Gregory T. Taylor, Esq.
Assistant Attorney General
Environmental Protection Div.
720 Law Building
Lansing, Michigan 48913

Myron M. Cherry, Esq.
One IBM Plaza
Suite 4501
Chicago, Illinois 60611

Mr. Wendell H. Marshall
RFD 10
Midland, Michigan 48640

Ivan W. Smith, Esq.
Atomic Safety & Licensing Bd.
U.S. Nuclear Regulatory Com.
Washington, D.C. 20555

Mr. Lester Kornblith, Jr.
Atomic Safety & Licensing Bd.
U.S. Nuclear Regulatory Com.
Washington, D.C. 20555

Dr. Frederick P. Cowan
6152 N. Verde Trail
Apt. B-125
Boca Raton, Florida 33433

Carroll E. Mahaney
Babcock & Wilcox
P. O. Box 1260
Lynchburg, Virginia 24505

Grant Merritt, Esq.
Thompson, Nielsen, Klaverkamp & James
446 IDS Center
80 South Eighth Street
Minneapolis, Minnesota 55402

Atomic Safety & Licensing Appeal Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Mr. C. R. Stephens
Chief, Docketing & Service Section
Office of the Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Ms. Mary Sinclair
5711 Summerset Street
Midland, Michigan 48640

Colleen P. Woodhead, Esq.
Counsel for the NRC Staff
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Atomic Safety & Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555