

FROM  
**Beatrice K. Bleicher, Attorney for  
Living In a Finer Environment**

CONTROL NUMBER  
**3033**

FILE LOCATION

DATE OF DOCUMENT  
**1/18/71**

JN COMPLETION DEADLINE

TO  
**Harold Price**

ACTION PROCESSING DATES

PREPARE FOR SIGNATURE OF:

Acknowledged \_\_\_\_\_

\_\_\_\_\_  
Chairman

Interim Report \_\_\_\_\_

\_\_\_\_\_  
Director of Regulation

Final \_\_\_\_\_

DESCRIPTION **Ltr**  Original  Copy  Other

REMARKS

**Protests request for further exemption for the Davis-Besse  
Power Plant.**

REFERRED TO

DATE

IS NOTIFICATION TO THE JCAE

**Morris f/action**

**1/25/71**

RECOMMENDED? \_\_\_\_\_

Cys: **Shapar  
Yore, ASLB  
PDR (50-346)**

*Docket Files* →

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DIRECTOR OF REGULATION  
COMMUNICATIONS CONTROL

Form HQ-32 (6-70)  
USA EC

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January 18, 1971

Mr. Harold Price  
Director of Regulations  
Atomic Energy Commission  
Washington, D.C. 20545

Dear Mr. Price:

As intervenors, we are outraged at the request to the Atomic Energy Commission for exemption to construct additional portions of the Davis-Besse Nuclear Power Plant. It is not in the public interest to do so until the resolution of the intervenors issues in the construction permit hearings. Our contentions relate directly to structures proposed to be built under exemption. The construction done under the first exemption has already prejudiced people's rights. Further construction under exemption would only enhance this prejudice. This exemption would render the hearing a mockery. To build structures that at the same time are under discussion in the hearings makes the procedure a sham. The large commitments of funds in construction already done by the applicant are certainly going to prejudice the Board's initial decision. A fair public hearing is impossible if such exemptions are made. If the construction permit is denied, then the public will bear the utilities loss in investment of these monies. If this exemption is extended, the hearings will be a mere charade, a mockery of the public interest.

Sincerely,

COBURN, SMITH, ROHRBACHER  
& GIBSON

*Beatrice K. Bleicher*

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BKB:VE:sh

DR-3033

Rec'd Dir. Dir. of Reg.  
Date 1/20/71  
2120

H Smith

UNITED STATES OF AMERICA  
ATOMIC ENERGY COMMISSION

In the Matter of )  
 )  
TOLEDO EDISON COMPANY, ET AL. )  
(Davis-Besse Nuclear Power Station )  
(inc 1) )

Docket No. 50-346

1-18-71.

CERTIFICATE OF SERVICE

I hereby certify that copies of a letter dated January 18, 1971 from Beatrice K. Bleicher, Esq. regarding request for exemption by applicant in the captioned matter have been served on the following by deposit in the United States mail, first class or air mail, this 20th day of January 1971:

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Office of the Secretary of the Commission

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Mr. Yore  
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