

affirmance on the merits and a Commission review of a decision on relief, the Commission would have to take the time to refresh itself on the facts in order to conduct such a review.

For the foregoing reasons the Department urges the Commission to defer its review of the Appeal Board decision in the above captioned matter until such time as a decision on relief has been issued.


Respectfully submitted,

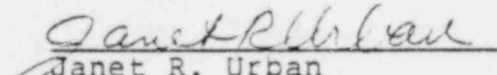
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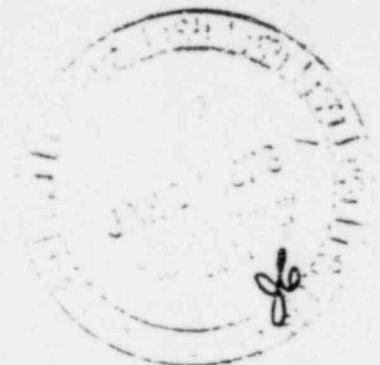
January 27, 1978


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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION



In the Matter of)
)
CONSUMERS POWER COMPANY) Docket Nos. 50-329A
Midland Plant, Units 1 and 2) 50-330A

NOTICE OF APPEARANCE BY THE DEPARTMENT OF JUSTICE

Notice is hereby given that the undersigned attorney herewith enters an appearance on behalf of the Department of Justice in the captioned matter. In accordance with §2.713 of the Commission's Rules of Practice, the following information is provided:

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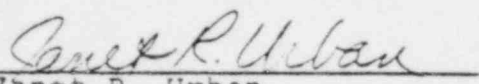
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Notice is hereby given that the undersigned attorney herewith enters an appearance on behalf of the Department of Justice in the captioned matter. In accordance with §2.713 of the Commission's Rules of Practice, the following information is provided:

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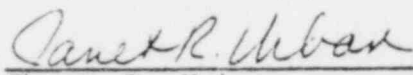
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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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CERTIFICATE OF SERVICE

I hereby certify that copies of RESPONSE OF THE DEPARTMENT OF JUSTICE TO THE JANUARY 13, 1978 ORDER OF THE NUCLEAR REGULATORY COMMISSION and NOTICES OF APPEARANCE BY THE DEPARTMENT OF JUSTICE have been served upon all of the parties listed on the attachment hereto by deposit in the United States mail, first class or airmail, this 27th day of January 1978.



Janet R. Urban
Attorney, Department of Justice
Antitrust Division

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
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Midland Plant, Units 1 and 2) 50-330A

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