

CONSUMERS POWER COMPANY
Midland Plant, Units 1 and 2
DOCKET NOS. 50-329, 50-330
"Applicant's Findings of Fact and
Conclusions of Law in the Form of an
Initial Decision" of August 15, 1972.
(Listed in Index of Vol. 15 of FF)

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Received in Office of the General Counsel

AUG 18 1972 at 3.00.



Consumers
Power
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General Offices: 212 West Michigan Avenue, Jackson, Michigan 49201 • Area Code 517 788-0550

August 15, 1972

DOCKET NOS. 50-329 AND 50-330

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Gentlemen:

Attached hereto is "Applicant's Proposed Findings of Fact and Conclusions of Law in the Form of an Initial Decision" dated August 15, 1972. These proposed findings do not include discussion of the transmittal of the Dow effluents list to Mr. Like nor of Dr. Holcomb's response to Dr. Gysel's testimony. The former is omitted because either Mr. Cherry did not file his affidavit pursuant to the Board's Order of May 30, 1972 by July 3, 1972 as required by the Board's Order of June 28, 1972 or served only the Board and not Applicant, Dow or the Staff. However, without knowing the circumstances of such filing or the circumstances of the transmittal, we did not believe we could do justice to this apparently intricate occurrence. Dr. Holcomb's response (although dated July 17, 1972) was not mailed to Applicant until August 8, 1972 or received until August 11, 1972. Because of the involved mechanics of typing and duplicating the proposed order, there was not sufficient time to evaluate this filing and revise the final draft to reflect such evaluation.

In addition to the proposed findings, we have enclosed copies of the orders of the Michigan State Boundary Commission and the Ingham County Circuit Court for which official notice is proposed in paragraph 40 of the proposed findings.

Respectfully yours,

/s/ John K. Restricker

John K. Restricker

JKR/db

UNITED STATES OF AMERICA

ATOMIC ENERGY COMMISSION

In the Matter of)
Consumers Power Company)
Application for Reactor)
Construction Permit and)
Operating License)

Docket No. 50-329

Docket No. 50-330

CERTIFICATE OF SERVICE

I hereby certify that copies of "Applicant's Proposed Findings of Fact and Conclusions of Law in the Form of an Initial Decision," dated August 15, 1972 and copies of certain orders of the Michigan State Boundary Commission and the Ingham County Circuit Court have been served on the following by deposit in the United States mail, first class, this 15th day of August, 1972:

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/s/ John K. Restrck

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Consumers Power Company