UNITED STATES OF AMERICA ATOMIC ENERGY COMMISSION

In the Matter of

CONSUMERS POWER COMPANY

(Midland Plant, Units 1 and 2)

Docket Nos. 50-329 50-330

Order denying petition to intervene

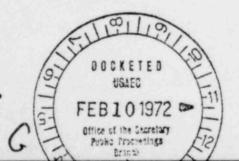
The petition to intervene of Steve J. Gadler is denied.

Mr. Gadler is a resident of the state of Minnesota, some hundreds
of miles from the site of the proposed reactors. He does not base
his petition on interests specific to him, but rather asserts
interests of the broadest kind common to all citizens, e.g., "the
high quality of life enjoyed by all citizens in the United States."

In view of generality of his contentions, there is considerable doubt
that he satisfies the minimal requirements of standing to intervene;
nevertheless, were this a new proceeding, without other intervenors,
we might be disposed to grant the petition. In point of fact, however,
this proceeding is over a year old and a number of opposing intervenors
have participated from its inception.

The opposing intervenors include a number of environmental groups, among them the Environmental Defense Fund, asserting essentially "public" interests, and a group of local citizens asserting private rights.

Together, they are contesting the issuance of the construction permit



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on both environmental as well as radiological grounds.* They are represented by three different sets of counsel with wide experience in such proceedings who have vigorously pressed their positions.

We are satisfied that they will adequately represent the public interest and that no purpose would be served by adding another "private attorney general" to this proceeding.

For the Atomic Safety and Licensing Board

Arthur W. Murphy, Chairman

New York, New York February / , 1972

^{*} Thus petitioner's assertion that he would represent otherwise unrepresented interests is without basis. The fact that no other new intervenors have responded to the Supplemental notice of hearing is, in the circumstances, of no significance.

- Regfiles

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Docket No. 50-329, 330

2-9-72,

CONSUMERS POWER COMPANY (Midland Plant, Units 1 and 2)

CERTIFICATE OF SERVICE

I hereby certify that copies of ORDER DENYING PETITION TO INTERVENE dated February 9, 1972 in the captioned matter have been served on the following by deposit in the United States mail, first class or air mail, this 10th day of February 1972:

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Office of the Secretary of the Comission

cc: Mr. Murphy
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ASLBP
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