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UNITED STATES  
ATOMIC ENERGY COMMISSION  
WASHINGTON, D.C. 20545

DOCKET NUMBER  
PROD. & UTIL. FAC. 50-329,330

December 28, 1970

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THIS DOCUMENT CONTAINS  
POOR QUALITY PAGES

In the Matter of Consumers Power Company  
Midland Plant, Units 1 and 2  
Docket Nos. 50-329 and 50-330

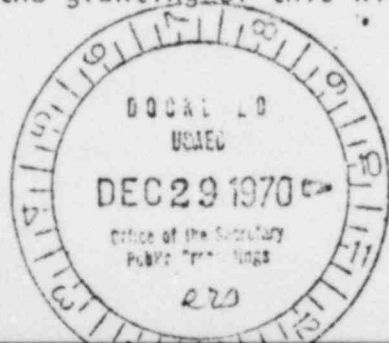
Gentlemen:

This is in reference to the letter dated December 15, 1970, of counsel for the Environmental Defense Fund (EDF), an intervenor in this proceeding, addressed to the Chairman of the atomic safety and licensing board (board), requesting a postponement of the filing date of an EDF brief on environmental issues.

Under the circumstances of this proceeding, we are not opposed to the board granting a postponement of that filing date until at least fifteen days after EDF files a brief in the Court of Appeals for the District of Columbia Circuit in the Calvert Cliffs matter or February 28, 1971, whichever is earlier. We would also agree that the brief to be filed by EDF include legal arguments dealing with the detailed statement on environmental considerations in the captioned proceeding, which is now being prepared by the AEC regulatory staff and which will be available soon. We are agreeing to this request on our understanding that the board intends to move forward on other factual and legal matters pertaining to this proceeding in the interim and that the granting of this will in no way delay any other schedules.

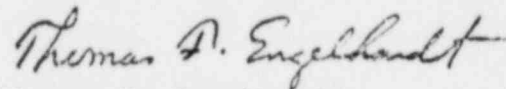
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Counsel for EDF has also requested that EDF be provided with a period of at least six weeks within which to study the AEC regulatory staff's detailed statement on environmental considerations and to file a legal brief. We are opposed to the granting of such an extended filing period unless there is reasonable assurance that this will not delay the pending proceeding. It would appear appropriate that the action on this request be deferred until the conference scheduled by the board for January 21, 1971, when it can be discussed with the parties to this proceeding.

Sincerely yours,



Thomas F. Engelhardt  
Trial Counsel

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