

UNITED STATES OF AMERICA
ATOMIC ENERGY COMMISSION

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

ATOMIC SAFETY AND LICENSING BOARD

In the matter of
CONSUMERS POWER COMPANY
(Midland Plant, Units 1 and 2)

)
) Docket Nos. 50-329
) 50-330



PRE-HEARING CONFERENCE ORDER

Pursuant to the pre-hearing conference held on November 17, 1970, it is hereby ordered:

1. The petitions for intervention by the following organizations are granted:

- Dow Chemical Company
- Midland Nuclear Power Committee
- Environmental Defense Fund, Inc.
- Saginaw Valley Nuclear Study Group
- Citizens Committee for the Environmental Protection of Michigan
- Sierra Club
- United Auto Workers of America
- Trout Unlimited
- West Michigan Environmental Action Council, Inc.
- University of Michigan Environmental Law Society

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POOR QUALITY PAGES

The Board wishes to make clear that the grant of the petitionsto intervene does not in any way expand the issues before it for decision.

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2. The hearing will convene on December 1, 1970 at the time and place specified in the Notice of Hearing dated October 27, 1970.

3. Subject to such modifications as the Board may make, the initial stages of the hearing shall proceed as follows:

- (a) The opening statement by applicant's counsel
- (b) The summary and oral statement by applicant
- (c) The opening statement by AEC staff counsel
- (d) Summary and oral statement by AEC staff
- (e) Offering in evidence of the application and other documents specified in § 2.743(g) of the Commission's Rules of Practice
- (f) Opening statements by intervenors' counsel.
(The statement of any counsel may be postponed to a later date if he so wishes.)
- (g) Statements by persons making limited appearances

4. After the completion of the limited appearances, the hearing will be adjourned and the Board will resume with counsel the discussion begun at the pre-hearing conference of such matters as the timing of the hearing, discovery, exchange of documents, narrowing of the issues, etc. In addition, the Board will indicate to the applicant and staff those areas on which it particularly would like to hear testimony.

5. Prior to December 1, counsel for the applicant will furnish to the Board and the other parties a list of the documents in its possession; applicant will have the documents in its possession at the hearing.

6. Applicant will be prepared to argue or submit a brief on its contention that the introduction of the documents specified in § 2.743(g) of the Rules of Practice establishes a prima facie case, and the implications for this proceeding of that contention.

7. The AEC staff will furnish to the Board and other parties a list of all, or the substantial portion thereof, documents in its possession, and will have those documents available at the hearing.

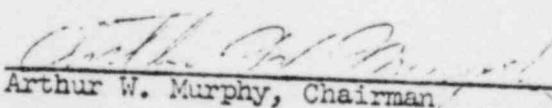
8. Counsel for intervenor, Dow Chemical Company, will indicate the evidence it intends to offer on the proposed findings and prepare a list of documents in its possession pertinent to that evidence.

9. On or before January 7, 1971, counsel for Saginaw Valley Nuclear Study Group, et al., shall serve his interrogatories on the applicant and staff.

10. On or before January 7, 1971, counsel for Environmental Defense Fund, Inc. shall serve its brief on the issues of the effect on this proceeding of the National Environmental Policy Act, and the Regulation of the AEC issued pursuant thereto.

For the Atomic Safety and Licensing Board

November 24, 1970


Arthur W. Murphy, Chairman

UNITED STATES OF AMERICA
ATOMIC ENERGY COMMISSION

In the Matter of)

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

Docket Nos. 50-329, 330 -

11-24-70

SUPPLEMENTAL CERTIFICATE OF SERVICE

I hereby certify that copies of the PRE-HEARING CONFERENCE ORDER dated November 24, 1970 (granting petitions) in the captioned matter have been served on the following by deposit in the United States mail, first class or air mail, this 30th day of November 1970:

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Patricia M. Verling
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cc: Mr. Murphy
Mr. Engelhardt
Mr. Yore
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