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June 16, 1977



Frederic J. Coufal, Esq., Chairman  
Atomic Safety & Licensing Board Panel  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

THIS DOCUMENT CONTAINS  
POOR

Re: Consumers Power Company  
Midland Plant

Dear Mr. Chairman:

Under date of June 1, 1977, Consumers Power Company submitted a Motion setting up their understanding of the schedule for the Findings of Fact and Conclusions of Law. Consumers indicated that their primary Findings were due June 13, 1977. While we believe that Consumers' Findings were due on June 10, 1977, the matter is essentially moot since Consumers filed their Findings on June 13, 1977, although Findings were mailed to us rather than 3-copy delivery which we had requested. Accordingly, under the rules, we have 14 days from June 13, or June 27 plus 3 days for mailing, or June 30, and we shall try to get in our Findings even before that.

In Consumers' Motion they set forth that their Rebuttal Findings were due July 14, 1977. In a letter dated June 2, 1977, I called to the Board's attention that Consumers' Findings, in accordance with 2.754(b)(3) were in fact due 5 days after service of our Findings. That would mean Consumers' Findings (since we shall serve our Findings by messenger) will be due no later than July 5, 1977, and not the July 14 date which Consumers sets forth in their Motion. I asked the Board to clarify this, but as yet this has not been done. See Tr. p. 6165 for the reference to 2.754.

I also enclose a Motion asking for an additional period of time within which to respond to Consumers' and the Staff's Motions with respect to evidence.

Respectfully,

Myron M. Cherry  
Attorney for All Intervenors  
except Dow Chemical Company

MMC:es  
enclosure  
cc: Dr. Emmeth J. Luebke  
Fr. J. Venn Leeds, Jr.  
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