

1450 Valencia Rd.
Schenectady, N.Y. 12309
August 25, 1977

Mr. Marons A. Rowden
Chairman - Nuclear Regulatory Commission
Washington, D.C. 20535

Dear Mr. Rowden:

A long retired engineer, a long time foe of the nuclear power plant, and a blunt and forceful expresser of opinions for many years, to the former AEC and FOAL and to the NRC and ERDA, I take the liberty of presenting to you now, an earnest plea that attorney Myron Cherry be permitted to continue to cross examine in the Dow Chemical-Consumers Power embroglio, about which I know not a g.

Nationally syndicated columnist Jack Anderson stated in his August 13 column that at a hearing the Commission had taken strong objection to certain of Mr. Cherry's comments to it. The implication was that Cherry might not be permitted to continue on the case, which appears to be what the litigants would welcome.

Cherry's skill in uncovering deception and unsavory facts is well documented. About five years ago he, by his aggressive tactics elicited from a high AEC official an admission that unfavorable safety reports had been "edited" by that official to make them more palatable to the public. It is a skill which the atomic industry does not appreciate.

Now the vilest, most murderous criminal is permitted to secure the finest counsel he can procure and the latter is given wide latitude in attempting to free his client who is often as guilty as sin. And in so doing, the lawyer is permitted to be aggressive with the court.

The Commission members hearing this case are not federal or Supreme Court judges clothed with all the mighty dignity of their office. The Commissioners are Part Riders, acting in the interest of all the people, including the many millions of our citizens who fear and loathe the fission reactor and all of the nuclear fuel cycle. It ill becomes them to cast themselves in the role of judges and to censure a litigant's counsel who testifies them or casts aspersions on their testimony and rulings. I have received the NRC News since its inception and I have found in the speeches of several, a pro-nuclear stance which is out of place entirely. Their charge is to represent me, a nuclear opponent as well as the nuclear industry. Perhaps Mr. Cherry, who I consider to be the most capable in his field (and, as Anderson's article reveals, the most hated by the industry) was justified in some of his so-called "attacks". I write, not in concert of or with the Commission, but in my own independent opinion; my aspersions are of my own. Mr. Cherry is a man who has been the victim of the alleged affronts of the Commission, and I continue my protests to Secretary Schlesinger and to the President. In my past letters, which affect us all, I want the Commission to be fair.

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Sincerely

J.L. Pocher