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May 10, 1971

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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. 50-239 and 50-330

Gentlemen:

We have reviewed Mr. Cherry's letter of May 5, 1971, and see no reason to modify applicant's position as set forth in its proposed Order filed May 4, 1971.

That the Saginaw intervenors are not prepared to proceed to hearing in accordance with the Board's Order dated March 3, 1971, cannot be attributed to any default on the part of any party other than the Saginaw intervenors.

With regard to the telephone conversations between Mr. Cherry and myself to determine whether an agreed schedule could be stipulated, (referred to at page 8 of Mr. Cherry's letter of May 5, 1971) it is evident that there is no reasonable possibility of arriving at such a stipulation and it will be necessary for the Board to rule. Applicant urges this be done on the basis of applicant's proposed form of Order of May 4, 1971.

Respectfully yours,

*Robert Lowenstein*

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hearing

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