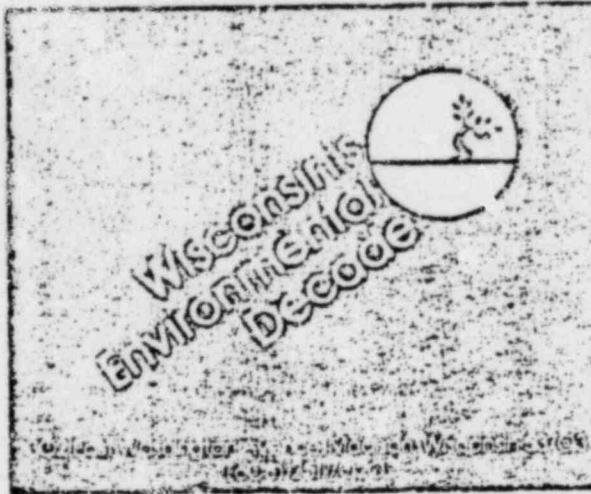


FILE

BOARD OF DIRECTORS



STAFF

Prof. John Neess, FACULTY STAFF  
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Dan Kroll, FACULTY STAFF  
Kathleen Falk, Esq., GENERAL COUNSEL

April 26, 1980

Mr. James Lieberman  
Counsel for NRC Staff  
U. S. Nuclear Regulatory Commission  
Washington D. C. 20555

Re: Point Beach Nuclear Plant  
Docket Nos. 50-266 and 50-301

Dear Mr. Lieberman:

We are in receipt of your letter of April 21, 1980, assuring us that the "Staff will continue to serve Decade with all papers filed by the Staff \* \* \*."

Your letter was received at the same time as the Staff failed to serve us with its Modification of November 30, 1979 Order, which we only received after calling to complain that we had not been served. We did not receive the Order, of course, until it was too late to request a hearing that must be done within 20 days of issuance of the order. This experience mirrors the occurrence involving the Staff's earlier Order Modifying Confirmatory Order of November 30, 1979, which was also not served on us until after we called to complain and after the time for requesting a hearing had expired.

Enclosed for your information is a copy of a motion we have filed seeking to extend the time to request a hearing necessitated by the Staff's persistent refusal to serve us.

Given this experience, we do not share your confidence that the service problem has been cured.

Sincerely,

*Kathleen M. Falk*  
Kathleen M. Falk  
General Counsel

cc: Harold Denton  
Mariane Moe  
Gerald Charnoff  
Ellyn Weiss

8008130652

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of )  
 )  
WISCONSIN ELECTRIC POWER COMPANY ) Docket No.(s) 50-266-CO  
 )  
(Point Beach Nuclear Plant, )  
Unit 1 )  
 )  
 )  
 )  
 )

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document(s) upon each person designated on the official service list compiled by the Office of the Secretary of the Commission in this proceeding in accordance with the requirements of Section 2.712 of 10 CFR Part 2 - Rules of Practice, of the Nuclear Regulatory Commission's Rules and Regulations.

Dated at Washington, D.C. this  
6<sup>th</sup> day of Aug 1980.

Leslie T. Downing  
Office of the Secretary of the Commission

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of )

WISCONSIN ELECTRIC POWER COMPANY )

(Point Beach Nuclear Plant, Unit 1) )

) Docket No.(s) 50-266-CO  
)  
)  
)  
)

SERVICE LIST

Herbert Grossman, Esq., Chairman  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

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ATTN: Mr. Sol Burstein  
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