



UNITED STATES
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING APPEAL PANEL
WASHINGTON, D.C. 20555

RELATED CORRESPONDENCE

September 12, 1980



C. Foster Knight, Esquire
Acting General Counsel
Council on Environmental
Quality
722 Jackson Place, N.W.
Washington, D. C. 20006

Re: In the Matter of
CONSUMERS POWER COMPANY
(Big Rock Point Nuclear Plant)
NRC Docket No. 50-155

Dear Mr. Knight:

Enclosed, for your information, is a memorandum and order entered today by an NRC Atomic Safety and Licensing Board in connection with the above-styled proceeding. Also enclosed is the order entered later in the day by the Atomic Safety and Licensing Appeal Board assigned to the proceeding. As you will note, among other things the Appeal Board order invites the Council on Environmental Quality to file a brief amicus curiae.

Because it believes that the views of the Council might prove of material assistance to it, the Appeal Board is hopeful that the Council will see fit to accept the invitation. In this connection, as its order states, the Board would like to have the Council's brief filed and served by either October 20 or November 24, depending upon the position which the Council proposes to take. (In other words, if the Council were to support the Licensing Board's rulings, the brief would be due on November 24; otherwise, it would be due on the earlier date.) For the reason that the Appeal Board is desirous of rendering its own decision as expeditiously as possible, it would greatly appreciate it if the Council made every endeavor to file its brief by whichever of those dates turns out to be applicable. Should, however, the Council find it impossible to meet the deadline, the Board will entertain a motion for an extension of time.

The NRC staff is represented in this proceeding by Ms. Janice E. Moore, Office of the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D. C. 20555.

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Mr. C. Foster Knight

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The Consumers Power Company is represented by Messrs. Philip P. Steptoe and Michael I. Miller, Isham, Lincoln & Beale, One First National Plaza, Suite 4200, Chicago, Illinois 60603.

Service of the Council's brief should also be made on the following additional participants in the proceeding:

Mr. John A. Leithauser
Leithauser and Leithauser, P.C.
Opal Plaza, Suite 212
18301 Eight Mile Road
East Detroit, Michigan 48021

Mr. John O'Neill, II
Route 2, Box 44
Maple City, Michigan 49664

Ms. Christa-Maria
Route 2, Box 108c
Charlevoix, Michigan 49720

Ms. JoAnne Bier
204 Clinton
Charlevoix, Michigan 49720

It may be that, following your examination of the Licensing Board's order, you may wish to obtain copies of briefs or other documents which were filed with that Board. If so, you should contact Ms. Moore. She can be reached at 492-7313.

When the Council has determined whether it will file a brief amicus curiae, would you please be so kind as to notify me by telephone. I can be reached at 492-7663.

By copy of this letter, the parties are being requested to insure that you are henceforth sent copies of all papers filed by them with the Appeal Board in connection with the referred rulings.

Sincerely yours,

C. Jean Bishop

C. Jean Bishop
Secretary to the
Appeal Board

Enclosures

cc: All parties