

UNITED STATES OF AMERICA

ATOMIC ENERGY COMMISSION

In the Matter of)
CONSUMERS POWER COMPANY)
Midland Plant, Units 1 and 2)

Docket Nos. 50-329

50-330

7-16-71

DOW RESPONSE TO SAGINAW INQUIRY

At the commencement of the Hearing on July 16, 1971, the Saginaw Intervenors stated that Dow had failed to answer an earlier question by Dr. Goodman with respect to the amount of money spent by Dow on construction of the proposed Midland Nuclear Plant.

Dow did not understand the question of Dr. Goodman to be directed to it. (Tr.2494-5), or it would have answered immediately, as it does now, that it has spent no money on such construction. Its contract with Applicant fixes its liability to Applicant with regard to moneys spent by Applicant should for some stated reason the project not proceed to completion.

Of course, Dow has spent funds in connection with its own participation as a prospective customer of Applicant including, for example, legal expenses, planning expenses and the like, some of which may be reimbursable. Dow would object to furnishing such information if it were requested.

Respectfully submitted,

Dated: Midland, Michigan
July 16, 1971

Kaye Scholer Fierman Hays & Handler
Kaye, Scholer, Fierman, Hays
& Handler
Hearing Counsel for The Dow
Chemical Company

Of Counsel,

Milton R. Wessel,
Joseph P. Bauer,
and
William A. Greening, Jr.,
James N. O'Connor.