

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING APPEAL BOARD

Alan S. Rosenthal, Chairman
Dr. John H. Buck
Thomas S. Moore



In the Matter of

NORTHERN INDIANA PUBLIC SERVICE COMPANY

(Bailly Generating Station, Nuclear 1)

Docket No. 50-367

(Construction Permit
Extension)

MEMORANDUM

September 29, 1980

The appeals of the City of Gary, Indiana, et al., and George Schultz from the denial of their respective intervention petitions are scheduled for oral argument on October 2, 1980, in Bethesda, Maryland.^{1/} By letter of September 25, 1980, Dr. Schultz advised us that he will not be able to attend the oral argument "because of prior obligations and commitments on the West Coast". He requested, however, that a conference call be arranged in connection with the oral argument, in which he would participate. He went on to indicate that, should that not prove possible, counsel for one of the other parties to the appeal (Robert J. Vollen) would read a brief statement on his behalf.

^{1/} See our unpublished September 17, 1980 order.

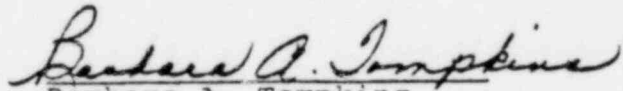
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The Secretary of this Board advised Dr. Schultz by telephone this afternoon that it would not be possible to grant the request for a conference call. Mr. Vollen will be permitted to read the statement prepared by Dr. Schultz, so long as that statement is "brief" (as represented in Dr. Schultz's letter).

FOR THE APPEAL BOARD


Barbara A. Tompkins
Secretary to the
Appeal Board