

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

11/18/80

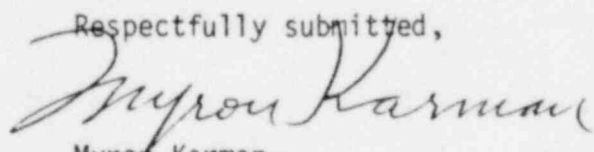
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of	)	
ILLINOIS POWER COMPANY, <u>et al.</u>	)	Docket Nos. 50-461
(Clinton Power Station, Units	)	50-462
1 and 2)	)	

NRC STAFF ANSWER TO THE PETITION OF THE STATE  
OF ILLINOIS TO INTERVENE PURSUANT TO 10 C.F.R. § 2.715(c)

On September 29, 1980, the Nuclear Regulatory Commission published in the Federal Register (45 Fed. Reg. 64307) notice of opportunity for a hearing on the application for operating licenses for the Clinton Power Station, Units 1 and 2. On October 29, 1980, the Attorney General of the State of Illinois filed a petition for leave to intervene pursuant to 10 C.F.R. § 2.715(c).

in the event that a hearing is held to consider the application for operating licenses for the Clinton Power Station, Units 1 and 2, the Nuclear Regulatory Commission Staff would support the petition of the Attorney General and would welcome its participation in the matter.<sup>\*/</sup>

Respectfully submitted,  
  
Myron Karman  
Counsel for NRC Staff

Dated at Bethesda, Maryland  
this 18th day of November, 1980

<sup>\*/</sup> The Staff notes, however, that in an operating license proceeding, unlike a construction permit proceeding, a hearing is not mandatory and will not be convened in the absence of a finding by the Board of a bona fide intervenor, an individual or entity who has filed a petition for leave to intervene pursuant to 10 C.F.R. § 1.714 and satisfied the requirements of that section including the requirement of advancing at least one good contention. See Houston Lighting and Power Company (South Texas Project, Units 1 and 2), ALAB-549, 9 NRC 644, 649; Gulf States Utilities Company (River Bend Station, Units 1 and 2), ALAB-183, 7 AEC 222, 226 n. 10.