

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD



In the Matter of )  
DUKE POWER COMPANY ) Docket Nos. 50-369  
(William B. McGuire Nuclear ) 50-370  
Station, Units 1 and 2) )

APPLICANT'S RESPONSE TO LETTER OF MIKE FENNELLS

On September 26, 1980, Mr. Mike Fennell filed with the NRC a letter regarding the captioned proceeding.<sup>1/</sup> Mr. Fennell's letter apparently requests that he be authorized to make a public statement at the reopened public hearing regarding the issuance of an operating license to the William B. McGuire Nuclear Facility. To such a request, Applicant does not object.

To the extent that Mr. Fennell's letter is viewed as a late petition to intervene in this proceeding, Applicant

---

<sup>1/</sup> Service of Mr. Mike Fennell's letter on Applicant was by mail from the NRC on November 18, 1980. Thus, Applicant calculates that its response is due by December 2, 1980. 10 CFR §2.710 and §2.714.

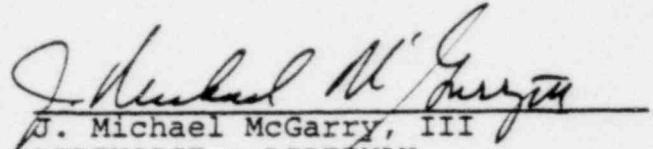
G

8012230 014

DS03  
S  
//

submits that the petition is totally deficient and warrants  
summary denial. 10 CFR §2.714.

Respectfully submitted,



J. Michael McGarry, III  
DEBEVOISE & LIBERMAN  
1200 Seventeenth Street, N.W.  
Washington, D.C. 20036

Of Counsel:

William L. Porter, Esq.  
Associate General Counsel  
Duke Power Company

December 2, 1980

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of )  
 )  
DUKE POWER COMPANY ) Docket Nos. 50-369  
 ) 50-370  
(William B. McGuire Nuclear )  
Station, Units 1 and 2) )

CERTIFICATE OF SERVICE

I hereby certify that copies of "Applicant's Response To Letter of Mike Fennell" dated December 2, 1980 in the captioned matter, have been served upon the following by deposit in the United States mail this 2nd day of December, 1980.

Robert M. Lazo, Esq.  
Chairman, Atomic Safety and  
Licensing Board  
U.S. Nuclear Regulatory  
Commission  
Washington, D.C. 20555

Dr. Emmeth A. Luebke  
Atomic Safety and Licensing  
Board  
U.S. Nuclear Regulatory  
Commission  
Washington, D.C. 20555

Dr. Cadet H. Hand, Jr.  
Director  
Bodega Marine Laboratory  
of California  
Post Office Box 247  
Bodega Bay, California 94923

Jesse L. Riley  
President  
Carolina Environmental  
Study Group  
854 Henley Place  
Charlotte, North Carolina 28207

Edward G. Ketchen, Esq.  
Counsel for NRC Regulatory  
Staff  
Office of the Executive  
Legal Director  
U.S. Nuclear Regulatory  
Commission  
Washington, D.C. 20555

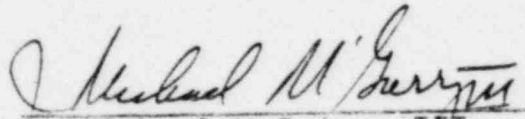
William L. Porter, Esq.  
Associate General Counsel  
Duke Power Company  
Post Office Box 2178  
Charlotte, North Carolina 28242

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

Mike Fennell  
Safe Energy Alliance/CMEC  
2014 Bay Street  
Charlotte, North Carolina 28205

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

Chase R. Stephens  
Docketing and Service  
Section  
Office of the Secretary  
U.S. Nuclear Regulatory  
Commission  
Washington, D.C. 20555

  
J. Michael McGarry, IV