

SHAW, PITTMAN, POTTS & TROWBRIDGE

1800 M STREET, N. W.
WASHINGTON, D. C. 20036

RAMSAY D. POTTS
STUART L. PITTMAN
GEORGE F. TROWBRIDGE
STEPHEN D. POTTS
GERALD CHARNOFF
PHILLIP D. BOSTWICK
R. TIMOTHY HANLON
GEORGE M. ROGERS, JR.
FRED A. LITTLE
JOHN B. RHINELANDER
BRUCE W. CHURCHILL
LESLIE A. NICHOLSON, JR.
MARTIN D. KRALL
RICHARD J. KENDALL
JAY E. SILBERG
BARBARA M. ROSSOTTI
GEORGE V. ALLEN, JR.
WM. BRADFORD REYNOLDS
FRED DRASNER
P. KENLY WEBSTER
NATHANIEL P. BREED, JR.
MARK AUGENBLICK
ERNEST L. BLAKE, JR.
CARLETON S. JONES
THOMAS A. BAXTER
JAMES M. BURGER
SHELDON J. WEISEL
JOHN A. McCULLOUGH
J. PATRICK HICKEY
GEORGE P. MICHAELY, JR.
JAMES THOMAS LENHART
STEVEN L. MELTZER
DEAN D. AULICK
JOHN ENGEL
STEPHEN B. HUTTLER
WINTHROP N. BROWN
JAMES S. HAMLIN
ROBERT E. ZAHLER
RICHARD E. GALEN
ROBERT S. ROSSINS

STEVEN M. LUCAS
MATIAS F. TRAVIESO-DIAZ
VICTORIA J. PERKINS
JOHN H. O'NEILL, JR.
JAY A. EPSTEIN
RAND L. ALLEN
TIMOTHY S. MCBRIDE
ELISABETH M. PENDLETON
LUCY G. ELIASOF
PAUL A. KAPLAN
HARRY H. GLASSPIEGEL
RANDAL B. KELL
THOMAS H. MCCORMICK
SUSAN D. FALKSON
WILLIAM P. BARR
SUSAN M. FREUND
JOHN L. CARR, JR.
PHILIP J. HARVEY
ROBERT M. GORDON
BARBARA J. MORGAN
BONNIE S. GOTTLIEB
ALFRED M. POSTELL
HOWARD H. SHAFFERMAN
DEBORAH B. BAUSER
SCOTT A. ANENBERG
SETH H. HOGGASIAN
SHEILA E. MCCAFFERTY
DELISSA A. RIDGWAY
KENNETH J. HAUTMAN
DAVID LAWRENCE MILLER
ANNE M. KRAUSKOPF
FREDERICK L. KLEIN
GORDON R. KANOFFSKY
SALLY C. ANDREWS
JEFFREY S. GIANCOLA
HANNAH E. M. LIEBERMAN
SANDRA E. FOLSON
MARCIA R. NIRENSTEIN
JUDITH A. SANDLER



June 1, 1981

(202) 822-1000

TELECOPIER

(202) 822-1099 & 822-1199

TELEX

89-2693 (SHAWLAW WSH)

CABLE "SHAWLAW"

EDWARD B. CROSLAND
COUNSEL

WRITER'S DIRECT DIAL NUMBER

822-1090

Ivan W. Smith, Esquire
Chairman
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dr. Walter H. Jordan
Atomic Safety and Licensing
Board Panel
881 West Outer Drive
Oak Ridge, Tennessee 37830

Dr. Linda W. Little
Atomic Safety and Licensing
Board Panel
5000 Hermitage Drive
Raleigh, North Carolina 27612

In the Matter of
Metropolitan Edison Company
(Three Mile Island Nuclear Station, Unit No. 2)
Docket No. 50-289 (Restart)



Administrative Judges Smith, Jordan and Little:

Pursuant to the Board's Memorandum and Order of April 22, 1981, proposed findings of fact and conclusions of law on plant design and procedures issues were to be filed by June 1, 1981, with any replies to be filed on or before July 1, 1981. Because the NRC Staff plans to present testimony, not yet filed, on one plant design issue (Board Question UCS-12), the record is not yet closed on plant design and procedures issues.

DSO3
1/1

G

8106050331

SHAW, PITTMAN, POTTS & TROWBRIDGE

Ivan W. Smith, Esquire
Dr. Walter H. Jordan
Dr. Linda W. Little
June 1, 1981
Page Two

In addition, intervenor Union of Concerned Scientists and the Commonwealth of Pennsylvania recently filed motions to extend the June 1 deadline as to certain plant design and procedures issues. In the interest of preserving the principle of simultaneous submission of proposed findings, Licensee has agreed to the requests by UCS and Pennsylvania. This agreement was approved by the Board in a Memorandum and Order dated May 29, 1981.

The new schedule calls for the submission of proposed findings on Board Question 2 on or before June 12, 1981. Because Licensee has already prepared joint proposed findings on Board Questions 1, 2, 3, 5 and 7, Licensee is deferring until June 12 its proposed findings on Board Questions 1, 3, 5 and 7, in addition to Board Question 2. Intervenor UCS does not intend to file proposed findings on Board Questions 1, 3, 5 and 7.

This segmentation of the proposed findings of fact on plant design and procedures issues has forced a major change in the organization of Licensee's proposed initial decision. The deferral until June 12 of the filing of proposed findings on certain issues has taken them out of the sequence planned by Licensee. I have enclosed, for your information, a copy of the draft Table of Contents used by Licensee in the preparation of its proposed findings. It is our recommendation that the Board refer to this ordering of the issues, rather than the bound Table of Contents, as Licensee's proposal for organizing the initial decision on plant design and procedures issues.

Respectfully submitted,

Thomas A. Baxter

Thomas A. Baxter
Counsel for Licensee

cc: per Certificate of Service