



JOHN J. DEGNAN  
ATTORNEY GENERAL OF NEW JERSEY  
Attorney for the Board of Public Utilities

By: Thomas J. Germin  
Deputy Attorney General  
Division of Law - Room 316  
1100 Raymond Boulevard  
Newark, New Jersey 07102  
Telephone: (201) 648-2089

U.S. NUCLEAR REGULATORY COMMISSION  
ATOMIC SAFETY AND LICENSING BOARD  
DOCKET NO. 50-289 SP (Restart)

9 OCT 80

In the Matter of: :  
: :  
METROPOLITAN EDISON CO.:  
(Three Mile Island :  
Nuclear Station, :  
Unit No.1) :

PETITION TO PARTICIPATE  
PURSUANT TO 100 C.F.R. 2.715(c)

The Board of Public Utilities of the State of New Jersey, by way of petition to the Nuclear Regulatory Commission of the United States of America for leave to participate as an interested government agency in the evidentiary hearing in the above-captioned matter, says:

1. Petitioner exercises regulatory supervision over Jersey Central Power and Light (hereinafter "JCP&L"), which owns 25 percent of the Three Mile Island Nuclear Station, Units 1 and 2 (hereinafter "TMI").

2. As a result of the incident of March 28, 1979, at TMI-2, petitioner has been required to take numerous regulatory actions aimed at maintaining the financial viability of JCP&L in order to insure customers of JCP&L continued safe, adequate, and proper service.

3. Currently JCP&L is purchasing substantial amounts of relatively costly replacement energy in order to make up for the shortfall associated with the TMI-1 outage. Petitioner is deeply concerned with the ongoing adverse financial impact of the continued TMI-1 outage on the earnings capability of JCP&L.

4. Petitioner has, in separate orders, determined that TMI-1 and TMI-2 are under present circumstances, not used and useful, and has therefore removed TMI-1 and TMI-2 from the rate base of JCP&L, pending the ultimate outcome of NRC action on the restart of Unit 1 and the recommissioning of Unit 2.

5. Petitioner is primarily interested, for purposes of the pending proceeding, in the issues of financial viability and management capability. Petitioner has no position to advance or contentions to promote relative to these issues, nor does it seek to offer testimony at this hearing. During those portions of the hearing in which these issues are addressed, however, petitioner seeks the opportunity to pose questions and assist

in developing the record. Moreover, petitioner wishes to reserve the opportunity to file proposed findings and exceptions regarding the aforesaid issues.

JOHN J. DEGNAN  
Attorney General of New Jersey

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Thomas J. Germin  
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Dated: October 9, 1980