

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE COMMISSION

In the Matter of
CONSUMERS POWER COMPANY
(Big Rock Point Plant)

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)
)

Docket No. 50-155
(Spent Fuel Pool Modification)

NRC STAFF RESPONSE TO
LICENSEE'S MOTION TO STRIKE

Janice E. Moore
Counsel for NRC Staff

May 26, 1981

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The Staff of the Nuclear Regulatory Commission (Staff) hereby responds to the motion to strike filed by Consumers Power Company (Licensee) on May 4, 1981 as part of its response to the petitions for Commission review filed in the above-captioned proceeding. The Staff in its response to these petitions dated May 4, 1981 has taken the position that the request for review of the Atomic Safety and Licensing Appeal Board decision in Consumers Power Company (Big Rock Point Plant), ALAB-636, 13 NRC ____ (March 31, 1981), is unauthorized by the Commission's regulations. Therefore, the Staff interposes no objection to Licensee's motion to strike.

Respectfully submitted,



Janice E. Moore
Counsel for NRC Staff

Dated at Bethesda, Maryland
this 26th day of May, 1981.

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CERTIFICATE OF SERVICE

I hereby certify that copies of NRC STAFF RESPONSE TO LICENSEE'S MOTION TO STRIKE in the above-captioned proceeding have been served on the following by deposit in the United States mail, first class or, as indicated by an asterisk, through deposit in the Nuclear Regulatory Commission's internal mail system, this 26th day of May, 1981.

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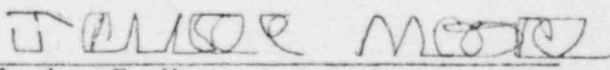
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