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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of )  
 )  
PUERTO RICO ELECTRIC )  
POWER AUTHORITY )  
 )  
North Coast Nuclear Plant, )  
(Unit 1) )

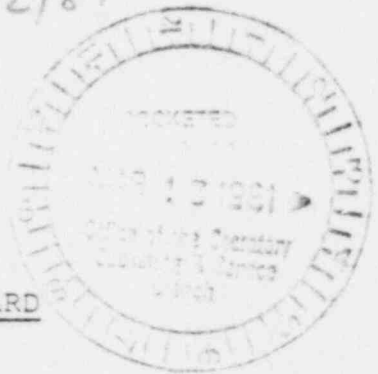
Docket No. 50-376

AUTHORITY'S ANSWER IN OPPOSITION  
TO PETITION FOR RECONSIDERATION

On March 3, 1981, Mr. Gonzalo Fernos, acting pro se and on behalf of Members of Citizens for the Conservation of Natural Resources, Inc., (the Petitioner) filed a Petition for Reconsideration (the Petition) asking the Atomic Safety and Licensing Board (the Board) (1) to reconsider the Order of February 18, 1981, (the Order) granting the withdrawal without prejudice of the application of the Puerto Rico Electric Power Authority (the Authority), and (2) to stay its decision until Mr. Fernos returns from an operation (apparently until March 18, 1981).

For the reasons set forth below, the Authority opposes both the request for reconsideration and the request for a stay and urges the Board to deny the Petition in all respects.

The Petition presents no new information or new grounds for the relief requested. Instead the Petitioner reiterates the tired allegations which were carefully considered by the Board in issuing its Order, and gratuitously insults the



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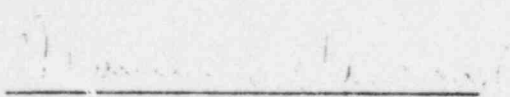
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the Board and questions its motives in ruling against the Petitioner. No basis for reconsideration is provided by the Petition, which should be summarily denied.

The request for a stay is similarly unsupported and without merit. The Petition does not even address the four factors specified in 10 CFR § 2.788(e); and application of each such factor militates against grant of a stay. Petitioner has made no showing that it is likely to prevail on the merits of any appeal, let alone the "strong showing" specified in paragraph 2.788(e)(i). Petitioner has not shown that it will be irreparably injured unless a stay is granted, and it is difficult to conceive of such injury under these circumstances. On the other hand, the grant of a stay would harm the Authority by perpetuating unnecessarily the unsettled status of the application. Clearly the public interest lies in finally bringing these matters to rest without further delay, particularly when the Petitioner's arguments are so lacking in merit and the Petitioner is unharmed by the decision.

Respectfully submitted,

  
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Attorneys for  
Puerto Rico Electric  
Power Authority

Dated: March 12, 1981

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of	)	
	)	
PUERTO RICO ELECTRIC	)	
POWER AUTHORITY	)	Docket No. 50-376
	)	
North Coast Nuclear Plant,	)	
(Unit 1)	)	

CERTIFICATE OF SERVICE

I hereby certify that copies of the Authority's Answer in Opposition to Petition for Reconsideration, dated March 12, 1981, was served on the following by deposit in the United States mail, first class and postage prepaid, this 12th day of March, 1981.

Sheldon J. Wolfe, Esq., Chairman  
Administrative Judge  
Atomic Safety and Licensing  
Board  
U.S. Nuclear Regulatory  
Commission  
Washington, D. C. 20555

Dr. Richard F. Cole  
Administrative Judge  
Atomic Safety and Licensing  
Board  
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Washington, D. C. 20555

Mr. Gustave A. Linenberger  
Administrative Judge  
Atomic Safety and Licensing  
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Secretary of the Commission  
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