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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION 89 DEC 15 P3:37

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:
B. Paul Cotter, Jr., Chairman
Glenn O. Bright
Dr. Jerry R. Kline

In the Matter of) Docket Nos. 50-599-ESR
) 50-600-ESR
COMMONWEALTH EDISON COMPANY,)
Et Al.) ASLBP No. 79-422-01-ES
)
(Carroll County Nuclear)
Station, Units 1 and 2) December 11, 1989

APPLICANT'S RESPONSE TO THE MEMORANDUM
OF THE ATOMIC SAFETY AND LICENSING BOARD

Commonwealth Edison Company ("Applicant") submits this response to the Memorandum of the Atomic Safety and Licensing Board (November 8, 1989) ("Memorandum").

Applicant has cancelled its plans to build the captioned facility at this time. However, Applicant may wish to construct a nuclear generating station on the Carroll County site at some time in the future. Therefore, pursuant to 10 C.F.R. §2.107(a), Applicant will seek to withdraw its application for a construction permit without prejudice to its right to reapply at an appropriate time in the future.

Prior to withdrawing its application for a construction permit, Applicant will confirm that the site has not been altered

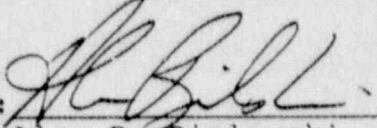
in any way that may present an environmental or safety hazard.
Applicant will then seek formal withdrawal of their application.

Applicant's understanding of the status of this proceeding is further discussed in the attached letter.

In addition, Applicant wishes to inform all parties that Applicant's counsel in this proceeding is now Sidley & Austin. The Service List in this proceeding should be changed, deleting Richard E. Powell of Isham, Lincoln and Beale and inserting:

Alan P. Bielawski
Sidley & Austin
One First National Plaza
Chicago, IL 60603

Respectfully submitted,

By: 
Alan P. Bielawski
One of the Attorney
for Applicants

SIDLEY & AUSTIN
One First National Plaza
Chicago, IL 60603
(312) 853-7000



Commonwealth Edison
One First National Plaza, Chicago, Illinois
Address Reply to: Post Office Box 767
Chicago, Illinois 60690 - 0767

December 11, 1989

Dr. Thomas E. Murley
Office of Nuclear Reactor Regulation
US Nuclear Regulatory Commission
Washington, DC 20555

Attn: Document Control Desk

Subject: Carroll County Station Units 1 and 2
Request For Withdrawal of Application For
Construction Permits
NRC Docket Nos. 50-599-ESP and 50-600-ESR

Reference: (a) April 5, 1979, Cordell Reed letter to
H.R. Denton
(b) April 17, 1979, R.L. Ballard letter
to Cordell Reed
(c) November 8, 1989, Atomic Safety and
Licensing Board (ASLB) Memorandum

Dear Dr. Murley:

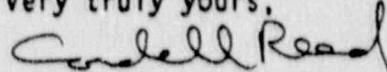
In reference (a), pursuant to 10 CFR 2.101(a-1), Commonwealth Edison submitted an application for construction permits for Carroll County Station Units 1 and 2 and also requested that the Nuclear Regulatory Commission (NRC) conduct an early review and hearing, and render an early partial decision on issues of site suitability. Accordingly, reference (b) provided notification that Commonwealth Edison's application had been docketed and that Docket Nos. 50-599 and 50-600 had been assigned to the Carroll County Station. The Commonwealth Edison application was noticed in the Federal Register shortly thereafter.

Pursuant to 10 CFR 2.107, Commonwealth Edison hereby intends to withdraw the application for construction permits for Carroll County Station Units 1 and 2. Commonwealth Edison no longer sees a need to construct these units at this time. However, Commonwealth Edison wishes to retain the right to construct nuclear or fossil generation capability at the given site in Carroll County, Illinois in the future. At the time such generation capability is determined to be needed, an appropriate application for construction permits will be made, consistent with the regulations then in effect.

In addition, NRC Staff has requested (via telephone) that Commonwealth Edison review its activities on the Carroll County site to confirm that the site has not been altered in any way that might present an environmental or safety hazard. Commonwealth Edison is currently in the process of interviewing appropriate personnel and reviewing relevant documents to satisfy this concern. When this process has been completed, Commonwealth Edison will report its findings promptly and complete the withdrawal process.

Consistent with the request made in reference (c), this letter provides the status of the Carroll County Station proceeding.

Very truly yours,



Cordell Reed
Senior Vice President

/scl:0430T:1-2

cc: A. Bert Davis-RIII
B. Paul Cotter, Jr.-ASLB

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD

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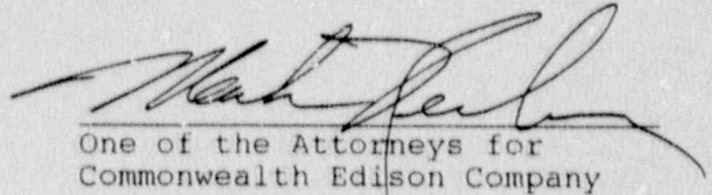
In the Matter of)	Docket Nos. 50-599-ESR
)	50-600-ESR
COMMONWEALTH EDISON COMPANY,)	
Et Al.)	ASLBP No. 79-422-01-ES
)	
(Carroll County Nuclear)	
Station, Units 1 and 2))	December 11, 1989

NOTICE OF FILING

TO: SEE ATTACHED SERVICE LIST

PLEASE TAKE NOTICE that on this date we have caused to be delivered for filing with Atomic Safety and Licensing Board the Applicant's Response to the Memorandum of the Atomic Safety and Licensing Board ("Response"). We have further caused copies of the Response to be served on all parties on the attached service list.

DATED this 11th day of December, 1989.



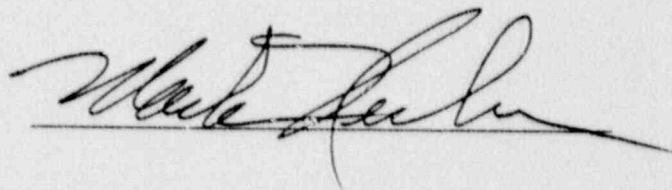
One of the Attorneys for
Commonwealth Edison Company

SIDLEY & AUSTIN
One First National Plaza
Chicago, Illinois 60603
(312) 853-7000

CERTIFICATE OF SERVICE

'89 DEC 15 P3:37

The undersigned hereby certifies that the enclosed Applicant's Response to the Memorandum of the Atomic Safety and Licensing Board was served upon the parties on the attached service list by enclosing a true and correct copy thereof in a duly addressed envelope and delivering the same by messenger or by depositing in the United States mail with proper postage fully prepaid or by depositing with a private express courier service with payment arrangements made, in Chicago, Illinois this 11th day of December, 1989.

A handwritten signature in dark ink, appearing to read "Mark A. Fisher", is written over a horizontal line.

Atomic Safety and Licensing
Appeal Board
U.S. Nuclear Regulatory
Commission
Washington, DC 20555

Administrative Judge
B. Paul Cotter, Chairman
Atomic Safety and Licensing
Board
U.S. Nuclear Regulatory
Commission
Washington, DC 20555

Administrative Judge
Jerry R. Kline
Atomic Safety and Licensing
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Atomic Safety and Licensing
Board
U.S. Nuclear Regulatory
Commission
Washington, DC 20555

Office of the General Counsel
U.S. Nuclear Regulatory
Commission
Washington, DC 20555

Alan P. Bielawski
Sidley & Austin
One First National Plaza
Chicago, IL 60603

Jan L. Kodner, Esquire
Pitier and Mandell
230 West Monroe Street
Suite 2026
Chicago, Illinois 60606

Cordell Reed
Assistant Vice President
Commonwealth Edison Company
P.O. Box 767
Chicago, IL 60690

Nattie Post
382 East 21st Street
Dubuque, IA 52001

Paul A. Fuerst
Dubuque Fellowship of
Reconciliation
809 Dodge Street
Dubuque, IA 52001

Richard Worm, President
Environmental Coordinating
Org., Inc.
3555 Hillcrest
Dubuque, IA 52001

Thomas J. Sorg
Carroll County Environmental
Coalition
305 West Cole
Mount Carroll, IL 61053

Clifford E. Peterson, Esquire
Assistant Attorney General
State Capitol Complex
Des Moines, IA 50319

John W. Cox, Jr.
The Joe Daviess County Ad Hoc
Committee on Nuclear Energy
Information
906 Campbell Street
Galena, IL 61036

Nancy J. Bennett
Assistant Attorney General
State of Illinois
188 West Randolph Street
Suite 2315
Chicago, Illinois 60601

James C. Schwab
State Coordinator, Iowa PIRG
Iowa State University
36 Memorial Union
Ames, IA 50010