

LAW OFFICES

LOWENSTEIN, NEWMAN, REIS & AXELRAD

1025 CONNECTICUT AVENUE, N. W.

WASHINGTON, D. C. 20036

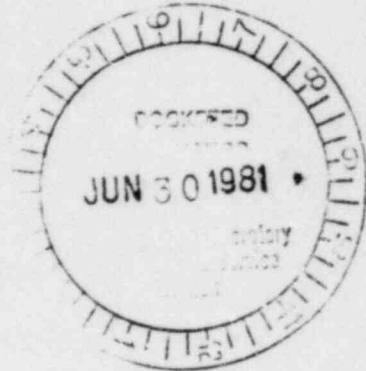
202-862-8400

ROBERT LOWENSTEIN
JACK R. NEWMAN
HAROLD F. REIS
MAURICE AXELRAD
KATHLEEN H. SHEA
J. A. BOURKIGHT, JR.
MICHAEL A. BAUSER
DOUGLAS G. GREEN

E. GREGORY BARNES
ALBERT V. CARR, JR.
ANNE W. COTTINGHAM
KATHLEEN A. COX
ROBERT H. CULP
PETER G. FLYNN
STEVEN P. FRANTZ
FREDERIC S. GRAY
ALVIN H. GUTTERMAN
DAVID G. POWELL
DAVID B. RASKIN
DONALD J. SILVERMAN

* ADM. SEN.

June 25, 1981



Herbert Grossman, Esq.
Administrative Judge
Atomic Safety & Licensing
Board Panel
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Dr. Robert L. Holton
Administrative Judge
School of Oceanography
Oregon State University
Corvallis, Oregon 97331

Dr. J. Venn Leeds
Administrative Judge
10807 Atwell
Houston, Texas 77096

In the matter of
Northern Indiana Public Service Company
(Baily Generating Station, Nuclear-1)
Docket No. 50-367 (Construction Permit Extension)

Gentlemen:

We have received the Board's "Order (Granting Extensions)" dated June 19, 1981, and served by the Docketing and Service Branch on June 22. That order states, inter alia, "That the motion of PCCIs for an extension of time until June 8, 1981 to respond to NIPSCO's second set of interrogatories is granted" As indicated in a telephone conversation with Mr. Grossman's secretary, it appears that the Order was intended to rule on PCCIs' "Motion to Extend Time to File Answers or Objections to Interrogatories" which requested an extension until July 8, 1981. That "Motion" was filed on June 15, 1981; accordingly, under NRC regulations, answers were due on June 30. NIPSCO filed its "Answer in Opposition" on June 19, the same day as the Board's "Order" referred to above was signed.

DS03
5/11

Atomic Safety & Licensing
Board Panel
U.S. Nuclear Regulatory
Commission

June 25, 1981
Page Two

We regret that the Board acted upon a motion without permitting responses from other parties. Please consider our June 19 Answer as a request for reconsideration of the granting of the extension.

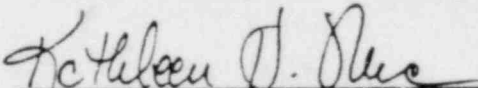
If the Board wishes to make expeditious rulings on procedural matters in the future, we respectfully request that the parties be so advised by telephone and offered a brief opportunity to respond.

Very truly yours,

LOWENSTEIN, NEWMAN, REIS
& AXELRAD

Counsel for Northern Indiana
Public Service Company

By:


Kathleen H. Shea

KHS:vd

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	Docket No. 50-367
)	
NORTHERN INDIANA PUBLIC SERVICE)	(Construction Permit
COMPANY)	Extension)
)	
(Bailly Generating Station,)	June 25, 1981
Nuclear-1))	
)	

CERTIFICATE OF SERVICE

I hereby certify that copies of a letter dated June 25, 1981 from Kathleen H. Shea to the members of the Atomic Safety and Licensing Board re Board Order of June 19, 1981 in the above-captioned proceeding were served on the following by deposit in the United States mail, postage prepaid, or by hand delivery, this 25th day of June, 1981:

Herbert Grossman, Esquire, Chairman
Administrative Judge
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dr. Robert L. Holton
Administrative Judge
School of Oceanography
Oregon State University
Corvallis, Oregon 97331

Dr. J. Venn Leeds
Administrative Judge
10807 Atwell
Houston, Texas 77096

Docketing and Service Section
Office of the Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Howard K. Shapar, Esquire
Executive Legal Director
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Stephen H. Lewis, Esquire
Office of the Executive Legal Director
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Susan Sekuler, Esquire
Environmental Control Division
188 West Randolph Street
Suite 2315
Chicago, Illinois 60601

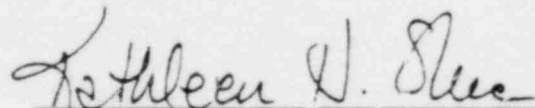
Robert J. Vollen, Esquire
c/o BPI
109 North Dearborn Street
Suite 1300
Chicago, Illinois 60602

Edward W. Osann, Jr., Esquire
One IBM Plaza
Suite 4600
Chicago, Illinois 60611

Robert L. Graham, Esquire
One IBM Plaza
44th Floor
Chicago, Illinois 60611

Mr. Mike Olszanski
Mr. Clifford Mezo
United Steelworkers of America
3703 Euclid Avenue
East Chicago, Indiana 46312

Mr. George Grabowski
Ms. Anna Grabowski
7413 W. 136th Lane
Cedar Lake, Indiana 46303



Kathleen H. Shea
LOWENSTEIN, NEWMAN, REIS
& AXELRAL
1025 Connecticut Avenue, N.W.
Washington, D.C. 20036