

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD



In the Matter of )

NORTHERN INDIANA PUBLIC )  
SERVICE COMPANY )  
(Bailly Generating )  
Station Nuclear-1) )

Docket No. 50-367  
(Construction  
Permit Extension)

RESPONSE OF PEOPLE OF THE STATE OF ILLINOIS  
TO NIPSCO'S MOTION FOR  
ESTABLISHMENT OF SCHEDULE

On June 1, 1981 Northern Indiana Public Service Company ("NIPSCO") requested that the Board establish a schedule for completing discovery and other prehearing activities and convening the hearing. The People of the State of Illinois ("State of Illinois") objects to that motion for the reason that it is premature.

As NIPSCO noted in the motion, the NRC Staff has not yet completed its evaluation of NIPSCO's construction permit extension request, has not determined whether a new or supplemental Environmental Impact Statement will be prepared, and has not adopted a position on whether good cause exists for an extension of the construction permit. These factors bear significantly on what further discovery is needed and from which parties and on the subject matter and course of the hearing. Furthermore, there is discovery yet to be conducted, and a significant amount of discovery activity is currently in progress. Therefore, it would not be useful at this time to schedule the closing of discovery and the hearing.

The State of Illinois suggests that, after the Staff adopts a position in this proceeding and determines whether a new or supple-

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mental Environmental Impact Statement will be issued, the parties assess their situations and present suggested schedules for completing the discovery and hearing in this proceeding.

Respectfully submitted,

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Attorney General  
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BY: 

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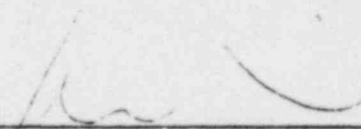
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CERTIFICATE OF SERVICE

hereby certify that I served copies of Response Of People  
Of The State Of Illinois To NIPSCO's Motion For Establishment Of  
Schedule on the persons on the attached Service List by causing  
them to be deposited in the U.S. mail, first class postage pre-  
paid, on this 16th day of June 1981.

  
\_\_\_\_\_  
ANNE RAPKIN

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