



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

Before Administrative Judges:  
Charles Bechhoefer, Chairman  
Dr. George C. Anderson  
Ralph S. Decker

SERVED SEP 14 1981

In the Matter of  
DIARYLAND POWER COOPERATIVE  
(La Crosse Boiling Water Reactor,  
Full-Term Operating License)

Docket No. 50-409 FTOL

September 11, 1981

MEMORANDUM  
(Concerning Responses to NRC Staff  
Amendment to Motion for Summary Disposition)

On September 9, 1981, the NRC Staff filed an amendment to its previously filed motion for summary disposition of certain environmental contentions. Responses will be due on the following schedule:

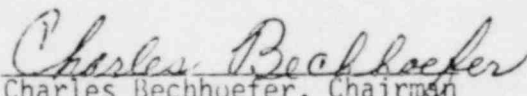
- October 5, 1981      last day for filing of responses supporting or opposing the motion.
- October 20, 1981    last day for filing responses to new facts and arguments presented in any statement filed in support of the motion.

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In responding to the Staff's motion, all parties are invited to address the question of the effect, if any, on contentions in this proceeding should the Commission (prior to our ruling on the summary disposition motion) adopt the proposed rule published on August 3, 1981 concerning consideration of need for power and alternative energy issues in operating license proceedings. See 46 Fed. Reg. 39440. In particular, the parties are invited to discuss whether this rule would apply in situations where need for power and alternative energy issues were not considered at the construction-permit stage of review.

Comments on this question may be filed by October 5, 1981. The Staff is invited to file comments at the same time as other parties. Responses to these filings may be filed by all parties (including the Staff) by October 20, 1981.

FOR THE ATOMIC SAFETY AND  
LICENSING BOARD

  
Charles Bechhoefer, Chairman  
ADMINISTRATIVE JUDGE

Dated at Bethesda, Maryland  
this 11th day of September 1981.