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EXHIBIT
USNRC

'91 JAN 25 P1:42

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING APPEAL BOARD

Before Administrative Judges:

G. Paul Bollwerk III, Chairman
Alan S. Rosenthal
Howard A. Wilber

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

In the Matter of)	Docket Nos. 50-443-OL
)	50-444-OL
PUBLIC SERVICE COMPANY)	
OF NEW HAMPSHIRE, <u>ET AL.</u>)	
(Seabrook Station, Units 1 and 2))	January 24, 1991

RESPONSE TO
THE APPEAL BOARD'S ORDER OF JANUARY 11, 1991

In its order, dated January 11, 1991, the Appeal Board observed that a new Governor and Attorney General had recently taken office in the Commonwealth. In light of such changes, the Appeal Board directed the Massachusetts Attorney General ("Mass AG") to advise the board as to whether "there has been any change in the position of the Commonwealth concerning its non-participation in Seabrook Emergency Planning."

After Attorney General Scott Harshbarger was sworn into office on January 16, 1991, he, through his staff, commenced a

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review of the previous Attorney General's positions on the licensing of Seabrook Station. While that review has not yet been completed, to date there is no change in the position of the office. The Attorney General will continue as an Intervenor in the Seabrook Licensing proceeding, and recognizes his responsibility to bring to the attention of the Appeal Board and other appropriate authorities any decision to change his posture on the matter.

Governor William Weld was sworn into office on January 3, 1991. The Governor has assigned personnel on his staff to review the status of Emergency Planning at Seabrook Station and the Seabrook Licensing Proceeding and is presently assessing whether to change the Commonwealth's position. The Governor has indicated that he believes some changes to the Commonwealth's position on emergency planning for Seabrook Station may be appropriate. It is expected that the Governor will reach a decision on the matter within two weeks. At that time, the Mass AG will promptly report the substance of any, and all, such changes to the Board.

Respectfully submitted,

SCOTT HARSHBARGER
ATTORNEY GENERAL

By:

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Date: January 24, 1991

Filed: January 24, 1991

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
before the
SECRETARY OF THE COMMISSION

In the Matter of)

PUBLIC SERVICE COMPANY OF)
NEW HAMPSHIRE, et al.)

(Seabrook Station, Units 1 and 2)

Docket Nos. 50-443-OL
50-444-OL
50-443-OL-1
50-444-OL-1

CERTIFICATE OF SERVICE

I, Leslie Greer, hereby certify that on January 24, 1991, I made service of the enclosed Motion For Substitution Of A Party and Response to the Appeal Board's Order of January 11, 1991 by Federal Express as indicated by (*) and by first class mail to:

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