

Bd 9/23/81

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD
Before Administrative Judges:
Ivan W. Smith, Chairman
Dr. Walter H. Jordan
Dr. Linda W. Little



In the Matter of)
METROPOLITAN EDISON COMPANY)
(Three Mile Island Nuclear)
Station, Unit 1)

SERVED SEP 29 1981

Docket No. 50-289

(Restart)

September 28, 1981

MEMORANDUM AND ORDER REGARDING
OPPORTUNITY FOR SPECIAL APPEARANCE ON
ISSUE OF CONFIDENTIALITY



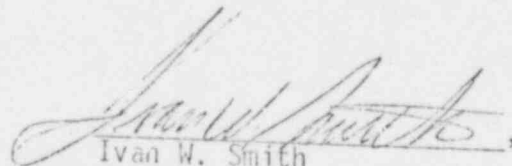
The Chairman and Counsel for the Board have had telephone conversations on September 24 and 25, 1981 with Michael F. McBride and David E. Cole, attorneys who may be representing one or more of the three individuals involved in cheating incidents whose names are disclosed in the unexpurgated information provided by the Staff to the Board on September 18, 1981. Messrs. McBride and Cole and their potential clients were in the process of determining whether to enter a special appearance to file a brief in support of confidential treatment of the names of individuals involved in the cheating incidents. The Board stated that the individuals involved may make such a special appearance if they wish, provided that

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briefs on behalf of the individuals are received by the Board, Judge Milhollin and the parties participating in the reopened proceeding^{*/} no later than the commencement of the conference of parties on October 2. The Board also stated that attorneys for the individuals on whose behalf a brief is filed would be permitted to participate in discussions on the issue of confidentiality at the conference of parties.

In view of the issue, appearances and briefs on behalf of the individuals of course will not reveal the names of the clients. A general categorical description of the client or clients being represented will suffice. The Board has permitted ex parte notification to it of the particular client or clients who may be represented by each attorney.

FOR THE ATOMIC SAFETY AND
LICENSING BOARD

 , Chairman
Ivan W. Smith
ADMINISTRATIVE JUDGE

Bethesda, Maryland

September 28, 1981

^{*/} These parties, subject to confirmation at the conference are the Licensee, NRC Staff, Commonwealth of Pennsylvania, the Aamodts, ANGRY, and TMIA.