

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)

METROPOLITAN EDISON COMPANY)

(Three Mile Island Nuclear)
Station, Unit No. 1))

Docket No. 50-289
(Restart)

LICENSEE'S MOTION FOR THE ESTABLISHMENT
OF A SCHEDULE FOR THE FILING OF
PROPOSED FINDINGS OF FACT ON PLANT
DESIGN AND PROCEDURES ISSUES

Licensee hereby moves the Atomic Safety and Licensing Board for the issuance of an order directing that the parties file proposed findings of fact and conclusions of law on plant design and procedures issues ^{1/} on the following schedule:

May 1, 1981: Filing of proposed findings of fact and conclusions of law by all parties;

June 1, 1981: Filing by all parties of replies, if any, to the proposed findings of fact and conclusions of law of other parties.

This proposed schedule is intended to be responsive to the Board's interest in receiving proposed findings in stages

1/ These are the intervenor contentions (with the exception of TMIA Contention 5 and the addition of UCS Contention 13), and the Board questions (plus Board Question No. 11, dated September 26, 1980), listed in the attachment to the Board's Memorandum and Order of September 8, 1980. While some of the contentions subsequently were withdrawn (UCS-7, UCS-9, UCS-13, Sholly-6(b)), evidence nevertheless was presented on these contentions by Licensee and the NRC Staff because closely related contentions of another intervenor survived or because (in the case of UCS-13) of Board interest.

DS03
S011

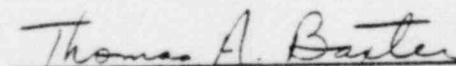
and on a schedule which would permit the Board to begin work on the initial decision immediately or soon after the close of the record. See Tr. 8660, 8661. The schedule also reflects the lengthy evidentiary record compiled on these issues and the time required for the parties to prepare proposed findings on that record.

It is our expectation that the record will be completed on currently open design issues in time to support this single round of filings on all plant design and procedures issues. Licensee's view is that it would be desirable to avoid filing proposed findings on a subset of these issues. The simultaneous submission of proposed findings and replies by all interested parties is consistent with the approach outlined by the Commission in the attachment to its Order and Notice of Hearing, CLI-79-8, 10 N.R.C. 141, 152 (1979).

Mr. Sholly, and counsel for the NRC Staff and the Union of Concerned Scientists, have authorized the undersigned to represent that they have no objection to, and concur in, the schedule proposed above by Licensee. The Commonwealth of Pennsylvania and ECNP will respond to this motion separately. Licensee was unsuccessful in attempts to contact Mr. Lewis and Ms. Bradford (ANGRY) to discuss the motion.

Respectfully submitted,

SHAW, PITTMAN, POTTS & TROWBRIDGE



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Dated: January 30, 1981

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing "Licensee's Motion for the Establishment of a Schedule for the Filing of Proposed Findings of Fact on Plant Design and Procedures Issues" were served this 30th day of January, 1981 by deposit in the U.S. mail, first class, postage prepaid, to the parties identified on the attached Service List.

Thomas A. Baxter
Thomas A. Baxter

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