



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555



May 10, 1982

C. Jean Shoemaker  
Secretary to the Appeal Board  
Atomic Safety and Licensing  
Appeal Board  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

In the Matter of  
COMMONWEALTH EDISON COMPANY  
(Byron Station, Units 1 and 2)  
Docket Nos. 50-454, 50-455

Dear Ms. Shoemaker:

On March 23, 1982, the Rockford League of Women Voters (League) filed a brief in support of its exceptions to the Licensing Board's October 27, 1981 and January 27, 1982 (reconsideration) Orders dismissing the League from the proceeding for its noncompliance with discovery orders. The NRC Staff did not take a position on the discovery dispute between the Applicant and the League which underlay these orders nor did the Staff take a position on the League's motion for reconsideration before the Licensing Board. Accordingly, the Staff informed the Appeal Board, in a letter dated March 31, 1982, that the Staff would not take a position on, or file a brief in response to, the League's exceptions on Appeal.

The Appeal Board has now calendered oral argument on the League's appeal for May 13, 1982. Since the Staff did not take a position on, or participate in the litigation of, the issues involved in the subject appeal at the Licensing Board level, nor did it file an appellate brief on the issues, the Staff does not intend to present oral argument on the League's appeal.

Sincerely,

Steven C. Goldberg  
Counsel for NRC Staff

cc: Service List

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