

sessions then scheduled for April 20-23 (Order of April 19, 1982) and May 4-7 (Order of April 30, 1982). There are currently scheduled hearing sessions for June 2-5, June 15-19, June 21-26 and July 6-10. However, inasmuch as the Licensing Board has made clear that it will not conduct further hearings until the Commission resolves the status of Judge Hill, it appears likely that the June 2-5 session will be cancelled also. Even under the current briefing schedule, the Commission will not receive reply briefs until June 1 and thus would not rule on the matter in time to permit hearings to resume on June 2.

If the completion of the filing of briefs is delayed until June 7 pursuant to CCANP's request, it appears unlikely that the Commission will rule in time for the June 15-19 session to be held, and even the June 21-26 session appears in jeopardy.^{*/} Thus, a delay measurable in months may occur dependent upon the Licensing Board's ability to schedule sufficient hearing sessions in July and August.^{**/} As pointed out in Applicants' Motion of April 20, 1982, any such delay would be inconsistent with the Commission's previous mandate that the Licensing Board complete the first phase of the operating

^{*/} The Commission's ruling would have to be announced to the Licensing Board and the parties sufficiently in advance of any hearing session that arrangements for such session could be completed in timely fashion.

^{**/} The Licensing Board had difficulty scheduling hearings in July and August of 1981.

license proceeding on an expedited basis (CLI-80-32, 12 NRC 281 (1980)) and would be grossly unfair to a party whose character and competence are being evaluated in such proceeding.

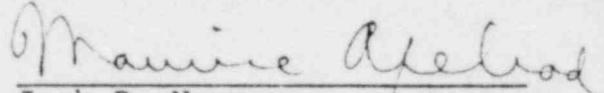
If, notwithstanding these considerations, the Commission determines to grant the briefing extension requested by CCANP, Applicants respectfully request that the Commission rule on the portion of Applicants' Motion of April 20, 1982, which suggested that the Commission direct Chairman Bechhoefer and Judge Lamb to proceed under the quorum rule.

In addition, Applicants respectfully request that, if possible, the Commission inform the Licensing Board and the parties of the approximate date when it will issue a decision on the status of Judge Hill. Applicants can appreciate the Commission's difficulty in estimating the time required to reach a decision, particularly in advance of the receipt of any briefs. However, in view of potential conflicts in the schedule of Board members and in the availability of witnesses,^{*/} it would be extremely useful to the Board and the parties in scheduling future hearing sessions to obtain

^{*/} In view of the cancellation of the April 20-23 and May 4-7 sessions and the potential cancellation of the June 2-5 session, some of Applicants' witnesses, who were previously expected to testify prior to June 15, may not be available on all of the remaining scheduled dates and some rearrangement of the contemplated sequence of testimony may be required.

whatever guidance the Commission may be able to provide as to a realistic date for resumption of hearings.

Respectfully submitted,



Jack R. Newman
Maurice Axelrad
Alvin H. Gutterman
1025 Connecticut Avenue, NW
Washington, D. C. 20036

Finis E. Cowan
Thomas B. Hudson, Jr.
3000 One Shell Plaza
Houston, Texas 77002

Dated: May 12, 1982

LOWENSTEIN, NEWMAN, REIS
& AXELRAD
1025 Connecticut Avenue, NW
Washington, D. C. 20036

BAKER & BOTTS
3000 One Shell Plaza
Houston, Texas 77002

Attorneys for HOUSTON LIGHTING & POWER COMPANY, Project Manager of the South Texas Project acting herein on behalf of itself and the other Applicants, THE CITY OF SAN ANTONIO, TEXAS, acting by and through the City Public Service Board of the City of San Antonio, CENTRAL POWER AND LIGHT COMPANY and CITY OF AUSTIN, TEXAS.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE NUCLEAR REGULATORY COMMISSION

In the Matter of)
)
HOUSTON LIGHTING AND POWER) Docket Nos. 50-498 OL
COMPANY, ET AL.) 50-499 OL
)
(South Texas Project,)
Units 1 and 2))
)
)
)

CERTIFICATE OF SERVICE

I hereby certify that copies of "Applicants' Response to CCANP Motion for Extension of Time to Respond to Commission Order of May 6, 1982" have been served on the following individuals and entities by deposit in the United States mail, first class, postage prepaid, or by arranging for delivery as indicated by asterisk, on this 12th day of May, 1982.

Chairman Nunzio J. Palladino*
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

Commissioner Victor Gilinsky*
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

Commissioner John F. Ahearne*
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

Commissioner Thomas M. Roberts*
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

Alan S. Rosenthal
Chairman, Administrative Judge
Atomic Safety and Licensing
Appeal Board
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

Dr. John H. Buck
Administrative Judge
Atomic Safety and Licensing
Appeal Board
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

Christine N. Kohl
Administrative Judge
Atomic Safety and Licensing
Appeal Board
U.S. Nuclear Regulatory
Commission
Washington, D. C. 20555

Charles Bechhoefer, Esq.
Chairman, Administrative Judge
Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory
Commission
Washington, D. C. 20555

Dr. James C. Lamb, III
Administrative Judge
313 Woodhaven Road
Chapel Hill, NC 27514

Ernest E. Hill
Administrative Judge
Lawrence Livermore Laboratory
University of California
P.O. Box 808, L-46
Livermore, CA 94550

Mrs. Peggy Buchorn
Executive Director
Citizens for Equitable
Utilities, Inc.
Route 1, Box 1684
Brazoria, TX 77422

Brian Berwick, Esq.
Assistant Attorney General
for the State of Texas
Environmental Protection
Division
P.O. Box 12548, Capitol Station
Austin, TX 78711

William S. Jordan, III, Esq.
Harmon & Weiss
1725 I Street, NW
Washington, D. C. 20006

Kim Eastman, Co-coordinator
Barbara A. Miller
Pat Coy
Citizens Concerned About
Nuclear Power
5106 Casa Oro
San Antonio, TX 78233

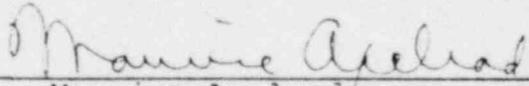
Lanny Sinkin
2207-D Nueces
Austin, TX 78705

Jay M. Gutierrez, Esq.
Office of the Executive
Legal Director
U.S. Nuclear Regulatory
Commission
Washington, D. C. 20555

Atomic Safety and Licensing
Appeal Board
U.S. Nuclear Regulatory
Commission
Washington, D. C. 20555

Atomic Safety and Licensing
Board
U.S. Nuclear Regulatory
Commission
Washington, D. C. 20555

Docketing and Service Section*
Office of the Secretary
U.S. Nuclear Regulatory
Commission
Washington, D. C. 20555


Maurice Axelrad

* Hand delivery