

Hdgura PDR

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION



BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

HOUSTON LIGHTING AND
POWER COMPANY, ET AL.

(South Texas Project,
Units 1 and 2)

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X

Docket Nos. STN 50-498 OL
STN 50-499 OL

11/3/78

MOTION TO RECONSIDER ORDER SETTING PREHEARING
CONFERENCE DATE FOR DECEMBER 12, 1978

When the State of Texas was informed of the possible prehearing conference date of December 12, 1978, I objected strongly to the date. With only the State of Texas and two intervenors requesting participation in the hearings on the South Texas Nuclear Project, an attempt was made to find a date compatible for all participants. I expected that the schedules of the participants would be considered in setting the prehearing conference date. As I have explained previously with respect to this date, I have a trial setting for December 13, 1978, in San Antonio involving the adjudication of water rights on the San Antonio River. This is a significant case involving six other attorneys and an elaborate briefing schedule leading up to the date of the trial. It will be impossible for me to interrupt the process of preparation for that trial with the hearing on the South Texas Nuclear Project.

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Motion to Reconsider Order Setting Prehearing
Conference Date for December 12, 1978
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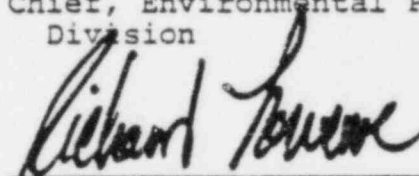
While I do not expect that our application for participation as an interested state will be challenged, I do feel that the State of Texas must participate in the prehearing conference. This is especially true considering the limited number of requests for intervention status. The decision at the prehearing conference will determine whether or not the hearing will be held on the operating license for the South Texas Nuclear Project. It is imperative that the State of Texas be allowed to participate fully in this process.

Respectfully submitted,

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Attorney General of Texas

DAVID M. KENDALL
First Assistant Attorney General

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Y

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CERTIFICATE OF SERVICE

I hereby certify that copies of "Motion to Reconsider Order Setting Prehearing Conference Date for December 12, 1978" in the above captioned proceeding have been served on the following by deposit in the United States mail, first class, on this the 3 day of November, 1978:

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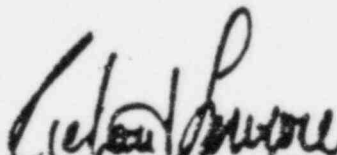
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