

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:  
Charles Bechhoefer, Chairman  
Dr. Frederick P. Cowan  
Dr. Jerry Harbour

DOCKETED  
USNRC

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In the Matter of  
CONSUMERS POWER COMPANY  
(Midland Plant, Units 1 and 2)

Docket Nos. 50-329 OM  
50-330 OM

Docket Nos. 50-329 OL  
50-330 OL

September 17, 1982

MEMORANDUM AND ORDER  
(Providing Opportunity to Respond  
to Positions of Applicant and  
Staff on Certain Rewritten Contentions)

In our Special Prehearing Conference Order of February 23, 1979, we accepted certain contentions of Ms. Sinclair for discovery purposes, with the expectation that, prior to final admission, they would have to be rewritten. On August 12, 1982, Ms. Sinclair submitted rewritten versions of 10 contentions (numbers 28, 30, 31, 32, 35, 36, 40, 45, 50 and 52). On September 3 and 10, 1982, respectively, the Applicant and Staff responded to these contentions.

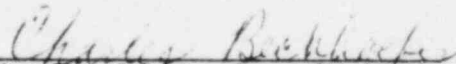
We have at this time determined to accept contentions 28 and 30 (to which neither the Applicant nor Staff have any objection). Before ruling on the others (which are opposed in whole or in part by either the Applicant or Staff or both), we invite Ms. Sinclair to respond to the points raised by

the Applicant and/or Staff. See Houston Lighting and Power Co. (Allens Creek Nuclear Generating Station, Unit 1), ALAB-565, 10 NRC 521 (1979).

Such response should be filed by October 4, 1982.

IT IS SO ORDERED.

FOR THE ATOMIC SAFETY AND  
LICENSING BOARD

  
Charles Bechhoefer, Chairman  
ADMINISTRATIVE JUDGE