

NRC PUBLIC DOCUMENT BOARD



UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of	)	
	)	
CONSUMERS POWER COMPANY	)	Docket Nos. 50-329CP
	)	50-330CP
(Midland Plant,	)	(Remand Proceeding)
Units 1 and 2)	)	

CONSUMERS POWER COMPANY'S MOTION FOR SUMMARY DISPOSITION

Pursuant to 10 CFR §2.749 of the Commission's Rules of Practice, Consumers Power Company ("Consumers") hereby moves the Licensing Board for summary disposition with respect to the matters set forth in Part II of the Licensing Board's Order Concerning Remanded Issues, dated January 4, 1979.

In support of this motion, Consumers files herewith its Statement of Material Facts As To Which There Is No Genuine Issue To Be Heard, its Memorandum in Support of Motion for Summary Disposition, the Affidavits of Messrs. Bacon, Falahee, Renfrow, Rosso and Miller attached thereto, the Designation of Record and attachments, and further relies upon the "Memorandum of Licensee Consumers Power Company And Its Counsel Regarding the Preparation of Testimony and the Presentation of Evidence", dated December 30, 1976, together with the affidavits and other exhibits attached thereto.

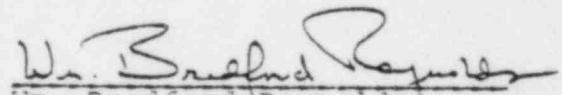
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As grounds for this motion, Consumers states that there are no genuine issues of material fact to be heard with respect to suggestions of possible impropriety by Consumers, and that, as a matter of law, the present inquiry should be summarily dismissed in such manner as to remove any hint of impropriety.

WHEREFORE, Consumers respectfully requests that this motion for summary disposition be granted and the present inquiry be dismissed.

Respectfully submitted,

SHAW, PITTMAN, POTTS & TROWBRIDGE



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