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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

OFFICE OF SECURITY
DOCKETING & SERVICE
BRANCH

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)
CLEVELAND ELECTRIC ILLUMINATING CO)
)
et al)
)
(Perry Nuclear Power Plant, Units)
1 and 2)

Docket Nos. 50-440-OL
50-441-OL

SUNFLOWER ALLIANCE INC. RESPONSE TO APPLICANT'S
MOTION TO REVISE PROCEDURE FOR LATE FILED
CONTENTIONS

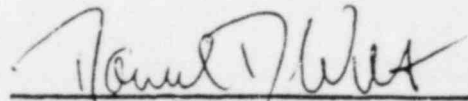
The Applicant's Motion is without merit and should be rejected. Apart from being nothing more than a Reply Brief to Sunflower's July 13, 1982 filing it does not allege one specific fact which would demonstrate that Applicant has been prejudiced by this Board's procedure. Surely, if there was some actual prejudice being visited upon Applicant, it would be detailed in Applicant's Motion. There is not such detail for the simple reason that there is no prejudice.

Intervenor's have used the Reply process to answer Applicant's objections to Intervenor's filings. That is all that Intervenor's have ever done and it certainly complies with this Board's order. The Reply process has been designed to interject essential fairness into these proceedings. Intervenor's do not have the facilities; computerized research facilities to match the Applicant's. When Applicant interposes objections, Intervenor's have sought to research these objections and then present their views on these objections. Intervenor's should not be penalized because of their lack of facilities and research libraries. This is particularly true when Applicant

simply has not demonstrated prejudice.

Sunflower urges that this Board make no change in the Late Filed Contention Reply procedure.

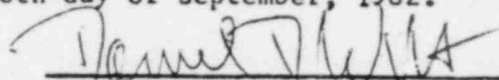
Respectfully submitted,



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PROOF OF SERVICE

The undersigned certifies that this Response has been sent to all persons on the Service List on this 28th day of September, 1982.



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