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

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

Re: Cleveland Electric Illuminating Co.
Perry Nuclear Power Plant, Docket
Nos. 50-440/441

Dear Administrative Judges:

This refers to the Memorandum and Order (Concerning Request to Extend Discovery on Issue #1), dated October 8, 1982. Although this Order addressed what seemed to be only a procedural matter, OCRE objects to the fact that it was issued without the benefit of responses from all parties. OCRE had intended to respond to Sunflower's September 30 Motion, but the Order was issued before there was chance to do so. What makes this even more unfair is that Applicants did reply to the motion.

OCRE can understand the Board's desire to rule promptly, especially on procedural matters. However, this should not be done at the expense of the parties' rights. OCRE feels that, at least, the Board should ascertain whether all parties intend to reply to motions which the Board feels should be quickly resolved, and, if necessary, require that parties respond on an expedited schedule, if this would not involve prejudice to any party.

Sincerely,

Susan L. Hiatt

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