

November 1, 1982

Peter B. Bloch, Esq., Chairman  
Administrative Judge  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Dr. Jerry R. Kline  
Administrative Judge  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Mr. Frederick J. Shon  
Administrative Judge  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

In the Matter of  
CLEVELAND ELECTRIC ILLUMINATING COMPANY, ET AL.  
(Perry Nuclear Power Plant, Units 1 and 2)  
Docket Nos. 50-440 OL, 50-441 OL

Dear Licensing Board Members:

On October 19th Applicants filed both a motion for leave to file an answer and its answer to "OCRE Reply to Staff and Applicants' Responses to OCRE's Motion for Leave to File Its Contentions 21 through 26." On October 25th OCRE filed a motion to strike Applicants' answer to OCRE's reply. Although the Staff does not object to the granting of Applicants' motion for leave to file an answer, it will not file formal responses to either Applicants' or OCRE's motion unless such are requested by the Board, because the Staff believes that it need not involve itself in this particular dispute between OCRE and Applicants.

Sincerely,

James M. Cutchin IV  
Counsel for NRC Staff

cc: Service List

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| OFC  | :OELD        | :OELD       | : | : | : | : | : |
| NAME | :JCutchin:pl | :JGray      | : | : | : | : | : |
| DATE | :10/ 29 /82  | :10/ 29 /82 | : | : | : | : | : |