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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

OFFICE OF SECRETARY  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20545

BEFORE THE ATOMIC SAFETY AND LICENSING APPEAL BOARD

In the Matter of	)	Docket No.	50-250-OLA-4
	)		50-251-OLA-4
FLORIDA POWER AND LIGHT COMPANY	)	(P/T Limits)	
(Turkey Point Plant, Units 3 and 4)	)		

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NRC STAFF RESPONSE TO LICENSEE'S "MOTION FOR ORDER TO SHOW  
CAUSE WHY PROCEEDING SHOULD NOT BE TERMINATED"

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Patricia Jehle  
Counsel for NRC Staff

January 3, 1991

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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	)		50-251-OLA-4
FLORIDA POWER AND LIGHT	)	(P/T Limits)	
COMPANY	)		
(Turkey Point Plant, Units 3	)		
and 4)	)		

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(Turkey Point Plant, Units 3	)	
and 4)	)	

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"MOTION FOR ORDER TO SHOW CAUSE WHY  
PROCEEDING SHOULD NOT BE TERMINATED"

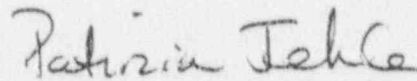
On December 8, 1990, the Nuclear Energy Accountability Project (NEAP) filed a "Motion to Withdraw" in a proceeding involving this Licensee, now pending before an Atomic Safety and Licensing Board.<sup>1/</sup> The "Motion to Withdraw" stated 1) that NEAP would be dissolved on December 31, 1990, 2) that NEAP's Executive Director would join another environmental organization, and 3) that NEAP members would be given an opportunity to join that organization after NEAP's dissolution. The "Motion to Withdraw" was granted by the Atomic Safety and Licensing Board on December 12, 1990.

<sup>1/</sup>Docket Nos. 50-250-OLA-6 and 50-251-OLA-6 (Emergency Power System Enhancement).

On December 21, 1990, the Licensee filed a "Motion for Order to Show Cause Why Proceeding Should Not Be Terminated" ("Motion") in this proceeding.<sup>2/</sup> In its Motion, the Licensee points out that, after NEAP's dissolution on December 31, 1990, NEAP will no longer be in a position to conduct litigation in a representational capacity on behalf of its members. Licensee notes that there does not appear to be any reason why the considerations which led to the submission of the motion in the OLA-6 proceeding, and the grant of that motion by the Licensing Board, should not also lead to the conclusion that continued prosecution of litigation in this proceeding should terminate.

The NRC Staff agrees and supports the Licensee's Motion for issuance of an order to show cause directed to NEAP as to why this proceeding should not be terminated.

Respectfully submitted,



Patricia Jehle  
Counsel for NRC Staff

Dated at Rockville, Maryland  
this 3rd day of January, 1991.

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<sup>2/</sup>Licensee filed an identical motion with the Appeal Board on December 19, 1990 in Docket Nos. 50-250-OLA-5 and 50-251-OLA-5 (Technical Specifications). The Staff, in a response dated December 31, 1990, supported the Licensee's motion in that proceeding.

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING APPEAL BOARD

OFFICE OF SECRETARY  
ATTENDING & SERVICE  
BRANCH

In the Matter of	)	Docket Nos. 50-250 OLA-4
	)	50-251 OLA-4
FLORIDA POWER AND LIGHT	)	(P/T Limits)
COMPANY	)	
(Turkey Point Plant, Units 3 and 4)	)	

CERTIFICATE OF SERVICE

I hereby certify that copies of NRC STAFF RESPONSE TO LICENSEE'S "MOTION FOR ORDER TO SHOW CAUSE WHY PROCEEDING SHOULD NOT BE TERMINATED" in the above-captioned proceeding have been served on the following by deposit in the United States mail, first class, or as indicated by an asterisk through deposit in the Nuclear Regulatory Commission's internal mail system, this 3rd, day of January, 1991:

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

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Administrative Judge  
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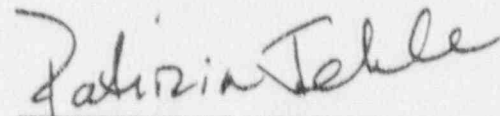
Nuclear Energy Accountability Project  
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 Washington, D.C. 20555

Atomic Safety and Licensing Appeal  
 Panel (5)\*  
 U.S. Nuclear Regulatory Commission  
 Washington, D.C. 20555

Adjudicatory File (2)\*  
 Atomic Safety and Licensing Board  
 U.S. Nuclear Regulatory Commission  
 Washington, D.C. 20555

Office of the Secretary (2)\*  
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 Attn: Docketing & Service Section



Patricia Jehle  
 Counsel for NRC Staff