

'83 MAR 16 P3:34
UCS 03-14-83

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING APPEAL BOARD

In the Matter of)
)
METROPOLITAN EDISON COMPANY)
)
(Three Mile Island Nuclear)
Station, Unit No. 1)

Docket No. 50-289
(Restart)

UCS's OPPOSITION TO LICENSEE'S MOTION FOR
LEAVE TO SUPPLEMENT TESTIMONY

UCS strongly opposes the Licensee's request to "supplement" its testimony, dated March 11, 1983. As to the correction of errors, factual errors in the record should be corrected in writing.*/ The shortness of the time certainly does not preclude this; Licensee had the time to file this motion in writing, which is presumably more lengthy than its corrections. The second part of the request, to put a new witness on the stand (without prefiled testimony) at this late date is totally without justification. GPU must live, like all the parties, with its own tactical choice regarding the witnesses it chooses to offer. The questions posed by the Board were clear. GPU has had at least three bites at this apple; it now apparently regrets its choice of witnesses.

GPU has made no showing at all that it meets the standards for a late-filed submission or for re-opening the record. Its request must be denied. In addition, UCS has had just a few days to prepare for the hearing

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on the boiler-condenser mode. The tightness of this schedule was exacerbated by the fact that the Staff's filing on BM-83-21, due in hand by close of business on Friday, March 11, was not received until 10 a.m. on Monday, March 14. We do not have the time to prepare to cross-examine a new witness (especially since it is not known what his testimony will be) and to prepare for the testimony already scheduled.

The Licensee's Motion for Leave to Supplement Testimony, March 11, 1983, should be denied.

Respectfully submitted,



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/ We were willing to agree only to a brief oral correction by Mr. Lanese of two allegedly factual errors contained in his testimony, if the Board wishes to accept this.

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CERTIFICATE OF SERVICE

I hereby certify that copies of "UNION OF CONCERNED SCIENTISTS' OPPOSITION TO LICENSEE'S MOTION FOR LEAVE TO SUPPLEMENT TESTIMONY" have been served on the following persons by deposit in the United States mail, first class postage or as indicated by asterisk, this 14th day of March, 1983.

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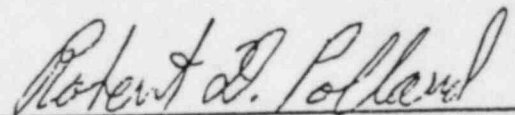
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