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NOV 15 10:57

November 12, 1982

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

Re: The Cleveland Electric Illuminating Co.,
et al. (Perry Nuclear Power Plant, Units
1 and 2): Docket Nos. 50-440 and 50-441

Gentlemen:

On November 10, 1982, a conference call was held with the Licensing Board and the parties to discuss certain procedural matters. On the call were Chairman Bloch and Dr. Kline, George Johnson (Staff), Jay Silberg (Applicants), Daniel Wilt (Sunflower), and Susan Hiatt (OCRE). At the Board's request, I have prepared this memorandum of the conference call.

The call was initiated at Applicants' request to resolve questions on the schedule for responding to summary disposition motions. The Commission's Rules of Practice provide that responses to summary disposition motions be filed within 20 days of filing (plus 5 days for mailing). On the other hand, the Board's September 16, 1982 Memorandum and Order set a December 10, 1982 target date for answers to summary disposition motions. For such motions filed prior to the November 15, 1982 target date for filing, it was unclear when answers would be due. The Chairman stated that the Board had not anticipated motions filed prior to the November 15, 1982 filing date, but that the Board would be aided if answers were filed on a staggered basis.

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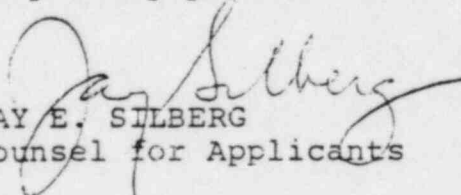
Atomic Safety and
Licensing Board
November 12, 1982
Page Two

Ms. Hiatt and Mr. Wilt both stated that they would try to meet the 25-day schedule set by Rules of Practice, but noted that they might seek extensions if necessary.

On other topics, Mr. Wilt stated that he was filing a notice of withdrawal of Issue No. 11, a motion concerning discovery from the NRC Staff, and a motion for an extension of time to file a motion for 14 other issues on quality assurance. The Board scheduled a conference call for November 15, 1982, to discuss Issue No. 8 (xenon control). The Board stated that a discussion of the issue would be useful to the parties because the Commission's guidance is sufficiently ambiguous. Finally, the Board granted OCRE's motion for an extension of time on further discovery relating to Issue No. 9, provided that OCRE explain why such further discovery could not have been completed in accordance with the October 29, 1982 discovery cutoff date.

The NRC Staff, OCRE and Sunflower concur with the substance of this memorandum.

Very truly yours,


JAY E. SILBERG
Counsel for Applicants

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UNITED STATES OF AMERICA

DOCKETED
USNRC

NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board '82 NOV 15 A10:58

In the Matter of)
)
THE CLEVELAND ELECTRIC)
ILLUMINATING COMPANY)
)
(Perry Nuclear Power Plant,)
Units 1 and 2))

Docket Nos. 50-440
50-441

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