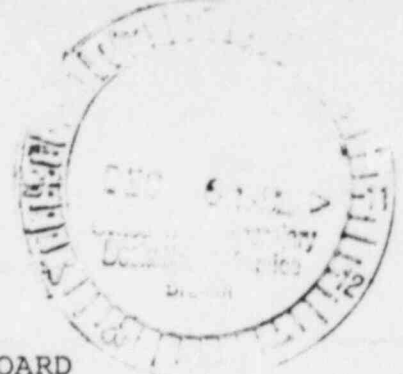


UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD



IN THE MATTER OF )  
 )  
CONSUMERS POWER COMPANY ) Docket No. 50-155-OLA  
 ) (Spent Fuel Pool  
 ) Modification)  
Big Rock Point Nuclear )  
Power Plant )

INTERVENORS' OPPOSITION TO  
LICENSEE'S MOTION FOR STAY OF EFFECTIVENESS  
OF DECISION CONCERNING CRITICALITY

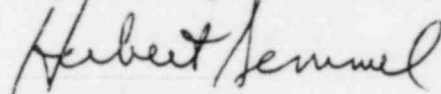
This motion is premature. There is no occasion to consider a stay unless the Appeals Board agrees to hear the appeal by Licensee. Only at that point should consideration be given to a stay.

Reasons why a stay should be denied are set forth in the attached Intervenor's Opposition to Immediate Review of a Partial Initial Decision Concerning Criticality. In addition, it now appears that Judges Shon and Paris will be engaged in the Indian Point Hearings until the end of April. Licensee has more than adequate time to prepare the amended application ordered by this Board in its October 29, 1982 Decision. Dr. Kim estimated that three to four months are required. If a stay is granted and the Appeals Board refuses to hear the appeal or hears it and affirms, only greater delays will result. The best interests of the public

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and the parties is to deny any stay and have the Licensee prepare the amendment to the application as directed by the Board. In this way the fullest information will be before this Board and the public when the hearings resume.

Respectfully submitted,

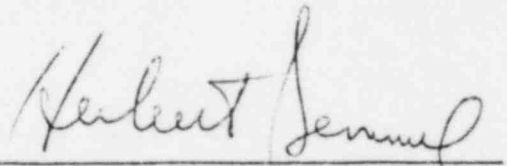


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CERTIFICATE OF SERVICE

I certify that the foregoing Intervenors Opposition to Licensee's Motion for Stay of Effectiveness of Decision Concerning Criticality was served on the attached list on the 3 day of December, 1982 by United States Mail, first class, postage prepaid.

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Herbert Semmel