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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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In the Matter of	
FLORIDA POWER & LIGHT COMPANY	Docket Nos. 50-250-OLA-6 50-251-OLA-6
(Turkey Point Plant, Units 3 and 4)	(Emergency Power System Enhancement)

January 9, 1991

LICENSEE'S ANSWER TO
PETITIONER'S MOTION FOR RECONSIDERATION

Florida Power & Light Company ("FPL" or "Licensee") files this Answer in opposition to as much of the "Reply to Answers to Petition and Amended Petition" ("Reply") submitted by Thomas J. Saporito, Jr. ("Petitioner") and dated December 26, 1990, as constitutes a motion for reconsideration of the Atomic Safety and Licensing Board "Memorandum and Order (Scheduling Reply to Answers to Petition)," dated December 5, 1990. In its Memorandum and Order, the Board provided Petitioner with an opportunity to respond to answers filed by FPL and the NRC Staff, dated November 9, and 14, 1990, respectively, which opposed the grant of a hearing and intervention on the grounds that Petitioner lacks standing and has failed to state a proper contention. Additionally, the Licensing Board provided Petitioner with an opportunity to reply to Licensee's December 5th response to address-change notices. Petitioner's Reply was

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provided in the document dated December 26, 1990, referenced above.

On page 2 of the Reply Petitioner seeks reconsideration of the Board's Memorandum and Order to the extent that the Board ruled that: "In light of the fact that Petitioners have stated contentions, we find that good cause exists to bar the further filing of contentions absent a showing pursuant to 10 C.F.R. § 2.714(a)(1)(i) - (v)." Considered as a motion for reconsideration,[1] FPL offers the following response.

The threshold issue confronting the Board in the instant case is the standing of Petitioner to seek a hearing and to intervene. The NRC Staff and FPL answers to the "Request for Hearing and Petition for Leave to Intervene," demonstrate that Petitioner failed to establish sufficient legal interest to support standing. Petitioner's Reply offers no cure for this basic deficiency.[2] Accordingly, the pending request for a

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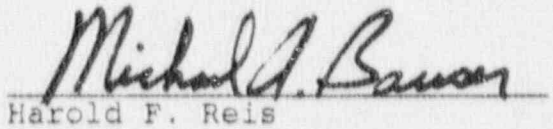
[1]A Board may reconsider a decision in response to a motion. E.g., Public Service Co. of Oklahoma, et al. (Black Fox Station Units 1 and 2), ALAB-370, 5 NRC 131, 132 ftn. 2 (1977).

[2]In particular, the Staff and Licensee have identified specific deficiencies, inconsistences and ambiguities in Petitioner's submittals, which the Reply simply fails to address. The Reply merely argues -- in contradiction to the plain language of one of the notices -- that a point raised in FPL's December 5th pleading, concerning address changes, misperceives a particular chronological fact. In any event, the Reply does nothing to rectify the inadequacies identified by the Staff and Licensee concerning Petitioner's case regarding standing.

hearing and intervention should be denied on the basis of Petitioner's lack of standing, and any question as to the propriety of the Board's ruling concerning the timing of contentions is moot.

Respectfully submitted,



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Dated this 9th day of January, 1991.

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NUCLEAR REGULATORY COMMISSION

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FLORIDA POWER & LIGHT COMPANY	Docket Nos. 50-250-OLA-6 50-251-OLA-6
(Turkey Point Plant, Units 3 and 4)	(Emergency Power System Enhancement)

CERTIFICATE OF SERVICE

I hereby certify that copies of "Licensee's Answer to Petitioner's Motion for Reconsideration" in the above captioned proceeding were served on the following by deposit in the United States mail, first class, properly stamped and addressed, on the date shown below.*

John H. Frye, III, Chairman*
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Attention: Chief, Docketing and Service Section
(Original plus two copies)

Atomic Safety and Licensing Board Panel
Adjudicatory File
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