

DOCKETED
USNRC

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION 82 DEN 13 A11:30

ATOMIC SAFETY AND LICENSING APPEAL BOARD
SECRETARY
DOCKETING & SERVICE
BRANCH

Administrative Judges:

Stephen F. Eilperin, Chairman
Thomas S. Moore
Dr. Reginald L. Gotchy

In the Matter of

THE DETROIT EDISON COMPANY

Docket No. 50-341 OL

(Enrico Fermi Atomic Power Plant,
Unit 2)

AFFIDAVIT

DAVID E. HOWELL being duly sworn, deposes and says;

1. That I was retained to represent the organization known as Citizens for Employment and Energy, a/k/a CEE, by Kim Arthur Siegfried.
2. That Kim Arthur Siegfried at that time was acting as legal counsel for Citizens for Employment and Energy and could not continue to represent Citizens for Employment and Energy.
3. That a proper Stipulation for Substitution of Attorney was presented to the Atomic Safety and Licensing Appeal Board

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CERTIFICATE OF SERVICE

I hereby certify that copies of the AFFIDAVIT of DAVID E. HOWELL and copies of the AFFIDAVIT of KIM ARTHUR SIEGFRIED have been served on the following by deposit in the United States Mail, first class, postage paid, this 8th day of December, 1982:

Harry H. Voight, Esq.
Le Boeuf, Lamb, Lerby & McRae
1333 New Hampshire Ave. N.W.
Washington, D.C. 20036

Docketing and Service Section
Office of the Secretary
U.S. Nuclear Regulatory Comm.
Washington, D.C. 20555

Colleen Woodhead, Esq.
Office of the Executive Legal
Director
U.S. Nuclear Regulatory Comm.
Washington, D.C. 20555

Stephen F. Eilperin, Esq.,
Chairperson
Atomic Safety and Licensing
Appeal Board
U.S. Nuclear Regulatory Comm.
Washington, D.C. 20555

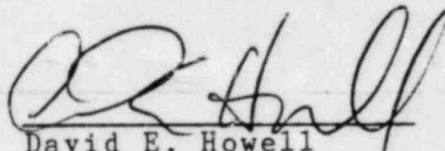
DS03

Peter Marquardt, Esq.
Detroit Edison Company
2000 Second Avenue
Detroit, Michigan 48226

John R. Minock
305 Maple Ridge
Ann Arbor, Michigan 48013

Thomas S. Moore, Esq.
Atomic Safety and Licensing
Appeal Board
U.S. Nuclear Regulatory Comm.
Washington, D.C. 20555

Dr. Reginald L. Gotchy
Atomic Safety and Licensing
Appeal Board
U.S. Nuclear Regulatory Comm.
Washington, D. C. 20555



David E. Howell
3239 Woodward Avenue
Berkley, Michigan 48072

for my appearance in the place and stead of Kim Arthur Siegfried.

4. That prior to my appearance, in this proceeding, it was my information and belief that Citizens for Employment and Energy was an inactive organization.
5. That it is my information and belief that, members of an organization known as Safe Energy Coalition, a/k/a SECO, of Detroit, Michigan, provided support and assistance to Kim Arthur Siegfried in his efforts to maintain the status of Citizens for Employment and Energy as an Intervenor.
6. That to the best of my knowledge, information and belief the only individual that I have ever associated with that was a member of Citizens for Employment and Energy was Kim Arthur Siegfried.
7. That Kim Arthur Siegfried was not co-counsel, but to the best of my knowledge, information and belief was the individual that had retained me to represent and continue the status of Citizens for Employment and Energy as an intervenor in this matter.
8. That Kim Arthur Siegfried, at all times continued to take an active part in the preparation and presentation of the Intervenor's cause and in fact continued to appear on behalf of Citizens for Employment and Energy when there was

a schedule conflict that prevented or delayed my appearance.

9. That during the Summer of 1982 I was contacted by individuals who indicated that they wanted to have an attorney investigate taking further action in this cause.
10. That on November 6, 1982, at the direct request of Kim Arthur Siegfried, I consented to and executed a Consent to Substitution of Counsel.
11. That said consent was for the substitution of John R. Minock, as counsel for Citizens for Employment and Energy.
12. That prior to the letter, dated May 28, 1982, being submitted to the Board and all parties, I contacted Kim Arthur Siegfried and discussed filing Proposed Findings of Facts and Conclusions of Law.
13. That the decision to file a letter stating that Citizens for Employment and Energy did not intend to file Proposed Findings of Facts and Conclusions of Law was jointly reached during these discussions.
14. That said decision was in part based on the interpretation that the Board had not required the parties to file Proposed Findings of Fact and Conclusions of Law. It is acknowledged that the Board did, with approval of all parties, including Citizens for Employment and Energy,

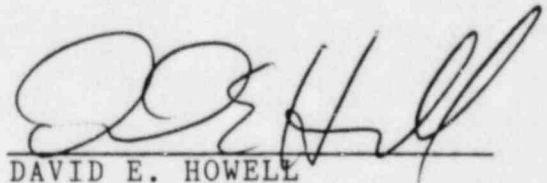
establish a schedule and deadline for the filing of Proposed Findings of Fact and Conclusions of Law.

15. That during these discussions Kim Arthur Siegfried indicated that he would concur with my decision and he further instructed me to proceed in the manner that I found most appropriate to the circumstances.

16. That at no time during my representation of Citizens for Employment and Energy was I informed of or was I required to report to any membership, committees, or officers, of any organization, concerning my representation of Citizens for Employment and Energy.

17. That at all time during my representation of the Intervenor I reported and answered only to Kim Arthur Siegfried.

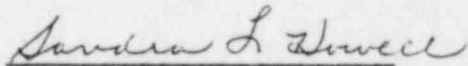
And further this deponent says not.



DAVID E. HOWELL

STATE OF MICHIGAN)
) ss
COUNTY OF OAKLAND)

Sworn to and subscribed before me this 8th day of December, 1982.


SANDRA L. HOWELL, Notary
Oakland County, MI
My commission expires: 7-16-86