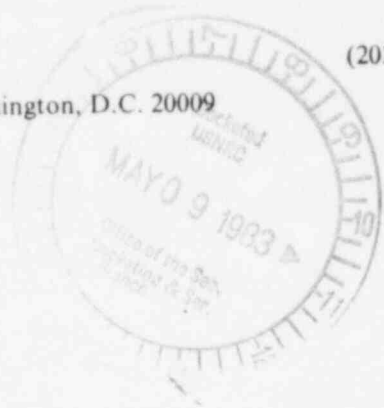




# ANTIOCH SCHOOL OF LAW

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(202) 265-9500



May 4, 1983

Peter Bloch, Esquire  
Administrative Judge  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Dr. Oscar H. Paris  
Administrative Judge  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Mr. Frederick J. Shon  
Administrative Judge  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Re: Consumers Power Company (Big Rock Point  
Nuclear Power Plant) Docket No. 50-155-OLA  
(Spent Fuel Pool Modification)

Gentlemen:

This letter is in response to the May 3 letter by counsel for Licensee concerning emergency planning.

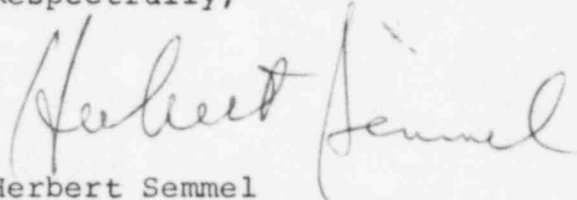
On May 3 Judge Block advised me that he had suggested to counsel for Licensee that the appropriate procedure for Licensee to obtain dismissal without hearing of emergency planning contentions covered by the Board's order of September 14, 1982 was a motion for summary disposition. We are relying on this advice and hence are not filing any response to the letter from Licensee dated May 3. We reserve the right to contest the appropriateness of summary

*DS03*

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May 5, 1983

disposition at this stage of the proceedings if Licensee chooses to proceed in that matter. At present, there are disputed issues of fact which can only be resolved by a hearing.

Respectfully,

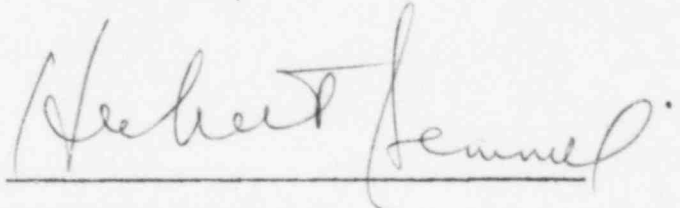


Herbert Semmel  
Attorney for Intervenors  
Christa-Maria, Mills and Bier

HS/au

CERTIFICATE OF SERVICE

A copy of the above letter was served upon attached list United States Mail, first class postage prepaid on the 5th day of May 1983.



Herbert Semmel

Atomic Safety and Licensing  
Board Panel  
U.S. Nuclear Regulatory  
Commission  
Washington, D.C. 20555

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Atomic Safety and Licensing  
Board Panel  
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