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UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

RELATED CORRESPONDENCE

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

DOCKETED  
USNRC

In the Matter of ( )  
( )  
HOUSTON LIGHTING AND ( )  
POWER COMPANY, ET AL. ( )  
(South Texas Project, ( )  
Units 1 and 2) ( )

84 JUN 11 P3:55

Docket Nos. 50-498 OL

50-498 OL  
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Citizens Concerned About Nuclear Power (CCANP) Motion for  
Expanded Brief on Appeal

Pursuant to 10 C.F.R. Section 2.762(e) Citizens Concerned About Nuclear Power (CCANP) requests the Appeal Board to grant CCANP an increase in the page limit of the Appeal Brief from the current seventy (70) pages. In support of this request, CCANP cites the following:

1. The central issue in this case is the character of the Applicants. Corporate character, either in the nuclear context or any other, is a relatively undefined concept. The Atomic Safety and Licensing Board in this proceeding asked the parties to file briefs on the meaning of corporate character prior to the initiation of the hearings. The Board spent most of the first fifty-one (51) pages of the Partial Initial Decision exploring this issue and its application in this proceeding. A major portion of the appeal CCANP is filing will of necessity be devoted to distinguishing the definition, measure, and standard for character chosen by the ASLB from that which CCANP contends is more appropriate. This section would not normally be necessary in a case where unique legal issues had not arisen and the appeal could be limited to an expression of differences simply on the findings.

2. As the Appeal Board is aware, CCANP intends to

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contend that the proceeding itself was conducted in violation of the normal safeguards for due process in an administrative proceeding. Given the difficulty of demonstrating this contention, CCANP will provide a separate section of the appeal tracing in some detail the instances and patterns of Board behavior which CCANP contends comprise the violation of CCANP's due process rights.

3. The Partial Initial Decision itself is 287 pages in length with 425 findings. There are is very little of the initial discussion or in the hundreds of findings that CCANP can agree with. Citing CCANP's differences is a matter of going into some detail on a wide variety of topics.

Given these above and foregoing circumstances, CCANP moves the Atomic Safety and Licensing Appeal Board to provide CCANP an additional seventy-five (75) pages for its brief on appeal (a total of 145 pages). CCANP will do its best to use fewer pages, to be concise, and to select the most important points for discussion. Nevertheless, CCANP believes the expansion request may well be necessary.

Respectfully submitted,

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Nuclear Power, Inc.

Dated: June 8, 1984

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING APPEAL BOARD

In the Matter of ( )  
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HOUSTON LIGHTING AND ( )  
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CERTIFICATE OF SERVICE

I hereby certify that copies of CITIZENS CONCERNED ABOUT NUCLEAR POWER, INC. (CCANP) MOTION FOR EXPANDED BRIEF ON APPEAL were served by deposit in the U.S. Mail, first class postage paid to the following individuals and entities on the 8th day of June 1984.

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