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UNITED STATES OF AMERICA NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING APPEAL BOARD

In the Matter of

KANSAS GAS AND ELECTRIC COMPANY & KANSAS CITY POWER & LIGHT COMPANY

Docket No. 50-482 OL

(Wolf Creek Generating Station, Unit No. 1)

NRC STAFF RESPONSE TO KASE MOTION SEEKING TO HAVE STATUS AS INTERVENOR AND FINANCIAL QUALIFICATIONS CONTENTION REINSTATED

On April 30, 1984, the Appeal Board extended the time for all responses to the KASE motion to the fourth business day following the issuance of the Commission's new Policy Statement affecting the litigation of financial qualifications.

In its Policy Statement, dated June 7, 1984, (49 Fed. Reg. 24111, June 12, 1984) the Commission stated:

It would not appear reasonable to construe the Court's opinion as requiring that the Commission instruct its adjudicatory panels in these proceedings to begin the process of accepting and litigating financial qualifications contentions, a process which would delay the licensing of several plants which are at or near completion, only to be required to dismiss the contentions when the new rule takes effect in the near future.

Accordingly, the March 31, 1982 rule will continue in effect until finalization of the Commission's response to the Court's remand. The Commission

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directs its Atomic Safety and Licensing Board Panel and Atomic Safety and Licensing Appeal Panel to proceed accordingly.

The Commission's Policy Statement clearly requires that KASE's motion be denied.

Respectfully submitted,

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Myron Karman Beputy Assistant Chief Hearing Counsel

Dated at Bethesda, Maryland this 15th day of June, 1984

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(Wolf Creek Generating Station, Unit No. 1)

CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF RESPONSE TO KASE MOTION SEEKING TO HAVE STATUS AS INTERVENOR AND FINANCIAL QUALIFICATIONS CONTENTION REIN-STATED" in the above-captioned proceeding have been served on the following by deposit in the United States mail, first class, or, as indicated by an asterisk, through deposit in the Nuclear Regulatory Commission's internal mail system, this 15th day of June, 1984:

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