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UNITED STATES AMERICA  
NUCLEAR REGULATORY COMMISSION

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Before Administrative Judges:

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

Robert M. Lazo, Chairman  
Jerry R. Kline  
Peter S. Lam

In the Matter of,	)	Docket Nos. 50-528-OLA-3
	)	50-529-OLA-3
	)	50-530-OLA-3
ARIZONA PUBLIC SERVICE COMPANY,	)	ASLBP No. 92-654-01-OLA-3
<u>et al.</u> ,	)	
	)	(Automatic Closure
(Palo Verde Nuclear Generating	)	Interlock for Shutdown
Station, Units 1, 2 & 3)	)	Cooling Valves)
	)	
	)	February 3, 1992

LICENSEES' ANSWER IN SUPPORT  
OF NOTICE OF VOLUNTARY DISMISSAL  
OF PETITION FOR LEAVE TO INTERVENE

On December 10, 1992 Arizona Public Service Company, et al. ("APS" or "Licensees") filed their "Answer in Opposition to petition for leave to Intervene and Request for Hearing" ("Licensees' Answer"). Licensees' Answer opposed a "Petition for Leave to Intervene and Request for Hearing" submitted by Allan L. Mitchell and Linda E. Mitchell dated November 25, 1991 ("Petition"). The Petition relates to a proposed amendment to each of the operating licensees for the three Palo Verde units which was noticed in the Federal Register at 56 Fed. Reg. 55,942 (Oct. 30, 1991). NRC Staff filed a Response on December 13, 1991 which opposed Petitioners' motion to intervene, but concluded that Petitioners should be allowed to amend their Petition to set forth with particularity the aspects of the proceeding as to

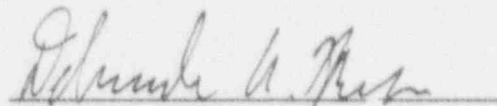
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which they wish to intervene, within seven days. NRC Staff Response at 6.

The Atomic Safety and Licensing Board ("Board") issued a "Notice of Prehearing Conference and Order Scheduling Filing of Pleadings" on January 3, 1992 ("Order"). In this Order, the Board required that "petitioners . . . shall file no later than January 27, 1992 a Supplemental Petition which must include a list of the contentions which petitioners seek to have litigated in the hearing and which satisfy the requirements of paragraph (b)(2) of § 2.714 of the Commission's Rules of Practice." Order at 2. Additionally, the pleadings were "to be in the hands of the Licensing Board and other parties on the due date." Order at 3. Petitioners failed to file a Supplemental Petition.

In a "Notice of Voluntary Dismissal of Petition for Leave to Intervene" dated January 27, 1992, Petitioners moved to voluntarily dismiss these proceedings. Licensees do not object to the dismissal of these proceedings. Accordingly, they should be terminated.

Respectfully submitted,



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In the Matter of,	)	Docket Nos. 50-528-OLA-7
	)	50-529-OLA-3
	)	50-530-OLA-3
ARIZONA PUBLIC SERVICE COMPANY,	)	ASLBP No. 92-654-01-OLA-3
et al.,	)	
(Palo Verde Nuclear Generating	)	(Automatic Closure
Station, Units 1, 2 & 3)	)	Interlock for Shutdown
	)	Cooling Valves)

CERTIFICATE OF SERVICE

I hereby certify that copies of "Licensees' Answer in Support of Notice of Voluntary Dismissal of Petition for Leave to Intervene," were served on the following by deposit in the United States mail, first class, properly stamped and addressed, on the date shown below.

U.S. Nuclear Regulatory Commission  
Atomic Safety and Licensing Board Panel  
Adjudicatory File  
Washington, D.C. 20555  
(two copies)

Office of the Secretary  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Attention: Chief, Docketing and Service Section  
(Original plus two copies)

Administrative Judge  
Robert M. Lazo, Chairman  
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U.S. Nuclear Regulatory Commission  
East West Towers Building  
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Bethesda, MD 20814

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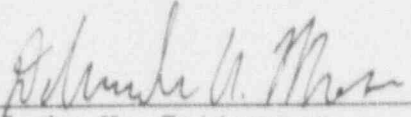
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