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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

October 31, 1984

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OFFICE OF GENERAL
DOCKETING & SERVICE
BRANCH

Dr. Thomas Urbanik
Texas A&M University
Texas Transportation Institute
College Station, TX 77843-3135

In the Matter of
CLEVELAND ELECTRIC ILLUMINATING COMPANY, ET AL.
(Perry Nuclear Power Plant, Units 1 and 2)
Docket Nos. 50-440 OL, 50-441 OL

Tom
Dear Dr. Urbanik:

Thank you for the draft affidavit you prepared for the Perry proceeding. I do not know at this time, however, whether or not I will need an affidavit from you due to recent events in the case.

In September the Applicant's attorney filed a motion to dismiss the emergency plan contention and the NRC supported the motion. If the Licensing Board grants the motion, your affidavit will be unnecessary.

I will notify you when we receive the Board's ruling on the motion.

Thank you for your efforts.

Sincerely,

Colleen P. Woodhead
Counsel for NRC Staff

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