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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
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BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of	)	
	)	
TEXAS UTILITIES ELECTRIC	)	Docket Nos. 50-445 and
COMPANY, <u>et. al.</u>	)	50-446
	)	
(Comanche Peak Steam Electric	)	(Application for
Station, Units 1 and 2	)	Operating Licenses)

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APPLICANTS' OBJECTION TO CASE'S SUPPLEMENTATION  
OF ITS MOTION FOR RECONSIDERATION OF LICENSING  
BOARD'S MEMORANDUM (CONCERNING WELDING ISSUES)

On December 18, 1984, the Atomic Safety and Licensing Board ("Licensing Board") issued Memorandum (Concerning Welding Issues), LBP-84-54, 20 NRC \_\_\_\_ ("Welding Decision") in the captioned proceeding. On January 7, 1985, Citizens Association for Sound Energy ("CASE") filed a Motion for Reconsideration of the Board's 12/18/84 Memorandum (Concerning Welding Issues) ("CASE's Motion for Reconsideration of the Welding Decision"), which included a motion that it be allowed to thereafter supplement its Motion for Reconsideration. Texas Utilities Electric Company, et al. ("Applicants") and the NRC Staff filed responses on January 22 and February 7, 1985, respectively.

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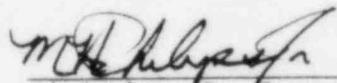
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On March 16 and 19, 1985, notwithstanding that the Board had not ruled on its motion to supplement, CASE filed supplements to its Motion for Reconsideration of the Welding Decision. (CASE appears to characterize its pleadings as supplements both to its motion for reconsideration and to its "welding findings." See, e.g., March 16, 1985 Supplement at 2.) In the supplements, CASE states its intent to file additional supplements in the near and long term.

In Applicants' January 22, 1985 response to CASE's Motion for Reconsideration of the Welding Decision, Applicants opposed CASE's motion to supplement and, absent Board direction to the contrary, do not intend to respond to CASE's continuing supplements until after the Board rules on CASE's motion to be permitted to supplement.

In addition to the arguments presented in Applicants' January 22 response, Applicants note that CASE's stated intent to supplement its motion for reconsideration with new arguments or positions is contrary to Commission direction. See, e.g., Central Electric Power Cooperative, Inc. (Virgil C. Summer Nuclear Station, Unit No. 1), CLI-80-26, 14 NRC 787, 790 (1981), wherein the Commission stated that a motion

for reconsideration is proper only if it is confined to "an elaboration upon, or refinement of arguments previously advanced." See also Tennessee Valley Authority (Huntsville Nuclear Power Plant, Units 1A, 2A, 1B and 2B), ALAB-418, 6 NRC 1, 2 (1977).



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NUCLEAR REGULATORY COMMISSION

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In the Matter of )  
 ) Docket Nos. 50-445 and  
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 ) (Application for  
(Comanche Peak Steam Electric ) Operating Licenses)  
Station, Units 1 and 2) )

CERTIFICATE OF SERVICE

I hereby certify that copies of "Applicants' Objection to CASE's Supplementation of its Motion for Reconsideration of Licensing Board's Memorandum (Concerning Welding Issues)", in the above-captioned matter was served upon the following persons by deposit in the United States mail, first class, postage prepaid, this 1st day of April, 1985.

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