



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

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Samuel J. Chilk, Secretary
U.S. Nuclear Regulatory Commission
Washington, DC 20555

In the Matter of
METROPOLITAN EDISON COMPANY, ET AL.
(Three Mile Island Nuclear Station, Unit No. 1)
Docket No. 50-289 - SP
(Restart Remand on Management)

Dear Mr. Chilk:

By Order dated February 20, 1985, the Commission took direct review of Judge Ivan Smith's February 20, 1985 Memorandum and Order Denying Motions to Disqualify and provided the parties to the TMI-1 restart proceeding with the opportunity to submit their views either in support of or in opposition to Judge Smith's order. The Staff has carefully considered Judge Smith's Memorandum and Order and has concluded that the Staff's position remains as stated in the Staff's January 29th response to the motions to disqualify Judge Smith. Although the Staff believes that Judge Smith's characterization of the Staff's position (see Memorandum and Order at 50-53) is an oversimplification of the Staff's analysis of the alleged grounds for disqualification and the bases for the Staff's position, we do not believe that any worthwhile purpose would be served by further elaboration of the Staff's position. The Staff believes that its position has been adequately explained in the Staff's January 29th response. We therefore wish to advise the Commission that we have no further comments.

Sincerely,

Jack R. Goldberg
Counsel for NRC Staff

cc: TMI-1 Service List

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