

BD 1/28/85

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD  
Before Administrative Judges:  
Ivan W. Smith, Chairman  
Sheldon J. Wolfe, Alternate Chairman  
Gustave A. Linenberger, Jr.

DOCKETED  
USNRC

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OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

SERVED JAN 29 1985

In the Matter of  
METROPOLITAN EDISON COMPANY  
(Three Mile Island Nuclear  
Station, Unit No. 1)

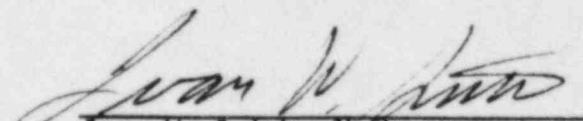
) Docket No. 50-289-SP  
) (ASLBP 79-429-09-SP)  
) (Restart Remand on  
) Management)

January 28, 1985

MEMORANDUM AND ORDER

By letter of December 21, 1984 counsel for TMIA, with the approval of counsel for Licensee, moves that the evidentiary record be reopened to add an NRC interview of Karl Plumlee. However, counsel for the NRC Staff, by letter of January 18, 1985 consents to the motion only if additional interviews of Mr. Plumlee, an NRC employee, and other interviews be received in evidence. Apparently counsel for TMIA does not accept the Staff's position and insists that its letter of December 21 be acted upon. See attached notes by D. Moran. Absent agreement by all the parties, the Board cannot accept TMIA's December 21 motion and the motion is therefore denied. However TMIA may file a more formal motion on the same matter. If timely, the Board will reconsider this ruling.

FOR THE ATOMIC SAFETY AND  
LICENSING BOARD



Ivan W. Smith, Chairman  
ADMINISTRATIVE LAW JUDGE

Bethesda, Maryland

January 28, 1985

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TELEPHONE CONVERSATIONS

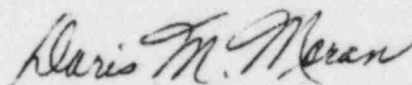
In re: Metropolitan Edison Company (TMI-1) Restart Remand  
Docket No. 50-289-SP

On Friday, January 25, 1985, I received a call from counsel for TMIA asking if the Board had ruled on TMIA's 12/21 motion that an additional interview be accepted into the record. She mentioned that counsel for Licensee had approved the motion. She said that even though Staff did not agree and would prefer a conference call with the Board and parties, counsel for TMIA did not think a conference call was needed -- that everything needed was provided in their motion. However, she said that if a conference call were held, they would insist that it be transcribed as a matter of record. Counsel for TMIA said that they would like a ruling on the 12/21 motion. I told her that I did not know the answer and had not seen the motion, but that I would look it up and let her know.

On Monday, January 28, Judge Smith asked me to call counsel for TMIA with the following message:

The Board does not intend to act on counsel for TMIA's letter. If TMIA wishes relief, TMIA should file a formal motion.

That message was delivered.



Doris M. Moran  
Clerk to the Atomic Safety and  
Licensing Board