

June 7, 1988

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING APPEAL BOARD

_____)	
In the Matter of)	
FLORIDA POWER AND LIGHT COMPANY)	Docket No. 50-335-OLA
(St. Lucie Plant, Unit No. 1))	(Spent Fuel Pool Expansion)
_____)	

LICENSEE'S MOTION FOR ORAL ARGUMENT

Pursuant to 10 C.F.R. § 2.730 Florida Power and Light Company ("FPL" or "Licensee") hereby moves for oral argument in connection with its appeal of the April 20, 1988 Licensing Board Memorandum and Order granting a request for hearing and petition for leave to intervene. In support of this motion, Licensee states as follows:

1. The holding of oral argument is within the Appeal Board's discretion. E.g., 10 C.F.R. Part 2, App. A, section IX(e).

2. On May 9, 1988 FPL filed "Licensee's Notice of Appeal from Atomic Safety and Licensing Board Memorandum and Order Granting a Request for Hearing and Petition for Leave to Intervene and Supporting Brief."

3. On May 24, 1988 the "Response of NRC Staff to Licensee's Appeal from Licensing Board's Memorandum and Order Granting Petition to Intervene, Request for Hearing and Contentions" was filed. By Order dated May 25, 1988, Petitioner Campbell Rich was granted an extension of time until June 7, 1988 to file his brief in opposition to Licensee's appeal of the April 20, 1988 Licensing Board Memorandum and Order.

4. Licensee is of the view that the essence of its appeal is straightforward. Oral argument may be helpful, however, in crystallizing fundamental issues. This is particularly true in view of the fact that they appear to have been addressed only infrequently in prior NRC adjudicatory proceedings.

5. Oral argument is also appropriate in view of the fundamental significance of the matter at issue.

For the foregoing reasons, this Motion for Oral Argument should be granted.

Respectfully submitted,



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Dated: June 7, 1988

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