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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

LB 10/17/88
DOCKET
USNRC

ATOMIC SAFETY AND LICENSING BOARD ⁸⁸ OCT 17 A11:46

Before Administrative Judges:
Ivan W. Smith, Chairman
Gustave A. Linenberger, Jr.
Dr. Jerry Harbour

SERVED OCT 17 1988

In the Matter of)
)
PUBLIC SERVICE COMPANY OF)
NEW HAMPSHIRE, et al.)
)
(Seabrook Station,)
Units 1 and 2))

Docket Nos. 50-443-OL
50-444-OL
(ASLBP No. 82-471-02-OL)
(Offsite Emergency
Planning)

October 17, 1988

MEMORANDUM AND ORDER
(Regarding Limited Participation)

As the Board announced during the Prehearing Conference in August, we will excuse any party from litigating any SPMC contentions they specify as being not in their respective interests to litigate. This will not affect their position as a party to this proceeding. Tr. 14291. The Town of Salisbury has decided to limit its participation to the litigation of only 5 of the 63 SPMC contentions. The Town may litigate (i.e., present evidence, examine witnesses, etc.) with regard to those contentions it specifies, and it is excused from participating in the litigation of the other contentions for the remainder of the proceeding.

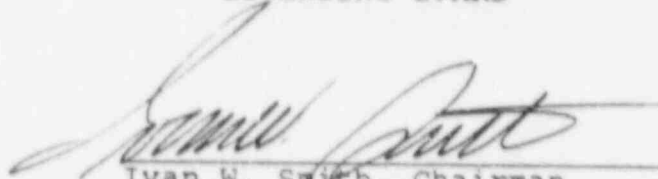
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It is the limited participants' duty, and not the Board's, to determine when something is occurring that affects them. Excused participants must accept the proceeding as it develops in their absence. The Board suggests that limited participants make arrangements with someone at the hearings to keep them abreast of their respective interests. Tr. 14291.

An order approving limited participation status relates only to contention litigation and the respective party's presence at the hearing. Excusing a party from full participation does not in itself exclude it from responding to discovery requests.

FOR THE ATOMIC SAFETY AND
LICENSING BOARD

A handwritten signature in cursive script, appearing to read "Ivan W. Smith", written over a horizontal line.

Ivan W. Smith, Chairman
ADMINISTRATIVE LAW JUDGE

Bethesda, Maryland

October 17, 1988