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

January 13, 1988

OFFICE OF THE
SECRETARY

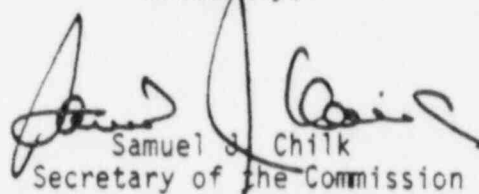
Morey M. Myers, Esq.
General Counsel for the Commonwealth
of Pennsylvania
Office of the General Counsel
P.O. Box 11775
Harrisburg, PA 17108

Dear Mr. Myers:

This is to inform you that the Commonwealth of Pennsylvania's November 20, 1987 Petition for Hearing with respect to Philadelphia Electric Company's Peach Bottom Nuclear Power Plant (Units 2 and 3), insofar as it requests a formal adjudicatory hearing at this time, is untimely and does not address the Commission's criteria in 10 C.F.R. §2.714(a), (d). See 52 Fed. Reg. 11386 (April 8, 1987); 10 C.F.R. §2.714(a)(1); 10 C.F.R. § 2.772(c). See also BPI v. AEC, 502 F.2d 424 (D.C. Cir. 1974). It is therefore rejected.

There has been a consistent pattern of open communications between the Commonwealth of Pennsylvania and the NRC concerning the Peach Bottom station since the facility was shut down. In addition to various communications with state officials, two public meetings concerning the Peach Bottom facility were held in the vicinity of the plant on September 24, 1987 and November 5, 1987. The Commission encourages the Commonwealth of Pennsylvania to continue to utilize these opportunities to communicate its concerns directly to the NRC staff. However, if the Commonwealth is proposing specific actions with respect to Peach Bottom, the Commonwealth is also free to file a petition with the Director, Office of Nuclear Reactor Regulation, under 10 C.F.R. § 2.206 of the Commission's regulations.

Sincerely,


Samuel J. Chilk
Secretary of the Commission

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