

September 28, 1987

UNITED STATES NUCLEAR REGULATORY COMMISSION
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

DOCKETED
USNRC

'87 SEP 29 P5:30

In the Matter of)

Public Service Company of)
New Hampshire, et al.)

(Seabrook Station, Units 1 & 2))

OFFICE OF SECRETARY
DOCKETING SERVICE
BRANCH
Docket Nos. 50-443 OL
50-444 OL
OFFSITE EMERGENCY
PLANNING

NECNP'S, SAPL'S, AND TOWN OF HAMPTON'S,
RESPONSE TO APPLICANTS' MOTION
FOR SCHEDULE FOR LITIGATION

The New England Coalition on Nuclear Pollution, Seacoast Anti-Pollution League, and the Town of Hampton (hereafter "Intervenors"), hereby respond to Applicants' Motion for Schedule for Litigation of Massachusetts Plan, dated September 21, 1987.

New Hampshire Yankee has served the parties with its compensatory plan for the Commonwealth of Massachusetts. The preparation of contentions on the Massachusetts plan will require not only a factual evaluation of the plan itself, but a review of the complex legal issues that are related to the litigation of compensatory plan. At this time, the parties are fully engaged in preparing for the upcoming hearings on the adequacy of emergency planning for the New Hampshire sector of the Seabrook Emergency Planning Zone. We expect that preparation for the weeks of hearings, attending the hearings, and preparation of proposed findings of fact and conclusions of law on the large and complex record in this case will demand the full attention of the Intervenors. The Intervenors lack the resources to simultaneously

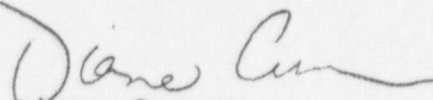
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litigate the New Hampshire plans and to undertake a comprehensive review of the compensatory plan.¹

In light of the extent of the current obligations faced by the Intervenor, and the importance of allowing an adequate opportunity to evaluate and prepare contentions on the novel and complex issues raised by Applicants' compensatory plan, the Intervenor respectfully request that the Licensing Board postpone any obligation to file contentions on the compensatory plan until 60 days after the deadline for filing proposed findings and conclusions of law in the New Hampshire-related portion of the emergency planning case.

Respectfully submitted on
behalf of NECNP, SAPL, and
Town of Hampton,



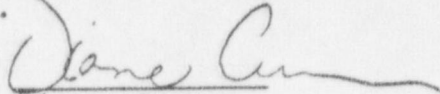
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September 28, 1987

¹ In addition, we note that with the filing of the compensatory plan, Applicants have also requested the Commission to lift its stay of the low power license for Seabrook. All of the Intervenor have opposed the issuance of a low power license, and are now under the additional burden of briefing the low power issues while the New Hampshire offsite emergency planning hearings are underway.

CERTIFICATE OF SERVICE

I certify that on September 28, 1987, copies of this pleading were served by first-class mail or as otherwise indicated on the parties to the attached service list.


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