

NRC PUBLIC DOCUMENT

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
HOUSTON LIGHTING & POWER)	NRC Docket Nos. 50-498A
COMPANY, <u>et al.</u>)	50-499A
(South Texas Project, Unit)	
Nos. 1 and 2))	
)	
In the Matter of)	
TEXAS UTILITIES GENERATING)	Docket Nos. 50-445A
COMPANY, <u>et al.</u>)	50-446A
(Comanche Peak Steam)	
Electric Station, Units 1)	
and 2))	(Consolidated for Discovery)

REQUEST OF CENTRAL AND SOUTH WEST
CORPORATION, ET AL. FOR PRODUCTION
OF DOCUMENTS ADDRESSED TO
TEXAS UTILITIES GENERATING COMPANY
AND HOUSTON LIGHTING AND POWER COMPANY

Central and South West Corporation ("CSW"),
Central Power and Light Company ("CPL"), Public Service
Company of Oklahoma ("PSO"), Southwestern Electric Power
Company ("SWEP") and West Texas Utilities Company ("WTU"),
through their attorneys and pursuant to Rule 2.741 of this
Commission's Rules of Practice, hereby requests that the
documents set forth below be made available for inspection
and copying at 9:30 a.m. on September 27, 1979, at the
offices of Isham, Lincoln & Beale, One First National Plaza,
Chicago, Illinois, or at such other time and place as the
parties may agree upon in writing.

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A. Definitions

1. "Documents" means, without limiting the generality of its meaning, all original (or copies where originals are unavailable) and non-identical copies (whether different from originals by reason of notation made on such copies or otherwise) of all written, recorded or graphic matter, however produced or reproduced, whether or not now in existence, including but not limited to correspondence, telegrams, notes or sound recordings of any type of conversation, meeting, or conference, minutes of directors' or committee meetings, memoranda, inter-office communications, studies, analyses, notes, books, records, reports, summaries and results of investigations and tests, reviews, contracts, agreements, pamphlets, diaries, calendar or diary entries, maps, graphs, charts, statistical records, computer data or papers similar to any of the foregoing, however denominated, including preliminary versions, drafts or revisions of any of the foregoing and any supporting, underlying or preparatory material.

2. "Relating to" or "relate" means consisting of, referring to, reflecting, or being in any way legally, logically or factually connected with. Requests "relating to" a subject or item should be understood to include possible or contemplated actions as to such subject or item.

For example, a request for documents relating to a purchase or sale would include documents relating to proposed purchases and sales that have been considered but rejected.

3. "Person" shall mean any natural person, company, association, firm, corporation, cooperative, rural electric cooperative, municipality, joint stock association, or any political subdivision, agency or instrumentality of the federal, state, or municipal governments, or a lawful association of any of the foregoing, or any entity that produces, generates, transmits, distributes, purchases, sells, or furnishes electricity.

4. "Representative" shall be understood to include, without limiting the generality of its meaning, any director, officer, employee, contractor, attorney, accountant or consultant, of any person or entity, who at a particular formal or informal meeting, or in a particular document or communication, appear to participate in the meeting, or in the making of or the receipt of the document or communication, on behalf of or as agent for, said person. Whether or not a representative has actual authority as an agent of the person is irrelevant to his or her status as a representative.

5. "Texas Utilities" or "TU" shall mean Texas Utilities Generating Company, its parent, affiliated, direct

and indirect subsidiary and all predecessor companies, including, but not limited to, Texas Utilities Company, Dallas Power & Light Company, Texas Electric Service Company, Texas Power & Light Company, Texas Utilities Service Company and Texas Utilities Fuel Company.

6. "Houston Lighting & Power Company" or "HL&P" shall be understood to include its parent, direct and indirect subsidiary, affiliated, or predecessor companies and any entities providing electric service at wholesale or retail, the properties or assets of which have been acquired by HL&P.

B. Instructions

1. Pursuant to the directive of the Board (Transcript at 105), issued at the prehearing conference on June 21, 1978, these interrogatories and requests for production of documents are continuing in nature and, accordingly, require supplemental answers or production should TU or HLP generate or obtain further pertinent information or documents after the time for compliance with these discovery requests.

2. Unless otherwise indicated, the documents hereby requested to be furnished shall include all documents from the files and records of TU or HL&P or otherwise within the possession, custody or control of TU or HL&P or any of their representatives dated January 1, 1965, to the present.

3. If any document otherwise responsive to any request was, on or after December 19, 1970 (date of enactment of P. L. 91-560), but is no longer, in the possession of TU or HL&P, or subject to the control of TU or HL&P, or in existence, state whether (1) it is missing or lost, (2) has been destroyed, (3) has been transferred voluntarily to others, or (4) has been otherwise disposed of. In each instance, explain the circumstances surrounding such disposition and identify the person(s) directing or authorizing its destruction or transfer, and the date(s) of such direction or authorization. Identify each such document by listing its author and addressee, type (e.g., letter, memorandum, telegram, chart, photograph, etc.), date, subject matter, whether the document (or copies) are still in existence, and if so, their present location(s) and custodian(s).

4. Any documents withheld by reason of any assertion of privilege shall be identified individually by listing the person(s) preparing, sending, or receiving the same, the subject and date thereof, and a brief statement on the basis for asserting privilege as to each document. All documents for which privilege is claimed shall be submitted to the Licensing Board under seal no later than the last day for this document production.

C. Documents to be Produced

1. All documents relating or referring to any transactions proposed by or to or otherwise given consideration by either or both TU and HL&P, whether or not consummated and whether or not still under consideration, for any purchase or sale or other exchange between TU and HL&P of all or part of or any proprietary interest in the Forest Grove generating plant located in Henderson County, Texas or in any other electric power generating plant or unit.

2. All documents relating or referring to any transactions proposed by or to or otherwise given consideration by TU, whether or not consummated and whether or not still under consideration, for any purchase or sale between TU and any person or entity other than HL&P of all or part of or any proprietary interest in any electric power generating plant or unit other than the Comanche Peak Steam Electric Station, Units 1 and 2.

3. All documents relating or referring to any transactions proposed by or to or otherwise given consideration by HL&P, whether or not consummated and whether or not still under consideration, for any purchase or sale between HL&P and any person or entity other than TU of all or part of or any proprietary interest in any electric power generating plant or unit other than the South Texas Project, Unit Nos. 1 and 2.

4. All documents relating or referring to any transactions proposed by or to or otherwise given consideration by either or both TU and HL&P, whether or not consummated and whether or not still under consideration, for any purchase, sale or other exchange of fuel for use in generating electric power, which transactions refer or relate to any of the transactions described in paragraphs 1-3 hereof.

5. All documents relating or referring to any requests made by or to either or both TU and HL&P for the purchase, sale or other exchange of fuel for use in generating electric power, which requests refer or relate to any of the transactions described in paragraphs 1-3 hereof.

6. All documents relating or referring to any transactions proposed by or to or otherwise given consideration by either or both TU and HL&P, whether or not consummated and whether or not still under consideration, for any purchase, sale or other exchange of electric power between them for any period of time after December 1, 1978.

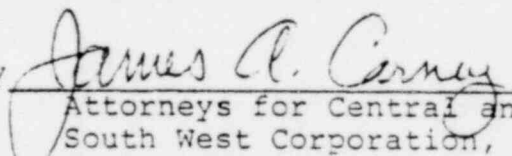
7. All documents relating or referring to any transactions proposed by or to or otherwise given consideration by TU, whether or not consummated and whether or not still under consideration, for any purchase, sale or other exchange of electric power at wholesale between TU and any person or entity other than HL&P for any period of time after December 1, 1978.

8. All documents relating or referring to any transactions proposed by or to or otherwise given consideration by HL&P, whether or not consummated and whether or not still under consideration for any purchase, sale or other exchange of electric power at wholesale between HL&P and any person or entity other than TU for any period of time after December 1, 1978.

9. All documents relating or referring to any possible additions to or other changes in the electric transmission facilities of either or both TU and HL&P that have been discussed, studied, planned or otherwise given consideration by either or both TU and HL&P since December 1, 1978, which refer or relate to any of the transactions described in paragraphs 1-8 hereof, whether or not such possible additions or changes are still under consideration.

Respectfully submitted,

ISHAM, LINCOLN & BEALE

By 
Attorneys for Central and
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Company and West Texas
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) ss.
County of Cook)

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of:)	
)	
HOUSTON LIGHTING & POWER)	NRC DOCKET NOS. 50-498A
COMPANY, THE CITY OF SAN)	50-499A
ANTONIO, THE CITY OF AUSTIN,)	
and CENTRAL POWER AND LIGHT)	
COMPANY)	
(South Texas Project, Unit)	
Nos. 1 and 2))	
)	
TEXAS UTILITIES GENERATING)	NRC DOCKET NOS. 50-445A
COMPANY, <u>ET AL.</u>)	50-446A
(Comanche Peak Steam Electric)	
Station, Unit Nos. 1 and 2))	

PROOF OF SERVICE

I, David M. Birnbaum, having been duly sworn, on oath state that I caused copies of the foregoing Request of Central and South West Corporation, Et Al. For Production of Documents Addressed to Texas Utilities Generating Company and Houston Lighting and Power Company to be served upon the following persons by deposit in the United States, mail first class postage prepaid, on this 22nd day of August, 1979.

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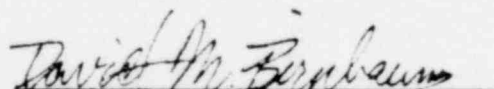
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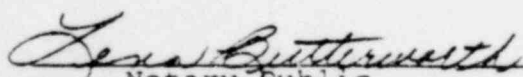
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David M. Birnbaum

Subscribed and sworn to
before me this 22nd day
of August, 1979.


Notary Public

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