

NRC PUBLIC DOCUMENT ROOM



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

In the Matter of

HOUSTON LIGHTING & POWER
COMPANY, PUBLIC SERVICE
BOARD OF SAN ANTONIO, CITY OF
AUSTIN, CENTRAL POWER AND
LIGHT COMPANY
(South Texas Project, Unit Nos.
1 and 2)

NRC Docket Nos. 50-498A
50-499A

TEXAS UTILITIES GENERATING
COMPANY, et al.
(Comanche Peak Steam Electric
Station, Units 1 and 2)

NRC Docket Nos. 50-445A
50-446A

THIRD SUPPLEMENTAL ANSWER OF TEXAS UTILITIES COMPANY
AND ITS SUBSIDIARIES
TO THE FIRST SET OF INTERROGATORIES AND
REQUESTS FOR PRODUCTION OF DOCUMENTS
FROM DEPARTMENT OF JUSTICE

COME NOW TEXAS UTILITIES COMPANY ("TU"), TEXAS UTILITIES GENERATING
COMPANY ("TUG"), DALLAS POWER & LIGHT COMPANY ("DPL"), TEXAS ELECTRIC
SERVICE COMPANY ("TESCO"), AND TEXAS POWER & LIGHT COMPANY ("TPL"), all
collectively referred to as "TU Companies," in compliance with Sections
2.74b and 2.741 of the Rules of Practice of the Nuclear Regulatory
Commission ("NRC") and in accordance with the order of the Board,
dated March 9, 1979, and pursuant to an agreement among counsel for the
Department and the TU Companies, make the following additional supplemental
answers to the Department of Justice's First Set of Interrogatories
numbered 1, 14, 16 and 23. These answers supplement and are not in lieu
of answers previously filed in response to the Department's Interrogatories,
and the TU Companies reserve the right to further supplement the answers
as the need therefor arises.

SUPPLEMENTAL ANSWER

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1. The documents responsive to this interrogatory have been previously
made available to the Department for its inspection and copying at its

convenience. See TU's Original Answer, dated January 17, 1979, and its First Supplemental Answer, dated April 11, 1979. To the extent designated by the Department, such documents have been copied and delivered to the Department. For the convenience and at the informal request of the Department, the TPL correspondence files relating to Bowie-Cass Electric Cooperative, Inc., the Upsur-Rural Electric Cooperative, Inc., and the Wood County Electric Cooperative, Inc., have been copied and are attached hereto.

14. In addition to the documents previously provided, attached hereto is a copy of "Capability Effectiveness Study for the period 1973-1974 conducted by the Planning Committee of TIS".

In view of the consistent conclusion of the various analyses, studies, and evaluations previously referred to in answer to this interrogatory and the TU Companies' operating experience in providing reliable electric service, and in view of the threats of the CSW System to force the TU Companies into a different mode of operation, TESCO and TP&L were forced to protect their systems by disconnecting with WTU and CP&L on May 4, 1976.

16. The TU Companies' answer is complete. The information requested regarding sales to wholesale customers from 1950 to 1978 is contained in reports filed by the TU operating companies with FPC (FPC Form 1, pp. 412-413). Such reports were produced to the Department and were attached to TU's First Supplemental Answer to the Department's Interrogatories.

23. TU Companies are unaware of any "joint inspections" of facilities of HL&P. On one occasion in the summer of 1971, Mr. E. D. Scarth of TESCO journeyed to HL&P for the purpose of becoming more familiar with the HL&P System. During this visit, Mr. Scarth and Mr. Eugene Simmons of HL&P observed the technical wiring configuration at the GSU-HL&P Huffman tie. The TU Companies do not recall any instance thereof where HL&P inspected facilities of a TU Company.

THE STATE OF TEXAS)

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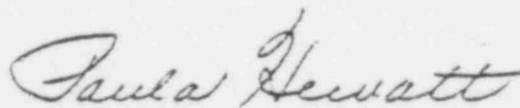
COUNTY OF TARRANT)

BEFORE ME, the undersigned authority, a Notary Public in and for Tarrant County, Texas, on this day personally appeared E. D. SCARTH, well known to me to be a credible person, who after being by me first duly sworn, did depose and say that he is duly authorized to respond to the First Set of Interrogatories and Requests for Production of Documents from the Department of Justice on behalf of the TU Companies, has read the above and foregoing Third Supplemental Answer of Texas Utilities Company and its subsidiaries to said Interrogatories from the Department of Justice, and the same are true and correct, to the best of his knowledge and belief.



E. D. SCARTH

SUBSCRIBED AND SWORN TO before me this 6th day of July, 1979, to certify which witness my hand and seal of office.



Notary Public in and for
Tarrant County, Texas

PAULA HEWATT, Notary Public
in and for Tarrant County, Texas
My commission expires Dec. 27, 1980

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, PUBLIC SERVICE	:	50-499A
BOARD OF SAN ANTONIO, CITY OF	:	
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LIGHT COMPANY	:	
(South Texas Project, Unit Nos.	:	
1 and 2)	:	
	:	
TEXAS UTILITIES GENERATING	:	
COMPANY, et al.	:	NRC Docket Nos. 50-445A
(Comanche Peak Steam Electric	:	50-446A
Station, Units 1 and 2)	:	

CERTIFICATE OF SERVICE

I hereby certify that service of the above and foregoing has been made on the following parties listed hereto this 6th day of July, 1979, by depositing copies thereof in the United States mail, first class, postage prepaid:

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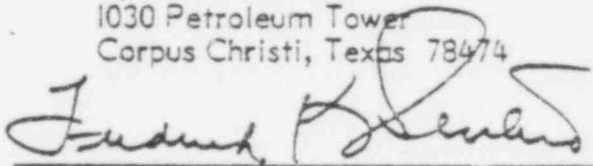
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July 3, 1979

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U. S. Department of Justice
Antitrust Division - Energy Section
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Washington, D. C. 20044

Dear Ms. Harris:

Under separate cover, we have provided you with the Third Supplemental Answer of Texas Utilities Companies and their subsidiaries to your First Set of Interrogatories and Request for Production of Documents.

You have indicated to us apparent discrepancies with respect to certain documents provided to you in connection with TU's Second Supplemental Answer to your First Set of Interrogatories as follows:

- (1) Document #300093 contains a line which was marked with a yellow highlight pen, which when xeroxed appears marked out. The TU Companies do not claim privilege with respect to that line. After a diligent search, the original copy of this page has not been located. However, the language marked out has been reconstructed as follows: "From about 3:00 P.M. to 10:30 P.M., I tried to notify Mr. Fikar of the events that had occurred during the day."
- (2) Document #300,105 refers to a draft memo which is document #300,106 et seq. That memo appears to omit the first page from the draft. However, we have concluded that there is no omission from this draft. The response to items 1, 2, and 9 were the responsibility of the TIS Planning Subcommittee and not Mr. Pennebaker. Attached hereto are the materials from which Mr. Pennebaker's memo was drafted, the comments of Mr. Emmett C. Rummel of the TIS Planning Subcommittee on items 1, 2, and 9, a subsequent draft of a memo on the same subject and the document actually submitted.

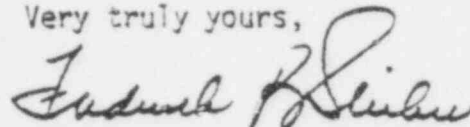
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Judith Harris, Esquire
U. S. Department of Justice
Washington, D. C.

July 3, 1979
Page No. 2

- (3) Legible copies of documents #300,130 and 300,134 are attached hereto.
- (4) Document #300,183 is responsive to Interrogatory #15.

Very truly yours,


Frederick K. Slicker

FKS/afb
Enclosures

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