

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of) Docket No. 50-367
)
NORTHERN INDIANA PUBLIC) (Construction Permit
SERVICE COMPANY) Extension)
)
(Bailly Generating Station,) July 8, 1981
Nuclear-1))

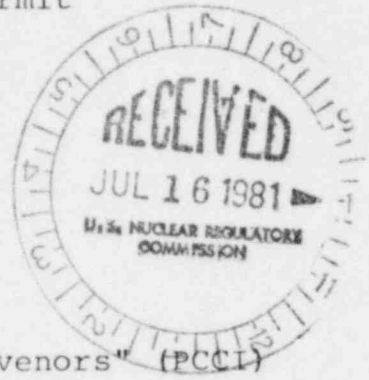
NORTHERN INDIANA PUBLIC SERVICE COMPANY'S
MOTION FOR PROTECTIVE ORDER

On June 29, 1981, "Porter County Chapter Intervenors" (PCCI) filed a Notice of Depositions of Allen H. Petersen, Forrest G. Hiple, and Carl R. Kulawinski, employees of Northern Indiana Public Service Company (NIPSCO). The stated dates for the depositions are September 9, 15, and 22, 1981, respectively.

NIPSCO filed a "Motion for Establishment of Schedule" in this proceeding on June 1, 1981. NIPSCO requested that the Licensing Board set July 31 as the date for the close of discovery. The Board has not yet ruled on the Motion.

We have advised counsel for "PCCI" that at the present time NIPSCO is not prepared to schedule depositions for dates subsequent to July 31. We also indicated our willingness to schedule the depositions for a date before July 31. (See attached letter to Mr. Vollen dated July 8, 1981.)

On the assumption that NIPSCO's "Motion for Establishment of Schedule" will be granted, NIPSCO hereby requests a pro-



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tective order providing that the depositions of Messrs. Petersen, Hiple, and Kulawinski may not be taken on dates subsequent to July 31. Good cause exists for such an order in that discovery has been in progress for almost one year and the suggested dates for the depositions are beyond the time period requested as a limit for discovery. No justification has been offered for further extension of the discovery period and no reason given for failure to schedule the depositions before July 31.

Respectfully submitted,

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