

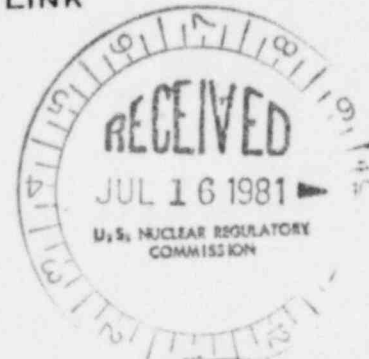
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July 8, 1981



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Herbert Grossman, Esquire
Administrative Judge
Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555



Dr. Robert L. Holton
Administrative Judge
School of Oceanography
Oregon State University
Corvallis, Oregon 97331

Dr. J. Venn Leeds
Administrative Judge
10807 Atwell
Houston, Texas 77096

Re: In the Matter of Northern Indiana Public Service
Company (Bailly Generating Station, Nuclear-1)
Docket No. 50-367
(Construction Permit Extension)

Gentlemen:

On June 23, 1981, the State of Illinois (hereinafter "Illinois") served upon the Licensing Board a document entitled "People of the State of Illinois' First Application For Subpoenas." By that Application, Illinois requested pursuant to 10 C.F.R. § 2.270(a) [sic § 2.720(a)] that this Board issue subpoenas directed to named and unnamed employees of NIPSCO's contractors, requiring their attendance at depositions on dates to be designated and the production of documents to be specified. At least in part, the Illinois Application duplicates "Porter County Chapter Intervenor's First Application For Subpoenas" filed June 19, 1981.

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In connection with the PCCI Application, we advised the Board by letter dated June 25, 1981, of our view that the Board should, at least, require demonstration of the "general relevance" of the desired deposition testimony and documents before issuing the subpoenas. We reiterate that suggestion with respect to the Illinois Application of June 23. Illinois has furnished no explanatory detail in its Application; it has not identified the subjects to be explored; it has not explained the need for deposing five employees (or former employees) of NIPSCO contractors.

Therefore, NIPSCO requests that the Board withhold the requested subpoenas at this time.

Yours very truly,

EICHHORN, EICHHORN & LINK

By: 
William H. Eichhorn

WHE/dgg
cc: Service List