

7/17/81

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

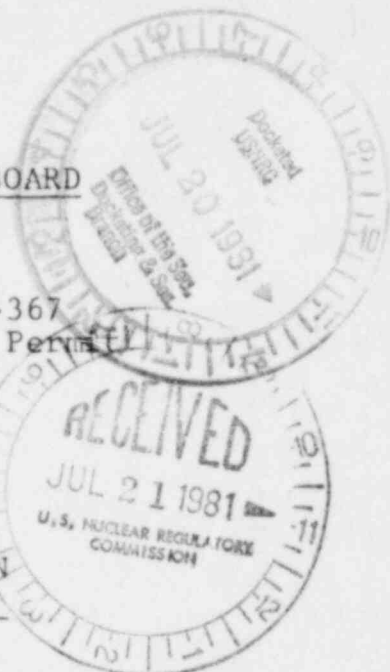
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)

NORTHERN INDIANA PUBLIC)
SERVICE COMPANY)
(Bailly Generating)
Station, Nuclear-1))

Docket No. 50-367)
(Construction Permit))
Extension))

PORTER COUNTY CHAPTER INTERVENORS'
(1) NOTICE OF DEPOSITION OF M. DAVID
LYNCH AND (2) NOTICE OF WITHDRAWAL
OF PCCI'S MOTION TO COMPEL DEPOSITION
OF M. DAVID LYNCH IN CHICAGO



Please take notice that, pursuant to agreement of counsel for PCCI and the NRC Staff, Porter County Chapter of the Izaak Walton League of America, Inc.; Concerned Citizens Against Bailly Nuclear Site; Businessmen for the Public Interest, Inc.; James E. Newman and Mildred Warner (PCCI), by their attorneys, shall take the deposition of M. David Lynch, commencing at 10:00 A.M. on Tuesday, August 18, 1981, continuing on August 19, 1981, and continuing thereafter from day to day until completed, at the offices of Business and Professional People for the Public Interest, Suite 1300, 109 North Dearborn, Chicago, Illinois, 60602, before a certified court reporter, an officer associated with the offices of Longoria and Goldsline Court Reporting Service, 10 South LaSalle Street, Suite 1118, Chicago, Illinois 60603. Mr. Lynch will be examined upon the following matters.

1. All matters set forth or referred to in the letters dated February 7, 1979, August 31, 1979 and November 26, 1980 from Northern Indiana Public Service Company, by E.M. Shorb, to Harold R. Denton;

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2. The reasons why NIPSCO did not complete construction of the Bailly nuclear plant by September 1, 1979.

3. All matters contained in or referred to in Contentions 1, 3, 4, 5, and 7 of the Joint Intervenor's First Supplement to Petition for Leave to Intervene filed in this proceeding on February 26, 1980, as admitted as contentions in this proceeding by the Order Following Special Prehearing Conference, dated August 7, 1980.

4. Whether good cause exists for extension of the latest completion date sought by NIPSCO for the proposed Bailly nuclear plant.

5. The identity of persons who have or may have knowledge of the matters described in paragraphs 1 through 4.

6. The existence of documents which contain information concerning the matters described in paragraphs 1 through 5.

Please take further notice that by reason of the Staff's agreement that Mr. Lynch's deposition will be taken in Chicago, PCCI hereby withdraw their motion, filed June 26, 1981, seeking to compel this result. This withdrawal is without prejudice to the filing of a motion seeking such relief in the future should it become necessary.

DATED: July 17, 1981

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Respectfully submitted,

Robert J. Vollen
Jane M. Whicher

By:

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Intervenors