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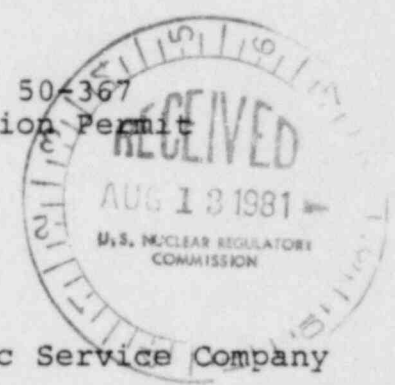
UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of  
NORTHERN INDIANA PUBLIC  
SERVICE COMPANY  
(Bailly Generating  
Station, Nuclear-1)

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Docket No. 50-367  
(Construction Permit  
Extension)



MOTION FOR PROTECTIVE ORDER

On July 30, 1981 Northern Indiana Public Service Company ("NIPSCO") served a Notice of Deposition on People of the State of Illinois ("Illinois"). That notice, which was received by Illinois on August 3, stated that on August 12, 1981 NIPSCO would take the deposition of "[a]ny representative or representatives, agent or agents, of the State of Illinois who have knowledge regarding the facts. . . ."

Illinois has designated Herbert Read as the Illinois representative or agent whose deposition is to be taken pursuant to NIPSCO's notice. However, Mr. Read's job responsibilities at the Chicago Housing Authority, by which he is employed as Senior Engineer of Construction, prevent his being available on August 12 for a deposition.

Illinois informed counsel for NIPSCO that Mr. Read is unavailable on August 12 and that the remainder of August is too heavily scheduled with other depositions and with obligations imposed by the Board's scheduling order to allow for Mr. Read's deposition.

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Illinois also noted that if the Board grants all of the Intervenor's applications for subpoenas, depositions by Intervenor's will be scheduled for every working day in September. Illinois will present Mr. Read for a deposition on the first reasonably available date.

Because the parties could not come to an agreement on a date for the taking of Herbert Read's deposition, Illinois respectfully moves the Board to issue a protective order providing that NIPSCO's requested deposition may not be taken on August 12, 1981.

Respectfully submitted,

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