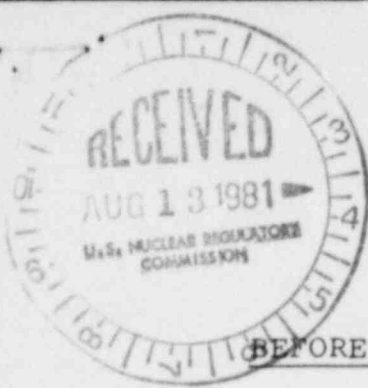
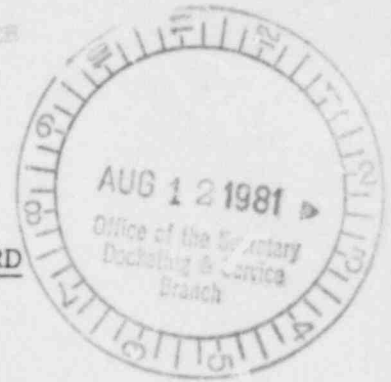


RELATED CORRESPONDENCE



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,)	August 10, 1981
Nuclear-1))	

RESPONSE OF NORTHERN INDIANA PUBLIC SERVICE COMPANY
TO ILLINOIS' MOTION FOR PROTECTIVE ORDER

The State of Illinois (Illinois), in response to Northern Indiana Public Service Company's (NIPSCO) Notice of Deposition of Agent(s) or Representative(s) of the State of Illinois, filed its motion for a protective order alleging the unavailability of its selected agent on the date requested in the notice for deposition.

On August 5, 1981, Counsel for Illinois informed Counsel for NIPSCO that Herbert Read, the designated agent or representative of the State of Illinois, was not available for deposition on August 12, the date requested in the notice of deposition. Counsel further advised that Illinois could not agree to schedule Mr. Read's deposition for any date prior to October 1 for the reasons now reiterated in Illinois' Motion for Protective Order.

NIPSCO does not object to changing dates for the taking of depositions for the convenience of the parties or the deponent and has so advised Counsel for Illinois with respect to this

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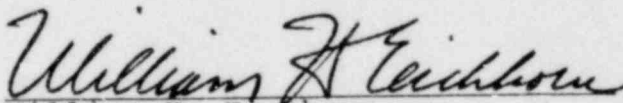
deposition. What NIPSCO does object to is Illinois' refusal to produce its designated agent for deposition prior to the latest date established by the Board for the taking of depositions.

Illinois' only excuse for failing to produce Mr. Read for deposition before September 30 is that the month of August is already too heavily scheduled and that the Board might grant Applications for Subpoenas which would require every working day in September for the taking of depositions. NIPSCO submits that Illinois should not be permitted to avoid a properly noticed deposition on the grounds that the Board may in the future grant requested depositions of other parties.

NIPSCO does not object to rescheduling Mr. Read's deposition to a date other than August 12, but respectfully requests the Board to order Illinois to produce Mr. Read for the purpose of deposition on any Saturday or Sunday during the month of August or September or on any of the following dates: September 2, 4, 8, 10, 11, 14, 16, 17, 18, 21, 23, 24, 25, 28, 29, or 30.

Respectfully submitted,

EICHHORN, EICHHORN & LINK
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Hammond, Indiana 46320

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

In the Matter of)	Docket No. 50-367
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CERTIFICATE OF SERVICE

I hereby certify that copies of Response of Northern Indiana Public Service Company to Illinois' Motion for Protective Order were served on the following by deposit in the United States mail, postage prepaid, on this 10th day of August, 1981:

Herbert Grossman, Esquire, Chairman
Administrative Judge
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

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Administrative Judge
School of Oceanography
Oregon State University
Corvallis, Oregon 97331

Dr. J. Venn Leeds
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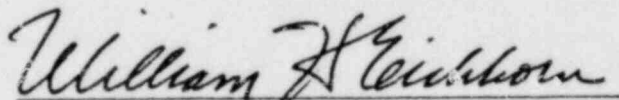
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