

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'  
MOTION FOR PROTECTIVE ORDER

Porter County Chapter Intervenor ("PCCI"), by their attorneys, hereby move the Board pursuant to 10 CFR §2.740(c), to enter an order that the deposition of Edward W. Osann, Jr., noticed by NIPSCO to be taken on August 20, 1981, not be taken on that date.

In support of this motion, PCCI state that Edward W. Osann, Jr. is scheduled to attend a business meeting in New York City on August 20, 1981 and therefore will be unavailable to be deposed on that date pursuant to NIPSCO's notice. As reflected in the attached letter to Mr. Eichhorn dated August 13, 1981, counsel for NIPSCO has been advised that Mr. Osann will not be available for his deposition to be taken on August 20, 1981.

Good cause exists for the entry of the protective order sought by this motion. Requiring Mr. Osann's deposition to be taken on August 20, 1981, would subject him to annoyance,

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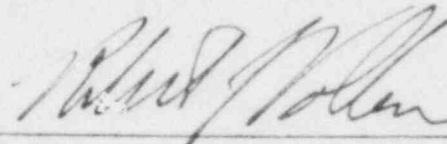
oppression, and undue burden and expense. Accordingly, good cause exists and a protective order should be entered that the deposition of Edward W. Osann, Jr. not be taken on August 20, 1981.

DATED: August 13, 1981

Respectfully submitted,

Robert J. Vollen  
Jane M. Whicher

by:



Robert J. Vollen  
Attorneys for Porter County  
Chapter Intervenors

Robert J. Vollen  
Jane M. Whicher  
c/o BPI  
109 North Dearborn  
Suite 1300  
Chicago, Illinois 60602  
(312) 641-5570



# BPI

## Business and Professional People for the Public Interest

109 North Dearborn Street, Suite 1300 • Chicago, Illinois 60602 • Telephone: (312) 641-5520

August 13, 1981

Mr. William H. Eichhorn  
Eichhorn, Eichhorn & Link  
5243 Hohman Avenue  
Hammond, IN 46320

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

Dear Bill:

I have received the Northern Indiana Public Service Company's Notice of Deposition of Edward W. Osann, Jr., dated July 30, 1981.

I am surprised and disappointed that, after you had been informed in a telephone conversation on July 17 in connection with the scheduling of the deposition of Mr. Lynch that I had a personal commitment which would preclude my availability on August 20, you nonetheless noticed Mr. Osann's deposition for that date.

In any event, Mr. Osann is scheduled to be at a business meeting in New York City on August 20, 1981, and therefore will not be available to be deposed on that date.

Very truly yours,

Robert J. Vollen  
One of the attorneys for  
Porter County Chapter  
Intervenors

RJV:jk  
cc: Service List

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Robert J. Vollen  
Lois Weisberg  
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#### Staff

Alexander Polikoff  
*Executive Director*  
Robert J. Vollen  
*General Counsel*  
Douglass W. Cassel, Jr.  
Mary Galloway James  
Elizabeth L. Lassar  
Jane M. Whicher  
Howard A. Learner  
*Attorneys*  
Ron Stevens  
*Attorney, The Housing Agenda*

Dianne L. Sautter  
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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 (Bailey )  
Generating Station, )  
Nuclear-1) )

Docket No. 50-367  
(Construction  
Permit Extension)

CERTIFICATE OF SERVICE

I hereby certify that I served copies of the following documents

Letter from Robert J. Vollen to William Eichhorn  
dated August 13, 1981; and

Porter County Chapter Intervenors'  
Motion for Protective Order

on all persons on the attached Service List, by causing them  
to be deposited in the U.S. mail, first class postage prepaid,  
on this 13th day of August, 1981.

DATED: August 13, 1981

Robert J. Vollen  
Jane M. Whicher

by:

Jane M. Whicher  
Jane M. Whicher

Attorneys for Porter  
County Chapter Intervenors

Robert J. Vollen  
Jane M. Whicher  
c/o BPI  
109 North Dearborn  
Chicago, Illinois 60602  
(312) 641-5570

SERVICE LIST

Herbert Grossman, Esq.  
Administrative Judge  
Atomic Safety & 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

Maurice Axelrad, Esq.  
Kathleen H. Shea, Esq.  
Lowenstein, Newman, Reis,  
Axelrad and Toll  
1025 Connecticut Ave., N.W.  
Washington, D.C. 20036

William H. Eichhorn, Esq.  
Eichhorn, Eichhorn & Link  
5243 Hohman Avenue  
Hammond, Indiana 46320

Diane B. Cohn, Esq.  
William P. Schultz, Esq.  
Suite 700  
2000 P Street, N.W.  
Washington, D.C. 20036

Atomic Safety & Licensing  
Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Atomic Safety and Licensing  
Appeal Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

George & Anna Grabowski  
3820 Ridge Road  
Highland, Indiana 46322

Dr. George Schultz  
807 E. Coolspring Road  
Michigan City, Indiana 46360

Mr. Mike Olszanski  
Mr. Clifford Mezo  
Local 1010 - United Steelworkers  
of America  
3703 Euclid Avenue  
East Chicago, Indiana 46312

Stephen H. Lewis, Esq.  
Office of the Executive  
Legal Director  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Anne Rapkin, Asst. Attorney General  
John Van Vranken, Environmental  
Control Division  
188 W. Randolph - Suite 2315  
Chicago, Illinois 60601

Docketing & Service Section (3)  
Office of the Secretary  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Stephen Laudig, Esq.  
21010 Cumberland Road  
Noblesville, Indiana 46060