

September 25, 1981

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD



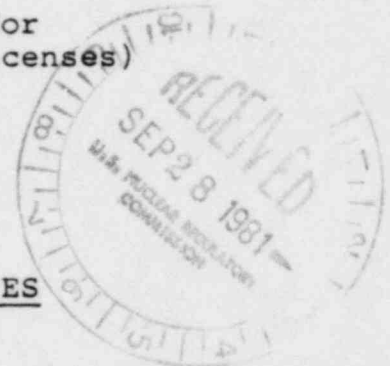
In the Matter of)

TEXAS UTILITIES GENERATING)
COMPANY, et al.)

(Comanche Peak Steam Electric)
Station, Units 1 and 2))

Docket Nos. 50-445
50-446

(Application for
Operating Licenses)



APPLICANTS' SUPPLEMENTAL RESPONSE
TO CASE'S FOURTH SET OF INTERROGATORIES

As indicated in the joint report to the Board concerning the September 9, 1981 meeting between Applicants and CASE, the Applicants agreed to provide written responses as a follow-up to the responses to CASE's Fourth Set of Interrogatories discussed in the meeting. In accordance with that agreement, Applicants hereby provide the following information.

I. Contention 22

It was agreed during the meeting that Applicants would reference the appropriate FSAR section in response to Interrogatory 12; the meaning of emergency planning is discussed in Section 13.3.

As discussed in the meeting, the Applicants state that their response to Interrogatory 13 is in the affirmative.

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It was discussed in the meeting and the Applicants hereby affirm the response to Interrogatory 14 is, as follows: It is the Applicants' position that the Comanche Peak Emergency Plan will, by meeting the requirements of 10 C.F.R. Part 50, Appendix E, include everything necessary to meet items a. thru f. referenced in Contention 27 with the following exception. There will be no provision for emergency planning for that portion of the Dallas/Fort Worth Metroplex which is outside the Plume Exposure Emergency Planning Zone, as defined by 10 C.F.R. Part 50, Appendix E.

II. Contention 25

As discussed in the meeting the Applicants amend their responses to Interrogatories 1 thru 11 as follows:

1. Yes.
- 2.(a)
 - i. Application for Operating License, April 21, 1978
 - ii. 1977 Annual Reports of TUGCO, DP&L, TP&L and TESCO; by letter dated August 7, 1978.
 - iii. 1978 Annual Reports of TUGCO, DP&L, TP&L and TESCO; by letter dated December 4, 1979.
 - iv. Answers to NRC Financial Questions; by letter dated April 13, 1981.
- (b) The above listed documents were made available for inspection and copying as indicated in Applicants' Response to CASE's Request for Production of Documents, dated March 24, 1981.
- (c) Yes.
3. At the September 9, 1981 meeting with Applicants, CASE's representatives stated that the terms "timely", "reasonable,"

"good," and "flexible" are used in the broadest sense. With this understanding, Applicants' answer to Interrogatory No. 3 is "Yes"; however, to avoid misunderstanding, Applicants would remind CASE that all of the common stock of TESCO and TP&L and all but a small fraction of the common stock of DP&L is owned by Texas Utilities Company, and that BEPC, TMPA and TEX-LA have no investors.

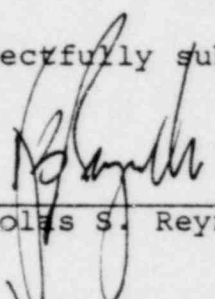
4. Not applicable.
5. Applicants will rely on the documents furnished in response to Interrogatory No. 2 to prove their answers to Interrogatory No. 3. In addition, Applicants will submit prefiled testimony relating to their financial qualifications to operate the plant.
6. Not applicable.
7. Not applicable.
8. Not applicable.
9. No.
10. Not applicable.
11. Not applicable.

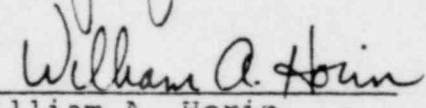
III. Uranium Supply

An item not related to CASE's fourth set of interrogatories, but which was discussed at the September 9, 1981 meeting, was an apparent discrepancy between a Texas Utilities Company prospectus and a TMPA bond prospectus, dated July 31, 1980, with respect to uranium fuel contracts. In September 1980 a major uranium supply contract was amended. This resulted in a firm supply commitment for 17 years of operation for each unit, including material to meet the previously unfilled requirements for the initial core and first reload for Unit #2. Due

to the timing of the TMPA prospectus (July 31, 1980) and the most recent Texas Utilities Company prospectus (March 1981) the nuclear fuel supply situation was, in fact, different at their respective filing dates.

Respectfully submitted,



Nicholas S. Reynolds

William A. Horin

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1200 Seventeenth St., N.W.
Washington, D.C. 20036
(202)857-9817

Counsel for Applicants

September 25, 1981

STATE OF TEXAS)
)
COUNTY OF DALLAS)

Homer C. Schmidt, being duly sworn, deposes and says:

That he is Manager, Nuclear Services, Texas Utilities Services, Inc., and knows the contents of the foregoing Applicants' Supplemental Response to CASE's Fourth Set of Interrogatories; that the same is true of his own knowledge except as to matters therein stated on information and belief, and as to that, he believes them to be true.

Homer C. Schmidt

SWORN to and subscribed
before me on this 21st
day of September, 1981

Loree D. Hilliard
Notary Public

My Commission Expires:

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COMPANY, <u>et al.</u>)	50-446
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(Comanche Peak Steam Electric)	(Application for
Station, Units 1 and 2))	Operating Licenses)

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing "Applicants' Supplemental Response to CASE's Fourth Set of Interrogatories," in the above-captioned matter were served upon the following persons by deposit in the United States mail, first class postage prepaid this 25th day of September, 1981:

Marshall E. Miller, Esq.
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U.S. Nuclear Regulatory
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Washington, D.C. 20555

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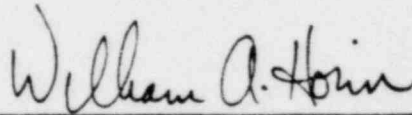
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Mr. Chase R. Stephens
Docketing & Service Branch
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

A handwritten signature in cursive script, reading "William A. Horin". The signature is written in dark ink and is positioned above a horizontal line.

William A. Horin

cc: Homer C. Schmidt
Spencer C. Relyea, Esq.