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BRAZOS ELECTRIC POWER COOPERATIVE, INC.
2404 LaSalle Avenue • P.O. Box 2585
Waco, Texas 76702-2585
(817) 750-6500
FAX (817) 750-6290

Richard E. McCaskill
Executive Vice President
and General Manager

February 10, 1993

Mr. Thomas E. Murley, Director
Office of Nuclear Reactor Regulation
United States Nuclear Regulatory Commission
Washington, D.C. 20555

Re: Docket Nos. 50-445 and 50-446

Dear Mr. Murley:

Your January 12, 1993 letter addressed to me as Executive Vice President and General Manager of Brazos Electric Power Cooperative, Inc. requires me to inform you in writing and under oath or affirmation of what actions Brazos Electric has taken or is taking in order to ensure that individuals and organizations do not believe that they are precluded from coming to the NRC with safety concerns.

Brazos Electric has never read any of the provisions of its July 5, 1988 agreement with Texas Utilities Electric Company (TUEC) as prohibiting the communication of safety information to the NRC, and we have taken no action to stifle any individuals or organizations in such regard. With regard to the experts and consultants working for Brazos Electric in the Comanche Peak matter, on July 6, 1988 they were informed that an agreement with TUEC had been reached and, in these words, "Brazos will no longer be requiring the professional services of you and your associates, and directs that you immediately cease work on any projects undertaken at Brazos' attorneys' direction."

So that our representatives will be aware of NRC's and TU Electric's positions, Brazos Electric has provided its Comanche Peak litigation attorneys with a copy of your January 12, 1993 letter and a copy of a February 3, 1993 letter to me from Wes M. Taylor, Executive Vice President of TU Electric, which I understand to have been written as a result of your January 12, 1993 letter to TU Electric. In his letter, Mr. Taylor states as follows:

"Nevertheless, in order to affirm and clarify TU Electric's intent and to resolve the NRC's Staff's concerns, TU Electric is hereby advising Brazos Electric

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Mr. Thomas E. Murley
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Power Cooperative, Inc. that the subject provisions are not intended to prohibit the minority owners, their employees, or representatives from communicating safety concerns to the NRC, and accordingly TU Electric will not attempt to impose or enforce any such prohibition. These individuals or organizations may, at any time, bring safety information to the NRC, if the individual or organization so chooses."

I trust this information meets your requirements. If you require anything further, please let me know.

Yours very truly,

Richard E. McCaskill
Richard E. McCaskill

REM:ab

cc: Wes M. Taylor, Executive Vice President
TU Electric

OATH

THE STATE OF TEXAS §
COUNTY OF McLENNAN §

BEFORE ME, the undersigned authority, on this day personally appeared RICHARD E. McCASKILL, Executive Vice President and General Manager of Brazos Electric Power Cooperative, Inc., who, being by me duly sworn, upon oath, stated that the information provided in the foregoing letter is true and correct.

Richard E. McCaskill
Richard E. McCaskill

SIGNED AND SWORN TO before me on the 10th day of February, 1993,
by the said Richard E. McCaskill.

Yolanda J. Chavez
Notary Public in and for the State of Texas

My commission expires: 10-17-94