

STATE OF OHIO
PUBLIC UTILITIES COMMISSION
375 SOUTH HIGH STREET
COLUMBUS, OHIO 43215

JAMES A. RHODES
GOVERNOR



50-358

COMMISSIONERS
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MICHAEL DEL BANE
DENNIS S. PINES

December 14, 1982

Mr. James G. Keppler
Regional Administrator
United States Nuclear Regulatory
Commission, Region III
799 Roosevelt Road
Glen Ellyn, Illinois 60137

PRINCIPAL STAFF			
✓ RA Lewis	Law	MI	
D/PA		ENF	
A/AA		✓ orig 3	
DP&BP		PAO	
DEP&OS		SLO	
DESTP			
ML			
OL		FILE	Law

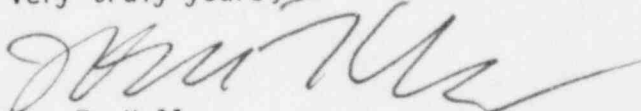
Dear Mr. Keppler:

As you are aware, the Ohio Consumers' Counsel has asked me to request your appearance during our rehearing in the Columbus and Southern Ohio Electric Company's rate case, and also during a hearing on a complaint case filed against the Cincinnati Gas and Electric Company. Both of these cases involve the question of the inclusion in the allowance for Construction Work in Progress an amount for the Zimmer Nuclear Generating Station. These cases have not been consolidated, but have been set for separate hearings beginning at 9:30 a.m. on Monday, December 20, 1982.

Having discussed this matter by telephone with Mr. Steven Lewis of your office, I was advised that neither you nor an appropriate N.R.C. witness would be available to testify in these proceedings as scheduled. Mr. Lewis indicated that the press of pending matters relating to the Zimmer plant within your own agency would prevent any appearances in our hearings at any time in the near future. He suggested that we arrange to take the deposition of an appropriate N.R.C. witness in Chicago. He also indicated that written interrogatories would be acceptable.

While we plan to start as scheduled with our hearings, it appears that they will have to be recessed to allow time to make arrangements to obtain the testimony of an appropriate N.R.C. witness. Mr. Lewis indicated he would assist in making the necessary arrangements. The attorney examiners assigned to these cases will be contacting him directly. Thank you for your cooperation.

Very truly yours,


Jon F. Kelly
Chairman

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JFK:lmr
cc: Parties of Record

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