

'83 JUN -9 P12:07

UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of	)	
	)	
ARIZONA PUBLIC SERVICE COMPANY,	)	Docket Nos. STN 50-529
et al.	)	STN 50-530
	)	
(Palo Verde Nuclear Generating	)	
Station, Units 2 and 3)	)	
	)	

S T I P U L A T I O N

IT IS HEREBY STIPULATED by and between counsel for WEST VALLEY AGRICULTURAL PROTECTION COUNCIL, INC. (hereinafter "West Valley") and counsel for ARIZONA PUBLIC SERVICE COMPANY, et al. (hereinafter "Joint Applicants") that the attached Order respecting modification of the discovery schedule may be entered if the Board finds the proposed Order to be acceptable.

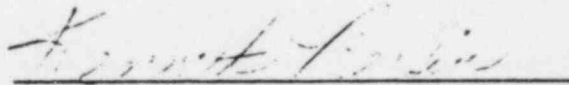
IT IS FURTHER STIPULATED that the parties to this proceeding shall retain the right to seek modification of the attached Order at some subsequent date should counsel for one of the parties determine that provisions of the Discovery Order, as modified, have become unacceptable.

IT IS FURTHER STIPULATED that unless and until further modification of the attached Order is sought by one or more of the

parties, the parties will endeavor to comply with the provisions of the Order should the Board choose to adopt its provisions.

DATED this \_\_\_\_\_ day of May, 1983.

KENNETH BERLIN



2550 M Street, N.W.  
Suite 500  
Washington, D.C. 20037

Counsel for WEST VALLEY AGRICULTURAL  
PROTECTION COUNCIL, INC.

SNELL & WILMER

By 

Arthur C. Gehr  
Warren E. Platt  
Charles A. Bischoff  
Vaughn A. Crawford

3100 Valley Bank Center  
Phoenix, Arizona 85073

Counsel for JOINT APPLICANTS

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_____	)	

O R D E R

Upon stipulation of counsel, and good cause appearing therefor,

IT IS ORDERED that the Order governing discovery in this proceeding be modified as follows:

A. The provisions respecting depositions shall now provide:

Depositions

Except as provided for in the CROP STUDY DISCOVERY schedule, IT IS ORDERED:

1. That the period during which depositions may be taken shall begin on August 29, 1983 and extend through December 16, 1983. Depositions noticed by the parties shall proceed on the following schedule until each party has completed such depositions as are desired by that party.

- a) August 29 through September 2  
Depositions noticed by West Valley
- b) September 5 through September 9  
Depositions noticed by Joint Applicants
- c) September 19 through September 23  
Depositions noticed by West Valley
- d) September 26 through September 30  
Depositions noticed by Joint Applicants
- e) October 10 through October 14  
Depositions noticed by West Valley
- f) October 17 through October 21  
Depositions noticed by Joint Applicants
- g) October 31 through November 4  
Depositions noticed by West Valley
- h) November 7 through November 11  
Depositions noticed by Joint Applicants
- i) November 21 through November 25  
Depositions noticed by West Valley
- j) November 28 through December 2  
Depositions noticed by Joint Applicants
- k) December 12 through December 16  
Depositions noticed by West Valley

2. Unchanged from original Order.

3. It is contemplated that discovery on all matters, other than the crop study to be conducted under the guidance of the University of Arizona (the "Crop Study"), shall be completed by December 16, 1983.

4. Unchanged

5. Unchanged

B. The provisions respecting post-November 7, 1983 discovery shall now provide:

Crop Study Discovery

1. The discovery concerning the Crop Study, which is expected to be completed on or about December 15, 1983, will begin on December 20, 1983.

2. Joint Applicants agree to produce to the other parties on December 20, 1983 the Crop Study and all related documents, including all drafts, preliminary studies, memoranda and correspondence relating to or in any way referring to the Crop Study.

3. If the Joint Applicants do not complete the Crop Study by December 15, 1983 and produce the applicable documents on December 20, 1983, the remaining schedule set forth in this Order shall be delayed by the amount of delay incurred because of the Joint Applicants' delay in completing the Crop Study.

4. Discovery pertaining to the Crop Study shall be completed by February 20, 1984 or within two months after the document production required in Paragraph 2 is completed, whichever occurs first.

C. The provisions respecting pre-trial preparation shall now provide:

Pre-Trial Preparation

1. The parties shall pre-file testimony together with a list of exhibits no later than March 1, 1984.

2. The evidentiary hearing shall begin on April 2, 1984.

3. If the Crop Study is not completed by December 15, 1983, the parties shall pre-trial testimony together with a list of exhibits no later than nine (9) days after discovery concludes, and the evidentiary hearing shall begin one month later.

FOR THE ATOMIC SAFETY AND  
LICENSING BOARD

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Robert M. Lazo, Chairman  
Administrative Judge