

DUKE POWER COMPANY

LEGAL DEPARTMENT

P. O. Box 33189

CHARLOTTE, N. C. 28242

RELATED CORRESPONDENCE

RONALD L. GIBSON
ATTORNEY

June 23, 1983

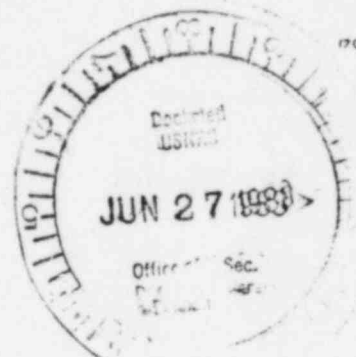
(704) 373 7910

Mr. Robert Guild
Palmetto Alliance
2135 1/2 Devine Street
Columbia, South Carolina 29205

DOCKET NUMBER
PROD. & UTIL. FAC.

50-413

50-414



Dear Mr. Guild:

We have received your notices of depositions for June 27 through July 1. We have checked with each person concerning their availability and have identified some conflicts that must be resolved. I am also setting forth several other matters for your consideration prior to the depositions.

1. Mr. Lee is not available for a deposition on July 1. He is available on July 6 and July 12. Please let me know as soon as possible which of these dates you prefer.
2. James Grogan is attending the Public Utility Executive Program for utility managers in Detroit, Michigan. This seminar runs from June 19 through July 15. Mr. Grogan was planning to come home for the fourth of July weekend and can come home a day early to be available on July 1. If you insist that Mr. Grogan come at another time, the expenses must be borne by Palmetto Alliance. An alternative you might consider is that Mr. Grogan's assistant, David Abernathy, has worked with Mr. Grogan on all personnel matters and is probably as knowledgeable as Mr. Grogan. Mr. Abernathy can be available on June 28. Please let me hear from you as soon as possible so that necessary arrangements can be made.
3. The notices for G. W. Grier and J. R. Wells indicate that both are scheduled at the same time. We assume that you want to depose them as a panel, and that this is not a clerical error. Mr. Grier has a conflict that he can reschedule if you do not want both of them at the same time. As you know, Mr. Wells is currently on assignment at INPO in Atlanta. Mr. Wells has agreed to appear for his deposition, and the travel expenses must be borne by Palmetto Alliance.

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Mr. Robert Guild

- June 23, 1983

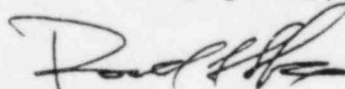
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4. All of the other persons for whom we have received a notice will be available at the time listed. However, should you be unable to complete the depositions according to the schedule you propose, we cannot assure you that each person will be available the day following the scheduled time. We will make every effort to make them available, but most of these persons have other obligations that simply cannot be changed on short notice. We will attempt to cooperate with you if the need arises for rescheduling.
5. The notices state that the deposition will relate to "Contention 6, particularly to your knowledge relating to quality assurance and control in welding at Catawba", and that the deponent is "required to bring... any and all documents in your possession or subject to your control reflecting your knowledge of the above-described matters upon which you will be examined". The Board's June 13, 1983 Order denying Palmetto's motion for additional discovery indicated that discovery closed on Contention 6 on May 20, 1983, (p.1), and that Palmetto may take depositions of employees "who may have knowledge relating to quality assurance and control in welding at Catawba" (p.6-7).

The June 20, 1983 Board Order ruling on Applicants' Motion for Sanctions reiterated that Palmetto was "to take depositions concerning quality assurance in welding", (p.6) and narrowed Contention 6, (p-6-9). Applicants will limit the deposition testimony of employees to the areas indicated by the Board. In addition, Applicants will make the discovery documents on Contention 6 available for use during and as a part of the depositions. These documents will not be available for general review since discovery is now closed.

I look forward to hearing from you.

Sincerely yours,



Ronald L. Gibson

RLG:dm

cc: Service List