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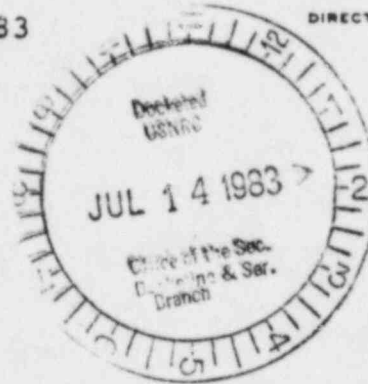
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FILE NO.

DIRECT DIAL NO. 804 788-

July 12, 1983

Karla J. Letsche, Esq.  
Kirkpatrick, Lockhart, Hill,  
Christopher & Phillips  
1900 M Street, N.W.  
8th Floor  
Washington, D.C. 20036



Dear Karla:

This letter responds to your letter to the Board dated July 7, 1983, which we received on July 8.

In the fourth paragraph of your letter you state:

During the July 1 meeting, counsel for LILCO requested that the County provide them with a copy of the final consolidated contentions, as revised, prior to July 7 -- the date set by the Board for the filing of such contentions by the intervenors. Counsel for LILCO stated that if they received the revised contentions by Tuesday evening or Wednesday morning (July 5 or 6), they would be able to include their comments on the revisions in the LILCO response which would be filed on Thursday, July 7.

Jim Christman and I did not "request" the revised contentions in the sense you seem to mean; as we told you, we think the Board's order requiring simultaneous filing of the final contentions and our response obliged the intervenors to provide us with a set of revisions in response to our comments, prior to the filing of our response. We were surprised that you thought you were under no obligation to do so.

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Your suggestion that we had somehow agreed not to request more time is unjustified. We did urge you to send us your revisions on Tuesday or Wednesday so that we could be responding to a current rather than an outdated document. But at the time, you were telling us that your revisions would not be extensive; indeed, we understood that with only a few exceptions (you mentioned, tentatively, a probable renumbering of 3.B.3-5), you did not plan to renumber the contentions, despite our feeling that a renumbering was necessary. We did not agree that we would not ask for more time.

We left the meeting with the impression (1) that your revisions would not be extensive and (2) that while you would try to get them to us before July 7 you were making no guarantees. With that understanding, we prepared our response using the draft contentions we had received on June 23. The next word we had was your letter of July 5 advising that you would, after all, be sending us revised contentions that night. If you felt at that point that there was an agreement that we would not ask for additional time, that letter would have been a good opportunity to make that agreement explicit.

As it turned out, contrary to your assertions during our July 1 meeting, the contentions we received the night of July 5 were revised extensively from the first draft provided us on June 23. As we noted in our letter requesting the one-day extension, some of those revisions responded to our comments. Many other changes; however, were made at the intervenors' own instance. Even had we come to some agreement regarding our filing, and we did not, the extensive changes to the contentions would have warranted a change in that agreement.

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Finally, I suggest that it was in your interest as well as ours for us to spend an extra 24 hours conforming our responses to your revised and renumbered contentions. The alternative would have been for us either to file responses keyed to your June 23 draft, which would have confused everyone, or to do a hurried revision to match the later draft and have it quite possibly contain errors, which would also have been confusing. The extra day enabled us to provide the parties and the Board with objections that matched in form and substance the latest version of the contentions, no small benefit when one considers the length of the contentions.

Sincerely,

*Kathy E. B. McCleskey*  
Kathy E. B. McCleskey

301/586

cc: James A. Laurenson  
Dr. Jerry R. Kline  
Dr. M. Stanley Livingston  
All Parties