

normally placed upon discovery requests for access to a party's premises. Such discovery, if granted, would interfere with the efforts underway to determine the cause of the crankshaft failure and to repair the diesel generators.

The County's failure to address the pertinent legal standards confirms the inappropriateness of its discovery requests. Despite this, LILCO agrees that some discovery should occur during the investigation of the diesel generator crankshaft failure. The unexpected failure of the crankshaft at a time when the Shoreham plant was essentially ready to load fuel will make it necessary to complete expeditiously any litigation on the diesel generators once the cause of the crankshaft failure and appropriate corrective action have been identified. The discovery proposed here by LILCO ensures that an expeditious schedule can be set without jeopardizing the rights of any of the parties. LILCO's principal concern is that discovery should be appropriately limited so as not to impose an unnecessary burden on LILCO during the investigation of the cause or causes of the crankshaft failure or otherwise interfere with the investigation. Consequently, LILCO proposes that the Board limit discovery in each of the three categories requested by Suffolk County as set out below:

Category 1: Documents

- a. Diesel Generator Master Plan (which has already been provided) and revisions to the plan, if any.