

CASE

(CITIZENS ASSN. FOR SOUND ENERGY)

July 8, 1984

1426 S. Polk
Dallas, Texas 75224

214/946-9446

RELATED CORRESPONDENCE

DOCKETED
USNRC

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Administrative Judge Peter B. Bloch, ASLB Chairman
Dr. Kenneth A. McCollom, ASLB Member
Dr. Walter H. Jordan, ASLB Member

Gentlemen:

SUBJECT: In the Matter of
Application of Texas Utilities
Generating Company, et al. for
An Operating License for
Comanche Peak Steam Electric Station
Units #1 and #2 (CPSE3)
Docket Nos. 50-445 and 50-446

Supplement to CASE's 6/21/84 Letter re:
CASE's Answers to Applicants'
Motions for Summary Disposition

As requested by Judge Bloch, this is to memorialize a brief discussion between CASE and Judge Bloch on July 6, 1984, wherein Mrs. Ellis advised Judge Bloch that additional time would be needed in responding to Applicants' Motions for Summary Disposition. The reason for this is that Applicants have not supplied the information and documents requested by CASE on the time table promised (to be in the hands of CASE by June 22, 1984).

Based upon this information, Judge Bloch tentatively approved an extension of time for CASE to respond to Applicants' Motions for Summary Disposition.

At the present time, most of CASE's requests are still outstanding, and (since we have no way of knowing when the information and documents will be supplied) we are unable to state with certainty when we will be able to complete our responses.

However, as noted in our June 21, 1984, letter to the Board in which we supplied our best current estimate (at that time) of the dates on which CASE expected to be able to file our responses:

"These estimated dates are predicated and dependent upon when we receive responses from Applicants to questions and requests for documents which we have made (which includes a request to supply CASE with the same information Applicants supply to the Staff)." (Page 1.)

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"Messrs. Walsh and Doyle have indicated the Friday dates by which they can have the necessary information to me; the dates for responses (on the following Monday) therefore include time for typing, copying, collating, and preparing for mailing, which is more realistic. Again, these schedules are dependent on cooperation by Applicants in supplying the requested information; response dates will vary in direct proportion to any slippage by Applicants." (Page 2, emphasis in the original.)

"To be placed in mail . . . if received from Applicants by 6/22/84:" (Page 3, SCHEDULE FOR RESPONSES, emphasis in the original.)

The Board will recall that one of the necessary ingredients for handling the disposition of these matters on paper (or at least narrowing the issues considerably) was that the parties were not waiving any rights to take the time necessary to make a clear and careful technically correct response. (See page 13,801/11-13 of the May 24, 1984, telephone conference call regarding scheduling of Motions for Summary Disposition and responses.)

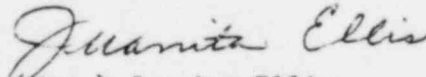
It should also be noted that Applicants have not kept to their timetable for filing the Motions for Summary Disposition. On the other hand, it is also noteworthy that although they apparently have not found the time to supply the information and documents which CASE has requested, Applicants have found time to file three additional Motions for Summary Disposition since our 6/21/84 anticipated Schedule for Responses was filed. Based on past experience, we fully expect that we will get most of the responses in one big deluge all at the same time, which will make responding in a timely fashion more difficult for us.

We are hopeful that we will be able to obtain a more realistic estimate from Applicants of the time by which they will supply responses to our requests for information and documents (we will discuss this with them when we begin the depositions in the Intimidation phase of these proceedings on Monday, 7/9/84). We will advise the Board of the results of our discussions.

We will advise the Board of an updated schedule as soon as we can make the determination of what such schedule may be.

Respectfully submitted,

CASE (Citizens Association for Sound
Energy)


(Mrs.) Juanita Ellis
President

cc: Service List