

LAW OFFICES

RELATED CORRESPONDENCE

## CONNER &amp; WETTERHAHN, P.C.

1747 PENNSYLVANIA AVENUE, N.W.

WASHINGTON, D.C. 20006

TROY B. CONNER, JR.  
 MARK J. WETTERHAHN  
 ROBERT M. RADER  
 INGRID M. OLSON  
 ARCH A. MOORE, JR.\*  
 ROBERT H. PURL  
 OF COUNSEL  
 \*NOT ADMITTED IN D.C.

September 6, 1984

(202) 833-3500

CABLE ADDRESS: ATOMLAW

Miss Maureen Mulligan  
 Limerick Ecology Action  
 P.O. Box 761  
 762 Queen Street  
 Pottstown, PA 19464

'84 SEP 10 P344  
 HAND DELIVERY IN  
 WASHINGTON, D.C.

OFFICE OF SECRETARY  
 DOCKETING & SERVICE  
 BRANCH

In the Matter of  
 Philadelphia Electric Company  
 (Limerick Generating Station, Units 1 and 2)  
Docket Nos. 50-352 and 50-353 O/

Dear Miss Mulligan:

This will confirm our conversation yesterday regarding your letter dated August 31, 1984, providing LEA's supplementary answers to Applicant's interrogatories. The answers and documents provided in your August 31 supplementation, as well as those provided with your letter dated August 13, 1984, in large part respond to the points made by Applicant in its Motion to Compel, filed August 2, 1984.

Accordingly, I would be willing to withdraw the motion once LEA has completed its responses to the discovery requested by Applicant as discussed below.

First, in your letter and supplementary responses dated August 6, 1984, LEA indicated that it would file specific answers to Interrogatories 9, 17, 25, 27, 39 and 43 (incorrectly cited as 45) "as soon as possible, and . . . no later than August 31" (letter dated August 6, 1984 at p. 4). Your most recently filed answers respond to Interrogatory 27, but none of the other interrogatories within this particular group, which requests LEA to specify any change in the offsite emergency plans and/or implementing procedures which it asserts to be necessary in order to assure adequate planning for the subject of each particular interrogatory. See Applicant's Motion to Compel at p. 6. Applicant requests that LEA meet its commitment to answer these interrogatories by furnishing answers no later than September 12, 1984.

Second, your August 31 answers discuss LEA's consideration of Dr. Erikson as a possible witness, but no other individuals. Your earlier answers filed on August 6, 1984 state that LEA considers it "very likely that we would

8409110312 840906  
 PDR ADOCK 05000352  
 G PDR

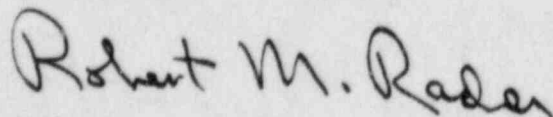
DS03

present school officials as witnesses," and states that "individual teachers, bus drivers or union representatives would be presented as witnesses." LEA also stated that it is "likely that we would present witnesses who are in charge of day care/pre-school centers and summer camps, unless they are satisfied with planning for the children they are responsible for," including school officials from the Camp Hill Village School and Camp Hill Special School. LEA further stated that it was considering a request to park officials at Valley Forge and Marsh Creek State Park to testify. Finally, LEA indicated that it may present witnesses "from various gas station and towing service owners along evacuation routes, as well as those responsible for snow removal at the municipal level" (letter dated August 6, 1984 at p. 1-2). Applicant again requests that all identified witnesses be designated, subject to further supplementation of LEA's witness list, no later than September 12, 1984.

Third, and finally, you indicate on the final page of LEA's August 31 supplementary answers that "there are other issues that I stated that I would attempt to address in this filing, but due to time constraints, these answers provide all information presently known to LEA that I am aware of." This statement is ambiguous and apparently self-contradictory. Thus, it is unclear whether LEA has provided full answers to each of the interrogatories it has answered. If so, please confirm. If not, complete answers should be provided by September 12, 1984. Applicant understands, as a separate matter, that LEA will be updating its answers and providing further documents in accordance with its responsibilities under the Commission's Rules of Practice and the instructions in Applicant's discovery request to do so.

If, for whatever reason, LEA is unwilling to meet its discovery obligations as outlined above, Applicant will necessarily have no recourse but to resort to its Motion to Compel, which has been pending since August 2, 1984.

Sincerely,



Robert M. Rader  
Counsel for the Applicant

RMR/dlf  
cc: Service List