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November 9, 1984

Honorable Charles Bechhoefer  
Chairman, Administrative Judge  
Atomic Safety and Licensing Board  
U. S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Re: Houston Lighting & Power Co., et al.  
South Texas Project, Units 1 & 2  
Docket Nos. 50-498, 50-499 8C

Dear Judge Bechhoefer:

We have received and reviewed your Memorandum and Order dated October 17, 1984, concerning Brown & Root's position with respect to the Phase II proceedings. We believe that your position as set forth therein is both clear and eminently fair. Indeed, our concerns are allayed to the extent that we feel it is unnecessary to petition for the right to intervene.

Brown & Root remains concerned about the manner in which the Phase I hearings were conducted. Although I am mindful of your reservations about both the Board's jurisdiction as to Phase I and the "propriety" of Brown & Root's furnishing a statement of its position absent formal intervention, I am also informed by those knowledgeable and experienced in your proceedings that the NRC has a long-standing practice of permitting "limited appearance" statements by nonparties. Indeed, I am advised that the NRC and its hearing board chairmen have, in the past, encouraged such statements by nonparties.

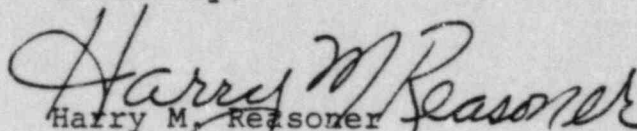
We are looking into those matters of jurisdiction and the rights of nonparties because it remains Brown & Root's

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desire that its concerns be considered by whichever body within the NRC is appropriate. To that end, we are currently preparing a statement as to those Phase I findings and assumptions which we believe to be unfair and unwarranted.

Sincerely,

  
Harry M. Reasoner

Attorney for  
Brown & Root, Inc.

HMR/se

cc: Dr. James L. Lamb  
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