

596
RELATED CORRESPONDENCE

February 14, 1985

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

'85 FEB 15 A9:23

In the Matter of)

TEXAS UTILITIES ELECTRIC)
COMPANY, ET AL.)

(Comanche Peak Steam Electric)
Station, Units 1 and 2))

Docket Nos. 50-445 and)
50-446)

(Application for)
Operating Licenses))

APPLICANTS' MOTION FOR PROTECTIVE
ORDER REGARDING CASE'S SECOND SET
OF INTERROGATORIES TO APPLICANTS AND
REQUESTS TO PRODUCE RE: CREDIBILITY

Pursuant to 10 C.F.R. §2.740(c), Texas Utilities Electric Company, et al. ("Applicants") hereby move for a protective order with respect to "CASE's Second Set of Interrogatories to Applicants and Requests to Produce Re: Credibility," dated February 4, 1985. CASE premises its discovery requests on the Board's reopening of discovery in its December 18, 1984, Memorandum (Reopening Discovery; Misleading Statement). Applicants request that the time for responding to CASE's discovery requests not begin to run until the Board has ruled on Applicants' motion for reconsideration of the Board's Memorandum.

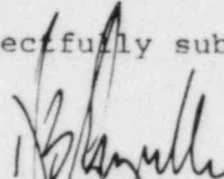
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Applicants previously filed, on January 23, 1985, a motion for protective order with respect to CASE's first set of interrogatories "re: credibility." Applicants' position regarding the need for a protective order covering CASE's discovery requests is set forth in that motion, and we adopt herein those arguments.

Further, we note that as with the first set, the second set of discovery requests, which principally seeks information regarding certain industry standards and communications between Applicants and Cygna and Applicants and Professor Boresi, concern matters not within the scope of discovery that Applicants voluntarily agreed to in their motion for reconsideration, viz., the sampling performed in connection with Applicants' motions for summary disposition submitted pursuant to Applicants' Plan. Consequently, if the Board grants Applicants' motion for reconsideration, Applicants would not be required to answer the subject requests. Accordingly, a protective order suspending the running of time for responding to CASE's requests is appropriate.

Respectfully submitted,



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February 14, 1985

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BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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CERTIFICATE OF SERVICE

I hereby certify that copies of "Applicants' Motion for Protective Order Regarding CASE's Second Set of Interrogatories to Applicants and Requests to Produce Re: Credibility", in the above-captioned matter was served upon the following persons by express mail (*) or deposit in the United States mail, first class, postage prepaid, this 14th day of February, 1985, or by hand delivery (**) on the 15th day of February, 1985.

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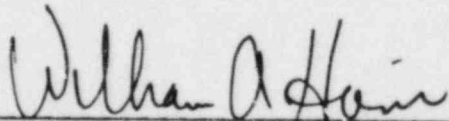
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