



# GOVERNOR'S OFFICE OF CONSUMER SERVICES

James R. Thompson  
Governor

Alvin K. Grandys, Ph.D.  
Director

April 23, 1985

## FREEDOM OF INFORMATION ACT REQUEST

Mr. Joseph Harris  
Chief of FOIA and Privacy  
Act Branch  
U.S. Department of Energy  
1000 Independence Avenue, S.W.  
Washington, DC 20585

FOIA-85-384 (ref ~~to~~ DOE)  
rec'd 5/23/85

FOIA  
850185047-7

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## FREEDOM OF INFORMATION ACT REQUEST

Dear Mr. Harris:

The Governor's Office of Consumer Services of the State of Illinois requests that copies of the documents listed below be provided pursuant to 5 U.S.C. Section 552.

1. All documents that were used by, reviewed by, relied upon, or developed by the Atomic Energy Commission staff in the drafting of Regulatory Guide 1.46 which was issued in May 1973. Specifically, this request is not to be limited to drafts of Regulatory Guide 1.46. It is to also include, but not to be limited to, all instructions from the Commission to the staff, and correspondence between the staff and industry sources.
2. All documents that were used by, reviewed by, relied upon, or developed by the Atomic Energy Commission staff in the drafting of Regulatory Guide 1.60, which was issued in December 1973. Specifically, this request is not to be limited to drafts of Regulatory Guide 1.60. It is to also include, but not to be limited to, all instructions from the Commission to the staff, and correspondence between the staff and industry sources.

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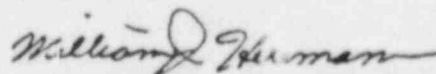
Mr. Joseph Harris  
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The Governor's Office of Consumer Services requests that you waive all copying and search fees pursuant to 5 U.S.C. Section 552 (a)(4)(A) "because furnishing the information can be considered as primarily benefitting the general public." The following facts support this request:

1. The Governor's Office of Consumer Services is a division of an executive agency of the State of Illinois, created pursuant to Executive Order 79-6.
2. The Governor's Office of Consumer Services is authorized to intervene on behalf of consumers of the State of Illinois in proceedings before the Illinois Commerce Commission.
3. These documents will assist the Governor's Office of Consumer Services in its intervention in a number of proceedings now pending before the Illinois Commerce Commission.
4. The size of the population potentially benefitted by these documents is approximately four million ratepayers of private electric utility companies in the State of Illinois which own nuclear power facilities in operation or under construction.

Thank you in advance for your prompt assistance.

Sincerely,



William J. Herrmann  
David G. Gilbert  
Attorneys

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EXPRESS MAIL



Department of Energy  
Washington, D.C. 20585

May 15, 1985

David G. Gilbert, Esquire  
Governor's Office of Consumer Affairs  
Room 2010  
160 North LaSalle Street  
Chicago, Illinois 60501

Re: 05018504L

Dear Mr. Gilbert:

This will confirm my telephone conversation with you concerning the withdrawal of your request pursuant to the Freedom of Information Act (FOIA) to the Department of Energy.

As I noted during our discussion, the Department of Energy is one of the successor agencies of the Energy Research and Development Administration and the Atomic Energy Commission. The Nuclear Regulatory Commission (NRC) is the other successor of the Atomic Energy Commission. Under the Energy Reorganization Act of 1974 (42 U.S.C. 5801), the Nuclear Regulatory Commission acquired the licensing and related regulatory functions of the Atomic Energy Commission. Since your requested documents pertain to matters under the jurisdiction of the NRC, the NRC is the appropriate agency to respond to your request.

Although, you have made an identical FOIA request to the NRC for these documents, in accordance with your request, I am transmitting a copy of your FOIA request to the Department of Energy, to the NRC.

Sincerely,

*Robert Newton*

Robert Newton  
Acting Assistant General Counsel  
for International Development  
& Defense Programs

cc: NRC FOIA Office ✓  
Jim Eggart, MA 232.1