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UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555

OFFICE OF THE  
SECRETARY

May 13, 1985

George L. Edgar, Esq.  
Newman & Holtzinger, P.C.  
1615 L Street, N.W.  
Washington, D.C. 20036

Dear Mr. Edgar:

By letter dated December 28, 1984, on behalf of General Electric Company (GE) you requested that GE be given the opportunity to submit additional information relative to the Commission's pending consideration of whether to release the GE Reed Report. The question of release of that report is now before the Commission upon remand from the United States Court of Appeals for the Seventh Circuit. General Electric Co. v. NRC, 750 F.2d 1394 (7th Cir. 1984).

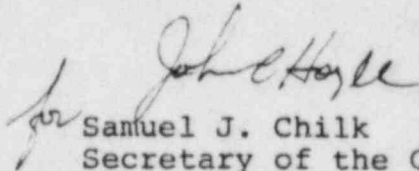
Upon consideration of your request, the Commission has decided that it will allow GE the opportunity to submit such additional information as GE deems appropriate relative to the issue of whether to withhold the document under the Freedom of Information Act (FOIA) exemption 4. In preparing its submission, the Commission requests that GE specifically address whether, in light of its age and subject matter, any portions of the report can be segregated and released. Also, in any discussion of whether release of the document would harm GE's competitive position so as to exempt it from disclosure under FOIA exemption 4, GE should address fully each of those concerns about competitive harm raised by the Seventh Circuit in its decision, including the age of the report and the prior public disclosure of the substance of the document, 750 F.2d at 1402-03.

GE should serve its submission upon all prior requestors of the document, as noted on the service list attached to this letter. Those individuals and entities will have thirty days from the date of service to respond to GE's filing. No further filings will be permitted or considered by the Commission.

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The Commission's action in permitting those additional submissions is without prejudice to any disposition it ultimately may make, including a determination to base its decision solely on the record relating to release of the report as it existed at the time of the Commission's initial determination in Public Service Company of Oklahoma (Black Fox Station, Units 1 and 2), CLI-80-35, 12 NRC 409 (1982).

Sincerely,

A handwritten signature in cursive script, appearing to read "Samuel J. Chilk".

Samuel J. Chilk  
Secretary of the Commission

Attachment:  
Service List

cc: Jonathan Young, DOJ, Civil Division  
Service List

REED REPORT  
SERVICE LIST

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