

SERVED MAY 30 1985

LBP-85-17

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSIONDOCKETED
USNRC

Before Administrative Judges:

Peter B. Bloch, Chairman
Dr. Kenneth A. McCollom
Dr. Walter H. Jordan

'85 MAY 30 P3:23

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

In the Matter of

Docket Nos. 50-445-OL & OL-2
50-446-OL & OL-2TEXAS UTILITIES ELECTRIC COMPANY, et al.

ASLBP No. 79-430-06 OL

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

May 30, 1985

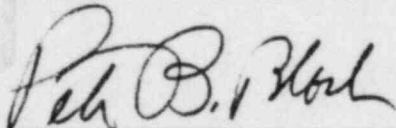
MEMORANDUM
(Clarification of LBP 85-16)

Yesterday the parties asked us the following stipulated question, which was intended to clarify LBP 85-16 and which we were asked to answer "Yes or No.":

Did the Board intend in its May 24 Order to withdraw the [February 15, 1985] protective order governing discovery in the -1 docket?

The Board's answer to this question was:

No, we did not intend to withdraw the protective order. However, we do supersede the protective order in part. Applicants should respond to discovery requests that are likely to survive regardless of what the Staff does. The purpose of the rule we are now applying is to balance the cost of Applicants' responding now against the avoidance of delay because they do respond now. This is a practical test.

FOR THE
ATOMIC SAFETY AND LICENSING BOARD8505310306 850530
PDR ADOCK 05000445
G PDRPeter B. Bloch, Chairman
ADMINISTRATIVE JUDGE

Bethesda, Maryland

DS02