

AFFIDAVIT OF

R. J. GARY

THE STATE OF TEXAS :  
COUNTY OF DALLAS :

BEFORE ME, the undersigned authority and notary public in and for Dallas County, Texas, on this day personally appeared R. J. GARY, who by me being duly sworn upon his oath deposes and says:

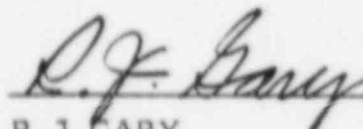
My name is R. J. Gary. I am presently employed by Texas Utilities Generating Company as Executive Vice President and office in the Skyway Tower, 400 N. Olive Street, Dallas, Texas 75201. I reside at 2706 Ripplewood, Dallas, Texas 75228. My telephone numbers are 214/979-8858 and 214/327-1184. In 1978 and in 1980, I was Executive Vice President and General Manager for TUGCO. On December 31, 1984, I was Executive Vice President of TUGCO.

I was aware in 1978 that Management Analysis Company ("MAC") performed a review of the Quality Assurance Program for TUGCO at Comanche Peak Steam Electric Station. I attended both post- and pre-audit meetings with representatives of MAC. I was interviewed by a MAC representative in connection with their review. I received a copy of the report prepared by MAC in connection with their management review sometime in May of 1978. I read the report at that time. With the assistance of Dave Chapman, a response to the recommendations contained in the MAC report was prepared and provided to the then President of TUGCO, P. G. Brittain. I did not retain a copy of the report as it had served its purpose and discarded my copy sometime in 1978, within a couple of months following when it was first received by me.

The review performed by MAC in 1978 was done so at the request of Mr. Brittain. It was not considered an "audit" in the normal sense of that word but was

rather an organizational review, for the use of senior TUGCO management which included Mr. Brittain, Mr. Fikar, and myself. It was never intended that MAC's review would be used to satisfy any QA audit obligations which might be required by NRC regulations and the report was never intended to become a part of the permanent plant records for Comanche Peak. At the time it was performed, Mr. Brittain, Mr. Fikar, and myself were all concerned about the possibility that the purpose for the MAC review might be misinterpreted by plant employees as indicating that senior management was critical of past performance and this was not the case and for that reason, neither the findings nor the report were publicized and the information regarding the results of MAC's review was made available only to a very few who needed to have such information in order to respond to the findings and to implement the recommendations which we concurred with.

While I was generally aware that CASE, the Intervenor in the Comanche Peak licensing proceedings, had requested a substantial amount of information from TUGCO in 1980, I did not participate in the gathering of data or information in response to those requests as that was the responsibility of the licensing group which was not under my direction. I did not have a copy of the MAC report at such time and I did not participate in any discussions with anyone in 1980, or thereafter, concerning whether or not information relating to the MAC review should or should not be made available in response to discovery requests. After I responded to Mr. Brittain on the results of our review of MAC's recommendations, in 1978, I recall no further discussions about the MAC report until I was contacted by Mr. Wooldridge in mid-May of 1985, shortly after a copy of the report was apparently located by those gathering information for the Texas Utilities Electric Company's prudence audit.

  
R. J. GARY

SUBSCRIBED AND SWORN TO before me by the said R. J. GARY on this,  
the 7th day of August, 1985.

Glenda Benson  
Notary Public in and for Dallas  
County, Texas

My Commission Expires:

February 17, 1989

GLEND A BEWSON, Notary Public  
in and for Dallas County, Texas  
My Commission Expires 2-17-89