

AFFIDAVIT OF
JOHN S. MARSHALL

THE STATE OF TEXAS :
 :
COUNTY OF DALLAS :

BEFORE ME, the undersigned authority, a Notary Public in and for Dallas County, Texas, on this day personally appeared JOHN S. MARSHALL, who by me being duly sworn upon his oath deposes and says:

My name is John S. Marshall. I am Licensing Supervisor for Texas Utilities Generating Company and office in Dallas, Texas in the Skyway Tower offices of TUGCO. I have been Licensing Supervisor since April 1, 1980.

I first became aware of a report prepared by Management Analysis Company ("MAC") when its existence was brought to my attention in 1980. In July of 1980, CASE, the Intervenor in the Comanche Peak licensing proceedings, sent TUGCO a request for information. My duties at that time included the collection of information from the various segments of the TUGCO nuclear organization to be able to respond to the discovery requests. Sometime after the request for information was received, I recall either Dave Chapman or Susan Spencer Palmer mentioning to me that MAC had done some review work for TUGCO at some earlier time and that MAC's report on those activities should be considered in determining what documents should be produced in response to the request. I brought this matter to the attention of my management, which at that time would have been either Homer Schmidt or Lou Fikar. I do not recall which of the two I mentioned the matter to initially. Prior to the time we responded to the request for information, I recall that the question of the discoverability of the MAC report was mentioned again by either Dave Chapman or Susan Spencer Palmer. I asked Lou F. Fikar, the TUGCO officer who was responsible for the Licensing of


Comanche Peak, about the MAC report and whether it should be produced in response to CASE's request for information. Mr. Fikar told me that the MAC review was not within the scope of CASE's request for information and should not be included in the documents which were to be made available for CASE's review. Since at that time I had not read the report and did not have a copy of it, and was not familiar with the circumstances surrounding the MAC review in 1978 nor employed by TUGCO at that time, I had no basis to disagree with Mr. Fikar's opinion about the matter.

I do not recall the MAC report, or any question regarding its discoverability, being mentioned again until I discussed this matter with Mr. Wooldridge sometime late in May of 1985.



JOHN S. MARSHALL

SUBSCRIBED AND SWORN TO before me by the said JOHN S. MARSHALL
on this, the 8th day of August, 1985.



Notary Public in and for Dallas
County, Texas

My Commission Expires:

November 12, 1988.