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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

DOCKETED
USNRC

In the Matter of	:	Docket Nos. 50-445	85	AUG 19	12:24
	:	50-446			
TEXAS UTILITIES ELECTRIC	:				
COMPANY, <u>et al.</u>	:				
(Comanche Peak Steam Electric	:	(Application for an			
Station, Units 1 and 2)	:	Operating License)			

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

**APPLICANTS' RESPONSE TO
CASE'S MOTION FOR RECONSIDERATION OF
BOARD'S 7/22/85 MEMORANDUM AND ORDER
(MOTIONS RELATED TO THE MAC REPORT)**

On July 22, 1985, this Board ruled on CASE's Motions related to the MAC Report. On August 5, 1985, CASE filed its Motion for Reconsideration of the Board's 7/22/85 Memorandum and Order (Motions Related to the MAC Report). This pleading is in response to such Motion for Reconsideration.

Applicants will not specifically address all of the many comments contained in CASE's Motion for Reconsideration as many of them appear to have nothing to do with the requested relief sought in such Motion. This response will address only the requested relief. On August 12, 1985, Applicants filed their Responses to CASE's Interrogatories Re: The MAC Report and Issues Raised by the MAC Report. This pleading, including twenty-seven affidavits, fully addresses the circumstances surrounding identification and production of the MAC Report and the failure to earlier produce same in discovery. Such Answers incorporate "anyone else interviewed by Mr. Wooldridge" and contain the sworn affidavit of B. R. Clements concerning his knowledge of circumstances surrounding the MAC Report. Thus, the Answers to Interrogatories as filed fully satisfy two of the four areas of inquiry covered by CASE's Motion for Reconsideration. Regarding the other two, Applicants have no reason to believe that Cygna had any knowledge of circum-

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stances surrounding the MAC Report or its production in discovery as Cygna had nothing whatever to do with the Comanche Peak Project until long after the MAC Report was prepared and Cygna certainly has never been involved in gathering Applicants' documents to satisfy CASE's discovery requests. To contact various Cygna personnel to determine the state of their knowledge or information about this subject would, in Applicants' view, be meaningless. Regarding CASE's request to inquire into the extent of knowledge of a long list of "engineering personnel," Applicants likewise believe that the Board appropriately determined in its Memorandum and Order that such request was beyond the scope of reasonable discovery on this matter. In light of the substantial information heretofore furnished, with attached affidavits of all those persons involved in the discovery process, no justification exists to imposing an additional burden upon Applicants to contact and obtain affidavits from all such personnel who were not responsible for gathering of quality assurance related documents to respond to CASE's discovery.

Applicants respectfully submit that CASE's Motion for Reconsideration should be in all respects denied.

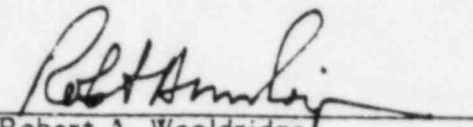
Respectfully submitted,

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	:		BRANCH

CERTIFICATE OF SERVICE

I hereby certify that copies of "Applicants' Response to CASE's Motion for Reconsideration of Board's 7/22/85 Memorandum and Order (Motions Related to the MAC Report)" in the above captioned matter were mailed in the U.S. mail, postage prepaid, upon the following persons on the 14th day of August, 1985.

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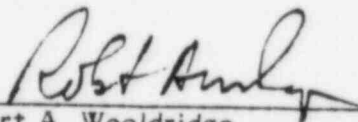
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