

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

8/19/85

DOCKETED  
USNRCBEFORE THE ATOMIC SAFETY AND LICENSING BOARD

'85 AUG 26 P12:12

In the Matter of

TEXAS UTILITIES ELECTRIC  
COMPANY, et al.(Comanche Peak Steam Electric  
Station, Units 1 and 2)Docket Nos. 50-445<sup>OL</sup>  
and 50-446OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH(Application for an  
Operating License)CASE'S MOTION FOR BOARD TO ORDER APPLICANTS  
TO SUPPLY DOCUMENTS TO BOARD

Throughout these proceedings, it has always been (and still is) CASE -- not the Applicants or the NRC Staff -- which has provided the Board with the documents necessary for it to make a reasoned and informed decision. It was not CASE's responsibility to get the contracts referenced (and in some instances, attached) in CASE's attached two pleadings /1/ into the hands of the Board -- it was the Applicants' responsibility. They have asked the Board to rule favorably on an incomplete CPRT Plan, without the Board's having complete and vital information in hand, which the Applicants could, and should, have provided before they requested any decision on the CPRT Plan.

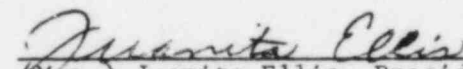
CASE urges that the Board act immediately to stop this blatant and continuing attempt by Applicants to always place the Applicants' burdens on CASE, and that the Board order Applicants to provide the Board with all the documents referenced in the CPRT Plan which have not yet been provided (but are promised at some future, unspecified time), as well as documents which

/1/ See CASE's 8/19/85 Offer of Proof of Lack of Independence of Applicants' Latest Plan (CPRT Plan); and CASE's 8/19/85 Offer of Proof in Support of CASE's 8/14/85 Motion for Immediate Board Order for Applicants to Preserve Evidence . . . being sent in this same mailing.

Applicants are well aware the Board will want and must have before they can rule on Applicants' CPRT Plan. These include (but are not limited to): all contracts and all attachments to such contracts, letters of understanding, purchase orders, etc., between Applicants and their sub-contractors who will be involved in any way in the CPRT efforts; all resumes of such sub-contractors' employees who will be involved in such efforts; how Cygna Energy Services fits into Applicants' proposed scheme of things; etc.

For the reasons discussed herein, CASE moves that the Board order Applicants to immediately provide the Board with the documents discussed herein.

Respectfully submitted,

  
\_\_\_\_\_  
(Mrs.) Juanita Ellis, President  
CASE (Citizens Association for Sound  
Energy)

1426 S. Polk  
Dallas, Texas 75224  
214/946-9446

RELATED CORRESPONDENCE

DOCKETED  
USNRC

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

In the Matter of	}}	
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(Comanche Peak Steam Electric	}}	
Station, Units 1 and 2)	}}	

CERTIFICATE OF SERVICE

By my signature below, I hereby certify that true and correct copies of  
CASE's Motion for Board to Order Applicants to Supply Documents to Board

have been sent to the names listed below this 19th day of August, 1985,  
by: Express Mail where indicated by \* and First Class Mail elsewhere.  
Federal Express where indicated by \*\*

- |   |  |
|---|--|
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| * Judge Elizabeth B. Johnson<br>Oak Ridge National Laboratory<br>P. O. Box X, Building 3500<br>Oak Ridge, Tennessee 37830                             | * Geary S. Mizuno, Esq.<br>Office of Executive Legal<br>Director<br>U. S. Nuclear Regulatory<br>Commission<br>Maryland National Bank Bldg.<br>- Room 10105<br>7735 Old Georgetown Road<br>Bethesda, Maryland 20814 |
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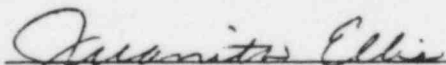
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