

1800 M Street, N.W.
Washington, D.C. 20036-5899
202-467-7000
Fax 202-467-7176

Morgan, Lewis
& Bockius LLP
COUNSELLORS AT LAW

FOIA/PA REQUEST

Case No: 96-379
Date Rec'd: 9-24-96
Action Off: Brown
Related Case: _____

September 24, 1996

VIA FACSIMILE AND FIRST CLASS MAIL

Carlton Kammerer
Director, Division of Freedom of
Information & Publications Services
U.S. Nuclear Regulatory Commission
Office of Administration
Mail Stop T6E4
Washington, D.C. 20555


Re: Freedom of Information Act Request

Dear Mr. Kammerer:

Pursuant to 5 U.S.C. §552(a)(3) and 10 C.F.R. §9.23(b), I request a copy of a letter from William T. Russell (NRC) to Ronald A. Thompson, dated January 3, 1996. This letter is referred to in paragraph 9 of the enclosed interrogatory in a Department of Labor proceeding involving Mr. Thompson and Houston Lighting & Power. The trial in this proceeding is scheduled to take place in the middle of October of this year. Therefore, I request that this Freedom of Information Act Request receive expedited service.

I agree in advance to pay any fees associated with this request up to \$ 250.00. I request that you notify me in advance if the costs will be more than \$ 250.00. I can be reached by telephone at (202) 467-7541. Thank you in advance for your assistance.

Sincerely,


Scott J. Patterson
Legal Assistant

Philadelphia Washington New York Los Angeles Miami Hamburg Princeton London Brussels Frankfurt Tokyo

9611150014 961105
PDR FOIA
PATTERS96-379 PDR

UNITED STATES OF AMERICA
BEFORE THE DEPARTMENT OF LABOR

RONALD THOMPSON,

Complainant,

v.

HOUSTON LIGHTING & POWER COMPANY, and
HOUSTON INDUSTRIES, INC.,

Respondents.

Case Nos. 96-ERA-34
96-ERA-38

COMPLAINANT'S REQUEST FOR INTERROGATORIES AND PRODUCTION OF
DOCUMENTS TO RESPONDENTS HLP AND HOUSTON INDUSTRIES, INC.

Pursuant to 29 C.F.R. Part 18 and Fed. R. Civ. P. 33 and 34, Complainant Ronald Thompson, through counsel, hereby requests that the respondents Houston Lighting & Power ("HLP") Houston Industries, Inc. answer separately and completely in writing, under oath or affirmation, each of the interrogatories set forth below, and deliver the answers, along with the requested documents to Complainant's representatives, Kohn, Kohn & Celapinto, P.C., 517 Florida Ave., N.W. Washington, D.C. 20001. 1950, within thirty days of service hereof.

I. Definition and Instructions

1. Definitions: For the purpose of these interrogatories the following terms shall have the following meanings;

- A. "Document" shall mean every instrument or device by which, through which or on which information has been recorded including those reflecting meetings, discussions or conversations; notes; letters; drawings; files; graphs; charts; maps; photographs; deeds; studies; data sheets; notebooks; books; appointment calendars; telephone bills; telephone messages; receipts; vouchers; minutes of meetings; pamphlets; computations;

08/27 '98 13:19

ALB-27-1996 14:32

6. Please state with specificity how respondents have in the past warranted, and will in the future warrant, as agreed, through paragraph 5.b. of the October 25, 1995 settlement agreement, that throughout complainant's employment with HL&P that his access to STP has not been suspended, revoked, or denied.

7. Please completely describe all information provided by respondents in response to the January 4, 1996 letter from William D. Beckner, NRC, to William T. Cottle and any follow-up communications between respondents and the NRC concerning the subject matter of Mr. Beckner's January 4, 1996 letter.

8. Please state with particularity how respondents have complied with paragraphs 5.a., 5.b., 5.d., 5.e., and 5.f. of the October 25, 1995 settlement agreement between respondents and complainant.

9. If respondents disagree with the NRC staff's conclusion contained in a letter dated January 3, 1996 from Mr. William T. Russell to complainant, that:

It appears that certain language in the third and fourth sentences of paragraph 5.b. and the first sentence of paragraph 5.e. of the settlement agreement dated October 25, 1995, may give rise to a conflict with Nuclear Regulatory Commission (NRC) requirements. Insofar as this language appears to commit HL&P to not reveal to another nuclear power reactor licensee information relevant to safety matters covered by NRC rules, the sentences, in our view, are contrary to public policy.

08/27 '96 12:19

1800 M Street, N.W.
Washington, D.C. 20036-5669
Tel. 202-467-7000
Fax 202-467-7176

Morgan, Lewis
& Bockius LLP
COUNSELORS AT LAW

FAX MESSAGE

Send to:

(1) Name: Carlton Kannerer

FAX Number: 301-415-5130

Firm: U.S. Nuclear Regulatory Commission

Telephone Number: 301-415-7175

(2) Name:

FAX Number:

Firm:

Telephone Number:

From:

Name: Scott Patterson

Floor: 7N

Operator Sending

Telephone Number: 467-7541

Time Sent:

Date Sent:

Number of Pages (INCLUDING COVER PAGE): 5

Note:

THE INFORMATION CONTAINED IN THIS FAX MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE RECIPIENT(S) NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION AND AS SUCH IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR AN AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

Comments: