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January 31, 2001

Karen Cyr, Esquire
Grace H. Kim, Esquire
Office of the General Counsel, Mail Stop 15-D21
Nuclear Regulatory Commission
One White Flint North
11555 Rockville Pike
Rockville, MD 20852-2738

Re: Curtis C. Overall v. Tennessee Valley Authority,
Case No. 99-ERA-25

Dear Counsel:

I am writing regarding the letter from counsel for TVA, dated January 25, 2001, in which TVA requested copies of other documents in addition to the document that was the subject of Ms. Kim's letter dated January 17, 2001 to TVA.

Ms. Kim's letter constituted a correct response to TVA's subpoena duces tecum. TVA's January 25, 2001 letter is based upon a misreading of Ms. Kim's letter and misstates the forensic and evidentiary significance of any "copies" that are in NRC files. For that reason, it is our opinion that Ms. Kim's letter was a sufficient response to the subpoena, and that no further response is necessary.

Thank you for your assistance.

Sincerely,

Lynne Bernabei, Aik
Lynne Bernabei
Attorney for Complainant
Curtis C. Overall

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