

RAS 4593

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From: "Repka, David" <DRepka@winston.com>
To: "Diane Curran" <dcurran@harmoncurran.com>, "Office of Secretary" <hearingdocket@nrc.gov>, "Paul Gunter" <pgunter@nirs.org>, "Susan L. Uttal" <slu@nrc.gov>, "Charles N. Kelber" <CNK@nrc.gov>, "Don Moniak" <dmoniak@bellsouth.net>, "Mary Olson" <nirs.se@mindspring.com>, "Janet and Lou Zeller" <BREDL@skybest.com>, "Ann Marshall Young" <AMY@nrc.gov>, "Lester S. Rubenstein" <LESrrr@msn.com>, "Lisa F. Vaughn" <lfVaughn@duke-energy.com>, "Raju Goyal" <RXG5@nrc.gov>
Date: Tue, Jun 18, 2002 6:58 AM
Subject: RE: July 10 telephone conference -- Catawba/McGuire

Dear Judges:

In response to Ms. Curran's request regarding the July 10 phone conference, this will confirm her representation that Duke Energy does not support the request to hold the conference "live" in Rockville. A number of reasons lead us to take this position. Principally, however, in our view it is important to have our license renewal team (legal and technical) together, in one location, when we participate in the conference call. This allows us to most fully address Board questions and concerns. We will do this on July 10 by my participating from Charlotte, NC, along with other Duke Energy personnel. A conference in Rockville would instead require a number of individuals to travel to the NRC to participate. This is not possible because during the week of the conference, Duke will also be engaged in an NRC Region II license renewal inspection that requires those individuals to be in Charlotte. As a result, the current plan for a call from Charlotte works best for Duke Energy and will allow the fullest participation by those needed to assist counsel and the Board.

David A. Repka
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-----Original Message-----

From: Diane Curran [mailto:dcurran@harmoncurran.com]
 Sent: Monday, June 17, 2002 1:22 PM
 To: Diane Curran; Office of Secretary; Paul Gunter; Susan L. Uttal; Charles N. Kelber; Repka, David; Don Moniak; Mary Olson; Janet and Lou Zeller; Ann Marshall Young; Lester S. Rubenstein; Lisa F. Vaughn; Raju Goyal
 Cc: Ed Lyman; Diane Curran
 Subject: July 10 telephone conference -- Catawba/McGuire

June 18, 2002 (7:30AM)

OFFICE OF SECRETARY
 RULEMAKINGS AND
 ADJUDICATIONS STAFF

Dear Judges Young, Kelber, and Rubenstein,

I am writing to request that if possible, the ASLB hold the upcoming July 10 conference regarding BREDL/NIRS Amended Contention 2 at the offices of the NRC, instead of over the telephone as planned. I am making this request because Duke's and the Staff's combined responses to the amended contention are quite lengthy, and likely to require extended and complex discussion. I think the conference would be much more efficient and much less stressful for all if the ASLB and the principal attorneys could be in the same room, and we could see each other as we converse. Other representatives of Duke, BREDL and NIRS could be conferenced in over a speakerphone. Either the hearing room or a conference room with a table and a telephone could be used.

I have contacted counsel for Duke and the NRC Staff regarding this request. Mr. Repka informed me that Duke would prefer to go ahead with the telephone conference, and Ms. Uttal stated that the Staff has no position on the matter. I also consulted with Mary Olson of NIRS, who agrees with this request on the assumption that she can participate by

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telephone.
Thank you for your consideration.
Sincerely,
Diane Curran

CC: "Ed Lyman" <lyman@nci.org>