

REGULATORY DOCKET FILE COPY

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

7/10/79



Before the Atomic Safety and Licensing Board

In the Matter of)	
)	
PENNSYLVANIA POWER & LIGHT CO.)	
and)	Docket Nos. 50-387
ALLEGHENY ELECTRIC COOPERATIVE, INC.)	50-388
)	
(Susquehanna Steam Electric Station,)	
Units 1 and 2))	

APPLICANTS' MOTION TO COMPEL DISCOVERY
OF INTERVENOR SUSQUEHANNA ENVIRONMENTAL ADVOCATES

Pursuant to 10 C.F.R. §2.740(f), Applicants hereby move the Atomic Safety and Licensing Board ("the Board") to issue an order compelling Intervenor Susquehanna Environmental Advocates ("SEA") to respond to "Applicants' First Set of Interrogatories to Intervenor Susquehanna Environmental Advocates" and "Applicants' First Request to Intervenor Susquehanna Environmental Advocates for the Production of Documents," both dated May 25, 1979, within ten (10) days from the date of issuance of such order by the Board.

In its Special Prehearing Conference Order, the Board provided that responses to first round discovery requests were to be served no later than June 29, 1979. SEA has filed neither responses nor objections to Applicants' May 25, 1979 discovery requests; nor has SEA sought an extension of time to respond.

Applicants' discovery is intended to determine whether SEA is aware of any new information or any information which is inconsistent with that known to Applicants. Without such knowledge,

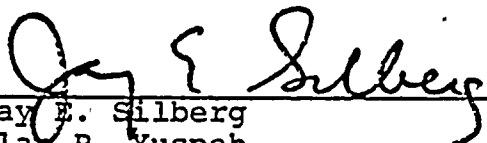
Applicants cannot know which issues need to be addressed at the evidentiary hearings. SEA's answers will help define the areas of dispute between the parties and avoid the needless wasting of time litigating issues over which there is no dispute.

Section 2.740(f) of the Commission's regulations provides that if a party upon whom interrogatories or a request for production of documents is served fails to respond or object to the request, or any part thereof, the party submitting the discovery requests may move the presiding officer for an order compelling a response in accordance with the request. In light of SEA's failure to respond to Applicants' discovery requests, Applicants have therefore moved the Board for an order pursuant to 10 C.F.R. §2.740(f) compelling SEA to respond to Applicants' discovery requests within ten (10) days from the date of the Board's order.

Respectfully submitted,

SHAW, PITTMAN, POTTS & TROWBRIDGE

By


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Dated: July 10, 1979

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NUCLEAR REGULATORY COMMISSION

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CERTIFICATE OF SERVICE

This is to certify that copies of the foregoing "Applicants' Motion to Compel Discovery of Intervenor Susquehanna Environmental Advocates" were served by deposit in the U. S. Mail, first class, postage prepaid, this 10th day of July, 1979, to all those on the attached Service List.



Jay E. Silberg

Dated: July 10, 1979

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NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)

PENNSYLVANIA POWER & LIGHT COMPANY)

and)

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50-388

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