

December 2, 1980

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SERVICES UNIT

Honorable Ivan W. Smith
Administrative Law Judge
Atomic Safety and Licensing Board
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

In the Matter of
Consumers Power Company
(Palisades Nuclear Power Facility)
Docket No. 50-255 (Civil Penalty)

Dear Judge Smith:

The purpose of this letter is to provide you with a report on the status of discovery and other prehearing matters in this proceeding pursuant to your memorandum and order of February 29, 1980. Counsel for the NRC Staff and the licensee have discussed and agreed to the contents of this letter.

On November 7, 1980, the Staff filed supplemental responses to Consumers' Second Round of Interrogatories. On the same date, the Staff filed Requests for Admissions by Consumers Power Company. On December 1, 1980, Consumers filed its response to the Staff's Request for Admissions.

On November 12, 1980, Consumers served on the Staff a notice to depose Mr. Stello, the NRC's Director of the Office of Inspection and Enforcement, Mr. Keppler, the NRC's Director of Region III of the Office of Inspection and Enforcement, and Mr. Jorgensen, the NRC's Resident Inspector at the Palisades facility. Pursuant to 10 C.F.R. 2.720(h)(2) of the Commission's Rules of Practice, the Staff will make Mr. Stello and Mr. Jorgensen available for deposition. The Staff does not intend to make Mr. Keppler available for deposition. These depositions are scheduled for the first week in January of 1981.

On November 18, 1980, Consumers filed a Third Round of Interrogatories on the Staff. The Staff is currently preparing its response to these interrogatories.

The Staff is considering the need for additional discovery and may depose

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certain personnel of Consumers sometime in January of 1981.

Respectfully submitted,

/s/

Stephen G. Burns
Counsel for NRC Staff

cc: Michael Miller
Paul Murphy
Alan Bielawski
Judd Bacon
ASLB
ASLAB

DIST:
NRC Central
ELD Rdr
Rdr
Subj. File
Burns Chron
Mount Chron
JPM/JL/RH/SS/KC Info
Engelhardt/Shapar

OFFICE	OELD <i>RM</i>	OELD <i>SG</i>			
SURNAME	RMount/ct	SGBurns			
DATE	12/2/80	12/2/80			