



UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter Of:)
)
Pacific Gas and Electric Company) Docket No. P-564A
(Stanislaus Nuclear Project,)
Unit No. 1))
)
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)
)

SOUTHERN CITIES' MOTION FOR PROTECTIVE ORDER
REGARDING PACIFIC GAS AND ELECTRIC COMPANY'S
FOURTH SET OF INTERROGATORIES

Pursuant to Rule 2.740(c) of this Commission's rules, 10 C.F.R. §2.740(c), the Cities of Anaheim and Riverside, California ("Southern Cities"), Intervenors, hereby move the Atomic Safety and Licensing Board for a protective order, as set forth below, and request that the Board sustain its objections to certain questions in Pacific Gas and Electric Company's ("PG&E") Fourth Set of Interrogatories to Southern Cities.

Interrogatory Nos. 4(f), 8(c), 9(c), 12(f), 15(c), 16(c), and 17:

These interrogatories ask for identification of all documents relevant to the answer to the substantive portions of the interrogatory. Both Anaheim and Riverside have completed their production of documents with respect to PG&E's document request in this proceeding. Southern Cities submit that it is substantially the same for PG&E as for them

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to derive or ascertain which documents relate to particular interrogatories and, accordingly, submits that these interrogatories are fully answered pursuant to Rule 33 of the Federal Rules of Civil Procedure. Southern Cities submit that any further requirement that Southern Cities categorize their documents for the benefit of PG&E in response to these interrogatories would be unduly burdensome.

Interrogatory Nos. 6 and 13:

Southern Cities object to these interrogatories to the extent that they call for a "best estimate of the amount of bonds which you could have reasonably issued for such purpose assuming any need legislative or voter approval." Any response by Southern Cities would be based purely on conjecture.

Interrogatory No. 17:

In addition to the above objection to this interrogatory, insofar as it requests production of documents, Southern Cities object to this interrogatory as premature. The interrogatory duplicates Interrogatory Nos. 45-52 in PG&E's Third Set of Interrogatories in this proceeding, which the Board has already ruled should be deferred for the present time. The same reasons that formed the basis for that ruling also compel deferring the answers to the interrogatory here.

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Interrogatory No. 23:

Southern Cities object to this interrogatory as premature. The interrogatory seeks information responsive to numerous interrogatories in PG&E's Third Set of Interrogatories in this proceeding, including, specifically, Interrogatory Nos. 45-68 and 117-22. The Board has ruled previously that the Third Set of Interrogatories should be deferred for the present time, and the same ruling should be applied here.

Interrogatory No. 62

Southern Cities object to Interrogatory No. 62 as overbroad, burdensome and not reasonably calculated to lead to the discovery of admissible evidence. It would be virtually impossible to identify each occasion since 1960 on which any of Southern Cities' "employees, attorneys, agents, lobbyists or members of any of [its] City Councils have discussed with any member of the State legislature or any member of the staff of any State legislator any matter related to electric power generation or transmission...." Furthermore, to the extent such contacts may have been recorded and are relevant to this proceeding, those documents have previously been produced by Southern Cities in this proceeding. Since the burden of deriving or ascertaining the answer is substantially the same for PG&E as for Southern Cities, Southern Cities

submit that their document production constitutes a complete response to Interrogatory No. 62, to the extent any answer may be required. Accordingly, Southern Cities request a protective order and request that their objection to this interrogatory be sustained.

Respectfully submitted,



Peter K. Matt

Attorney for Southern Cities

October 19, 1979

Law Offices of:
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CERTIFICATE OF SERVICE

Peter K. Matt certifies that he has this 19th day of October, 1979, caused to be served the foregoing document upon the following parties in accordance with the requirements of Section 2.701 of the Commission's Rules of Practice.

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