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November 14, 1979

The Honorable Sheldon J. Wolfe
Chairman
Atomic Safety and Licensing Board
United States Nuclear Regulatory
    Commission
Washington, D. C. 20555

Dear Mr. Chairman:

Your recent exchange of correspondence with Mr. Scott regarding contacts between my firm and the ASLB Panel requires some clarification. I have been away from Washington and, thus, this is the first opportunity I have had to review the entire exchange.

I had two telephone conversations with Chairman Lazo (whom I believe was then Acting Chairman of the ASLB Panel) in early January and again in early February, 1979. The sole subject of those conversations in regard to the Allens Creek (ACNGS) proceeding was my concern regarding an apparent delay in the issuance of an Order by the ACNGS Board reflecting the results of the prehearing conference in November, 1978. At the time of my first call, more than seven weeks had elapsed since the conclusion of the prehearing conference and I sought some reassurances regarding the Board's availability in the ACNGS proceeding in light of its prior commitments to the Black Fox case. I was told by Mr. Lazo on both occasions that schedular conflicts would not prevent the Board from executing its functions in the ACNGS proceeding.

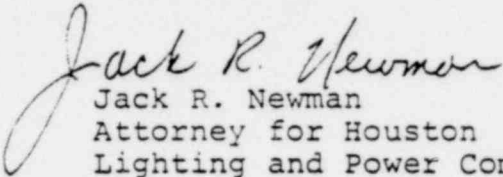Neither conversation dealt with the substance of any

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The Honorable Sheldon J. Wolfe
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matter before the Allens Creek ASLB and, accordingly, they
were not within the ambit of the Commission's ex parte rule.
10 CFR 2.780.

Respectfully,

Jack R. Newman
Attorney for Houston
Lighting and Power Company

cc: All parties
    The Honorable Robert M. Lazo

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