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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

November 30, 1979

William H. Armstrong, Esq.
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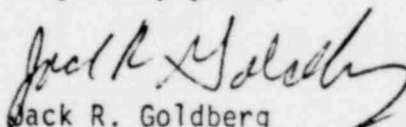
Re: Pacific Gas and Electric Company
Stanislaus Nuclear Project, Unit
No. 1, NRC Docket No. P-564A

Dear Mr. Armstrong:

In reply to your letter of November 16, 1979, concerning PG&E's privilege claims, I wish to clarify certain facts. You are correct that at Mr. Robie's deposition I stated that the Staff and Intervenors wish to work with PG&E to reduce any disputes we may have concerning PG&E's privilege claims, and that we wished to minimize the Board's involvement. I can assure you that we remain committed to that course. However, the Staff and Intervenors had always assumed that PG&E's privilege claims had been properly filed with the Licensing Board. It was only when Staff and Intervenors met after my conversation with you that we discovered that the privilege claims had not been filed within 30 days of the last prehearing conference as directed by the Board. In view of the fact that the issue of PG&E's privilege claims has been outstanding for an exceedingly long time, and that to date no claims have been filed by PG&E, we believe that a prerequisite to negotiations concerning those claims is their proper filing with the Board by PG&E.

I would like to emphasize that the procedure suggested, which is the proper one pursuant to the NRC Rules of Practice, does not involve any unnecessary work on the part of the Board. After your filing, Staff and intervenors will move to compel production of those documents which are needed and concerning which no valid claim lies. At that time we intend to specifically request the Board to stay its hand until we can meet with you to (hopefully) reach an amicable resolution of any disputes. Only if we fail to agree on any claims will the Board be requested to intervene with a ruling. The Staff and Intervenors therefore urge you to file PG&E's privilege claims with the Board immediately. I hope you understand our position that the time is long past when your privilege claims should have been filed with the Board. If you do not file them within 15 days from the date of this letter, Staff and Intervenors will be compelled to file for you the claims you have given us.

Very truly yours,


Jack R. Goldberg
Counsel for NRC Staff

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cc: All Parties on Service List

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