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



In the Matter of
HOUSTON LIGHTING AND POWER COMPANY
(Allens Creek Nuclear Generating
Station, Unit 1)

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Docket No. 50-466 CP

ORDER
(July 12, 1979)

The Board is in receipt of the following documents filed in this proceeding:

1. A letter of May 10, 1979, from Mr. John Doherty advising that he was not an "officer" of intervenor TexPirg.
2. A "Memorandum to the Board re Discovery Matters" filed by Mr. Doherty dated June 18, 1979, and advising that he terminated employment with TexPirg on June 1, 1979, and that "... no person appears to be handling TexPirg's intervention at this moment"
3. A document dated June 26, 1979, entitled "John Doherty's Second Memorandum to the Board re Discovery Matters" wherein he states that TexPirg has lost its financial support and as a consequence this "... is likely to slow down the proceedings"
4. A Motion For Further Procedures Relating To TexPirg Intervention, filed by Applicant on June 28, 1979, referring to TexPirg's answers to Applicant's interrogatories dated June 6, 1979, and signed by TexPirg's counsel advising that notwithstanding Mr. Doherty's sworn statements to the contrary, Mr. Doherty was not authorized to furnish certain answers on behalf of TexPirg in a deposition taken on March 26, 1979.

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5. A Response of July 5, 1979, wherein TexPirg's counsel stated that it was still a full party and discussed Mr. Doherty's past and present status.

These pleadings create a serious concern regarding TexPirg's intentions with respect to further participation in this proceeding and the identity of its authorized representative. This matter requires appropriate action by the Board to assure timely discovery and to avoid delay and maintain order in this proceeding.


WHEREFORE, it is ordered pursuant to 10 C.F.R. 2.718 that:

1. The Applicant's motion of June 28, 1979, as supported by the Staff in its Response of July 6, 1979, is granted, and

2. TexPirg shall file with this Board not later than July 27, 1979, through an authorized corporate spokesman, a statement whether it wishes to continue participation as a full party in this proceeding, and if so, the identity of the official representative or representatives of TexPirg accompanied by a statement showing that the organization has authorized that representative or representatives to speak for TexPirg.

IT IS SO ORDERED.

FOR THE ATOMIC SAFETY AND
LICENSING BOARD


Sheldon J. Wolfe, Esquire
Chairman

Dated at Bethesda, Maryland
this 12th day of July, 1979.

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