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August 3, 1979

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Re: DUKE POWER COMPANY (Oconee/McGuire Transshipment)
Docket No. 70-2623

Gentlemen:

We have briefly reviewed the proposed additional Staff testimony. In our judgment it is redundant and/or untimely and essentially seeks to elaborate points already made during the hearing. Furthermore, it is obviously testimony prepared with more emphasis on bolstering legal positions than on furthering the search for facts. Like guided missiles, each witness is aimed at a legal result by the Staff lawyer and carefully guided to that result. It is at least possible that the witnesses had little to do with the actual answers. We do not believe that the Board intended to permit this kind of additional testimony at the reopened hearing -- testimony based on July quarterbacking of a June proceeding. We urge the Board to reject the proffered testimony.

Sincerely,

Anthony Z. Roisman
Anthony Z. Roisman

cc: service list - attached
(by hand to those marked with asterisk)

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