

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD



In the Matter of x
HOUSTON LIGHTING & POWER COMPANY x DOCKET NO. 50-466
x
(Allens Creek Nuclear Generating x
Station, Unit 1)

MCCorkle's Response to
Applicant's Motion to Dismiss

It is untrue that I have failed to comply with the Board's orders to answer interrogatories. On page two (2), paragraph two (2) Applicant states that I have never answered the second set of interrogatories--this also is untrue. My answers to the second set of interrogatories were late, but I explained to Mr. Copeland that I had been impeded in answering them because of sickness and deaths in my husband's family.

I.

I have not failed to answer Applicant's Interrogatories. I have answered the first set, the second set, and the third set and have shown up for the deposition on time, answered the questions, and later returned to the Court Reporter's office to read it and sign it.

I did not respond to Applicant's Motion to Compel because I saw no need to respond.

II.

I have not, as Applicant alleges, "contumaciously refused to abide by the rules of this agency or flaunted (sic) the authority of this Board." Although I am an attorney, I have been so for only a year and have never been involved in any type of federal proceeding of any kind before, and fail to see

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how my status as an attorney holds me to a higher standard than any other intervenor.

III.

I would further point out to the Board that the U. S. Postal Service takes an average of seven to twenty days to deliver documents related to this proceeding, if they are delivered at all.

CONCLUSION

I have worked many hours and expended my own funds to participate in this proceeding. I have held no information back from Applicant.

If the Board is unable to justify maintaining the latest contentions which were admitted on appeal, I request that the Board strike only those contentions.

I request the Board to dismiss Applicant's Motion to Dismiss to the extent that it applies to me.

Respectfully submitted,

Brenda McCorkle
Brenda McCorkle

Service List:

Sheldon J. Wolfe, Esq.
Mr. Gustave A. Linenberger
Dr. Leonard Cheatum
Mr. Chase R. Stephens
Richard Lowerre, Esq.
Atomic Safety and Licensing Board Panel
Steve Sohinki
Wayne E. Rentfro
Baker & Botts

Madeline & Robert Framson
Carro Hinderstein
D. Marrack
F. H. Potthoff, III
Atomic Safety and Licensing Appeal Board
John F. Doherty
James M. Scott

I certify that all of the above parties have been served with a copy of the foregoing this 3d day of December, 1979, by deposit in the U. S. Mail.

Brenda McCorkle