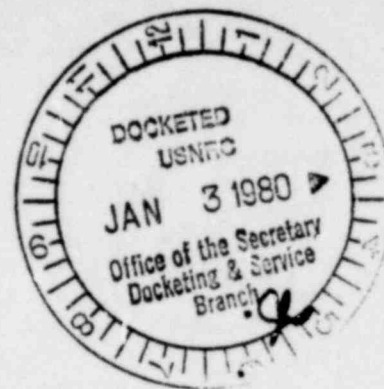


UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555

December 21, 1979

POOR ORIGINAL



Scott Tartar  
Jack Moorhead  
International Court Reporters, Inc.  
1917 Bank of the South West Building  
Houston, Texas 77002

Re: Houston Lighting & Power, et al.  
(South Texas Project, Units 1 and 2)  
Docket Nos. 50-498A and 50-499A;  
Texas Utilities Generating Company, et al.  
(Comanche Peak Steam Electric Station,  
Units 1 & 2) Docket Nos. 50-445A & 50-446A

Gentlemen:

As you know, International's contract with the Nuclear Regulatory Commission for the delivery of deposition transcripts in the above-captioned proceedings is on a five-day basis. I previously expressed my concern to you regarding your failure to deliver the depositions of Messrs. Taylor and Hartley, expert witnesses for the Department of Justice and the NRC Staff, respectively, in this time. Mr. Taylor's deposition was taken on October 25 and 26, and yet we did not receive this transcript until December 11. We have still not received the transcript for Mr. Hartley's deposition. Nor have we received the deposition transcript for Mr. Walter Bowers, whose deposition was taken on November 1.

Our concerns have been aggravated by a pleading recently received from Texas Utilities Company entitled "TUGCO's Opposition to the Motion of the Department of Justice for Modification of Discovery and Hearing Schedule; Motion to Quash Subpoenas; and for Other Relief." On pages 14 and 15 TUGCO there states:

Indeed, an examination of the transcript of each of the opposing experts in this case will reveal that none of the experts ... has formulated ... the substance of their testimony to be given in this case. For example, Mr. Hartley, the NRC Staff's engineering expert witness, has been employed since the summer of 1978, rendered a report to the NRC Staff in October, 1978, and has not been asked to do a single thing since that time, at least according to his deposition testimony.

As you can see, the above pleading, filed December 10, 1979, implies that TUGCO has examined copies of the deposition transcripts for the Staff's experts, in-

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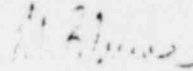
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cluding Mr. Hartley. As you know, Staff has not to date received Mr. Hartley's deposition transcript.

This matter will be referred to our contracts office because, as you know, five day service is generally more expensive per page than five week service. I hope that we will be able to count on receiving deposition transcripts on the basis of the five-day commitment contained in the contract from now on. Whether or not this commitment is adhered to, however, we expect that no party shall receive a transcript or draft in advance of any other party, when similar service has been contracted for.

Please do not hesitate to contact me if you desire to discuss this matter further.

Yours truly,



Michael B. Blume  
Counsel for NRC Staff

cc: Susan B. Cyphert

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