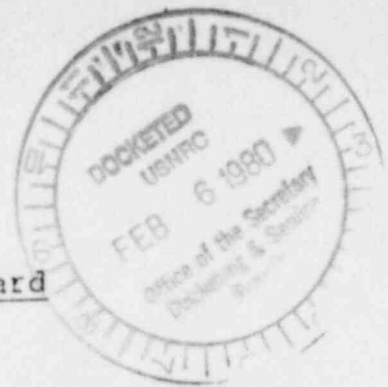


UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION



Before the Atomic Safety and Licensing Board

In the Matter of	)	
HOUSTON LIGHTING & POWER	)	
COMPANY, et al. (South	)	Docket Nos. 50-498A
Texas Project, Units 1	)	50-499A
and 2)	)	
	)	
TEXAS UTILITIES GENERATING	)	
COMPANY, et al. (Comanche	)	Docket Nos. 50-445A
Peak Steam Electric	)	50-446A
Station, Units 1 and 2)	)	

RESPONSE OF DEPARTMENT OF JUSTICE TO FOURTH SET OF  
INTERROGATORIES AND REQUESTS FOR PRODUCTION OF  
DOCUMENTS FROM HOUSTON LIGHTING & POWER COMPANY TO  
ANTITRUST DIVISION, U.S. DEPT. OF JUSTICE

The Department of Justice ("Department") hereby submits its Response to Interrogatories propounded by Houston Lighting & Power Company ("HL&P"). 1/ The answers and information provided herein are complete to the Department's information and belief as of February 4, 1980. The Department, however, reserves its right pursuant to Section 2.740(e) of the Nuclear Regulatory Commission's Rules of Practice to supplement or amend these Responses prior to trial to include any additional information which may become available.

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1/ Fourth Set of Interrogatories and Requests for Production of Documents from Houston Lighting & Power Company to Antitrust Division, U.S. Dept. of Justice, filed on January 21, 1980.

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HL&P Interrogatory 1(a)

1. With respect to the statement contained in the January 15, 1980 letter from Susan Braden Cyphert, counsel for the Department of Justice, to J. Gregory Copeland, counsel for Houston Lighting & Power Company (Attachment A to these interrogatories) that:

The Department does, however, anticipate providing engineering testimony through individuals who have already been designated as expert witnesses in these proceedings.

(a) Identify each expert witness who the Division expects to rely upon or utilize as a provider of engineering testimony in this proceeding.

Department's Response to HL&P Interrogatory 1(a)

The Department has not presently determined that it will rely on any specific expert engineering witness to provide engineering testimony at trial. The Department anticipates, however, that it may choose to adopt part or all of the anticipated testimony of the expert engineering witnesses, who have already been designated by the other parties to these proceedings. HL&P has or will have deposed all of these expert engineers by the close of discovery other than Carl Stover. The Department will inform HL&P prior to March 1, 1980, if it will rely on Mr. Stover to provide expert testimony so that he may be deposed during the expert deposition period in March. 1/

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1/ Carl Stover was already deposed by HL&P on July 24, 1979, as a potential fact witness to these proceedings.

HL&P Interrogatory 1(b)

State (i) any understandings between the Division and each such expert witness, and (ii) the substance of any communication between the Division and any other person, which partially or completely provides the basis for the Division's anticipation that it can provide engineering testimony through each such expert witness.

Department's Response to HL&P Interrogatory 1(b)

The Department has no understandings with any designated expert engineering witness to these proceedings regarding their proposed testimony. The basis for the Department's belief that it may choose to adopt part or all of the anticipated testimony of these experts is their deposition testimony, of which HL&P has knowledge.

HL&P Interrogatory 1(c)

Provide a summary of the testimony which each such expert witness is expected to offer on behalf of the Division.

Department's Response to HL&P Interrogatory 1(c)

The Department's knowledge of the testimony of the designated engineering witnesses in these proceedings is the deposition transcripts and documents produced by counsel for these experts during discovery in these proceedings.

HL&P Interrogatory 1(d)

State the basis for each conclusion or opinion each such expert witness expects to present or draw in his/her testimony on behalf of the Division.

Department's Response to HL&P Interrogatory 1(d)

Refer to Department's Response to HL&P Interrogatory 1(c) herein.

HL&P Interrogatory 1(e)

Identify all documents prepared by, for, or under the supervision of each such expert witness, or reviewed or relied upon in any way by such expert in the performance of his/her duties, formulation of his/her conclusions or opinions, or preparation of his/her testimony, including particularly work papers, status reports, preliminary outlines and memoranda, drafts of testimony, and communications between such expert and the Division, any party to the proceeding, or any person with knowledge in any way relied upon by such expert, and provide copies of any such document not already in the possession of Houston.

Department's Response to HL&P Interrogatory 1(e)

Refer to Department's Response to HL&P Interrogatory 1(c) herein.

HL&P Interrogatory 1(f)

Identify each such party to the proceeding and any person with knowledge in any way relied upon by such expert with whom such expert has communicated.

Department's Response to HL&P Interrogatory 1(f)

The Department does not know with whom the designated expert witnesses in these proceedings have communicated or the basis for their reliance, if any, on such communications other than what has been discovered by HL&P in the deposition testimony and documents produced during discovery in these proceedings.

Based on the information presently in the Department's possession, the supplemental information provided herein is, to the best of the Department's present belief and knowledge, true and correct.

Respectfully submitted,

*Susan Braden Cyphert*  
Susan Braden Cyphert

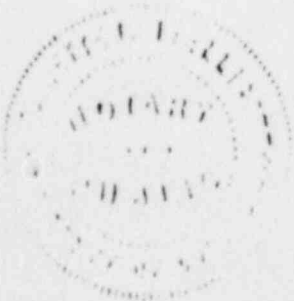
Washington, D. C.  
February 4, 1980

Attorney, Energy Section  
Antitrust Division  
U.S. Department of Justice  
Telephone: (202-724-6667)

Subscribed and sworn to before me, a notary public, this 1st day of February 1980.

*Levinette J. Gre. Elliott*  
Notary Public

My Commission expires January 1, 1981.





UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

In the Matter of	)	
HOUSTON LIGHTING AND POWER	)	Docket Nos. 50-498A
CO., et al. (South Texas	)	50-499A
Project, Units 1 and 2)	)	
	)	
TEXAS UTILITIES GENERATING	)	Docket Nos. 50-445A
COMPANY (Comanche Peak	)	50-446A
Steam Electric Station,	)	
Units 1 and 2)	)	

CERTIFICATE OF SERVICE

I hereby certify that service of the foregoing Response of Department of Justice to Fourth Set of Interrogatories and Requests for Production of Documents from Houston Lighting & Power Company to Antitrust Division, U.S. Dept. of Justice has been made on the following parties listed hereto this 4th day of February, 1980, by depositing copies thereof in the United States mail, first class, postage prepaid.

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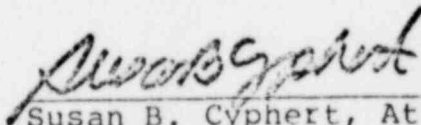
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