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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of:	§	
	§	
HOUSTON LIGHTING & POWER	§	NRC DOCKET NOS. 50-498A
COMPANY, THE CITY OF SAN	§	50-499A
ANTONIO, THE CITY OF AUSTIN,	§	
and CENTRAL POWER AND LIGHT	§	
COMPANY	§	
(South Texas Project,	§	
Unit Nos. 1 and 2)	§	
	§	
TEXAS UTILITIES GENERATING	§	NRC DOCKET NOS. 50-445A
COMPANY, <u>et al.</u>	§	50-446A
(Comanche Peak Steam	§	
Electric Station,	§	
Unit Nos. 1 and 2)	§	

RESPONSE OF CENTRAL AND SOUTH WEST CORPORATION
TO OPPOSITION BY BROWNSVILLE TO
JOINT MOTION FOR EXTENSION OF TIME

AND

AFFIDAVIT OF MERLE L. BORCHELT

In its Opposition to Joint Motion for Extension of Time, the Public Utilities Board of the City of Brownsville, Texas alleged that it had been excluded from negotiations and discussions concerning a direct current (dc) interconnection between the Texas Interconnected System and the Southwest Power Pool and that such an interconnection would be contrary to the public interest. At the oral argument on the Joint Motion for Extension of Time before the Licensing Board on April 9, 1980, counsel for the Central and South West Corporation ("CSW") represented that, contrary to

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these allegations, Brownsville had in fact been apprised of the discussions concerning a dc interconnection, had been advised that its reaction and comments on the interconnection would be welcome and expressed an interest in pursuing the matter further. Counsel for CSW further stated that he would be able to provide an affidavit verifying the truth of those representations, and contradicting the conclusions in the Brownsville Opposition.

Attached hereto pursuant to that representation, is the Affidavit of Merle L. Borchelt, Executive Vice-President of Central Power and Light Company ("CPL"). This Affidavit is submitted only in response to the allegation that Brownsville had been excluded from discussions concerning the dc interconnection, and does not address other matters alleged in the Brownsville Opposition since those other matters have no bearing on the issue whether the extension of time should have been granted by the Licensing Board. CSW does, however, take strong exception to the other matters alleged in the Opposition, particularly the allegation that CPL has refused and is refusing to wheel for Brownsville or other "smaller" electric utilities in Texas. As counsel for Brownsville well knows, CPL is in fact wheeling power for Brownsville at the present time. CSW and CPL further disagree with Brownsville's characterization of other aspects of negotiations between CSW, CPL and Brownsville and the allegations that CPL has committed anticompetitive practices against

Brownsville. Omission of these matters from the attached Affidavit should not be regarded as concurrence in the truth of those allegations. As mentioned, they are not referred to in the Affidavit only because those allegations were not the basis for Brownsville's opposition to the requested extension.

Respectfully submitted,

ISHAM, LINCOLN & BEALE

A handwritten signature in cursive script, reading "Daniel Stahl", is written over a horizontal line.

Attorneys for

THE CENTRAL AND SOUTH WEST COMPANIES

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Dated: April 11, 1980