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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD



In the Matter of)

HOUSTON LIGHTING AND POWER CO.,)
et al.)

Docket Nos. 50-448A
50-449A

(South Texas Project, Units 1)
and 2))

TEXAS UTILITIES GENERATING)
COMPANY)

Docket Nos. 50-445A
50-446A

(Comanche Peak Steam Electric)
Station, Units 1 and 2))

TUGCO'S OPPOSITION TO SCHEDULE FOR RESPONSE
PROPOSED BY NRC STAFF IN ITS MOTION
TO QUASH SUBPOENA OF MR. RODNEY FRAME

1. The NRC Staff served on TUGCO Counsel at about 4:00 p.m. on March 11, 1980 a motion to quash the subpoena issued on our application on February 21, 1980 and served on February 22, 1980.
2. The Staff proposes that the ordinary schedule for responding to such a motion be modified to require a reply by 11:00 a.m. Friday, March 14, 1980. The only reason given for the acceleration in schedule is ". . . the present discovery schedule and obligations of Counsel for the month of March are extraordinarily heavy." It should be noted that the appearance of Mr. Frame at a deposition is not required until March 26, 1980. In the circumstances, there is no good reason to accelerate the schedule.
3. There is good reason on the contrary, given the time until Mr. Frame's deposition, to adhere to a more reasonable schedule.

The parties concerned and this Board will be better able to evaluate the merits of the NRC Staff argument after the deposition of Norman Lerner, of the same firm as Mr. Frame.

Mr. Lerner's deposition is scheduled to begin March 17, 1980.

Moreover, the TUGCO Counsel are presently engaged in (a) preparing a petition for directed certification of the Board's ruling on settlement documents; (b) preparing for on

Wednesday, March 12, 1980 and taking the deposition of Tex-La's only designated expert in Atlanta on Thursday, March 13, 1980;

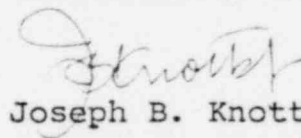
and (c) preparing for Dr. Lerner's deposition on March 17 and 18, 1980. Since Dr. Gordon Taylor's deposition has been

rescheduled, March 19-21, 1980 are now open days and TUGCO

would be prepared to file its response on the morning of

March 21, 1980 and participate in a conference call, if needed, on the afternoon of that date.

Respectfully submitted,



Joseph B. Knotts, Jr.

DEBEVOISE & LIBERMAN
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Date: March 12, 1980

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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

CERTIFICATE OF SERVICE

I hereby certify that copies of "TUGCO's Opposition to Schedule for Response Proposed by NRC Staff in its Motion to Quash Subpoena of Mr. Rodney Frame" in the above captioned matters, were served upon the following persons by deposit in the United States mail, first class postage prepaid this 12th day of March, 1980, and by hand delivery to those indicated by an asterisk.

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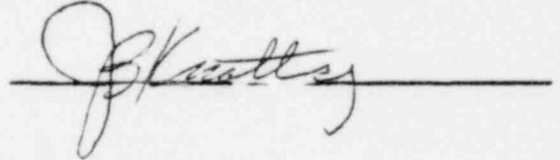
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A handwritten signature, likely "J. B. Kautsky", is written over a horizontal line.