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Atomic Safety and Licensing Board Panel
Unites States Nuclear Regulatory Commission
Washington, D. C. 20555

DOCKETED
USNRC
MAR 10 1980
Office of the Secretary
Docketing & Service
Branch

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

Gentlemen:

This is the monthly discovery report of the Public Utilities Board of the City of Brownsville for the month of February, 1980.

During February, Brownsville completed the depositions of Merle Borchelt, Chief Engineer of Central Power & Light Company ("CP&L"), and of Durwood Chalker, Chairman of the Board and Chief Executive Officer of CP&L and future Chairman of the Board and Chief Executive Officer of Central & South West Corporation ("C&SW").

Brownsville also noticed and took the deposition of Mr. S. B. Phillips, Jr., Chairman of the Board and Chief Executive Officer of C&SW, on February 27 and 28. In addition, Brownsville participated in the deposition by Houston Lighting and Power Company ("HL&P") of Ruben Edelstein, former Chairman of the Public Utilities Board and former mayor of the City of Brownsville. The first deposition of Brownsville's (potential) economic expert, Dr. John W. Wilson, was also completed in February. The deposition of Al Cisneros, Director of the Brownsville Navigation District was cancelled after Brownsville informed HL&P it did not expect to call Mr. Cisneros as a witness.

Brownsville also sought to compel the deposition of Mr. R. W. Hardy, former Chairman of the Board and Chief Executive Officer of CP&L. This Board ruled that Mr. Hardy was a non-party and should have been served with a subpoena; and issued such a subpoena at Brownsville's request.

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Brownsville received voluminous documents from the C&SW companies during February, including the documents requested from West Texas Utilities Company ("WTU") and Public Service Company of Oklahoma, and updates on forms filed with the Federal Energy Regulatory Commission. Brownsville informed C&SW counsel that the "Confidential" designation on documents received from the C&SW companies (including documents from CP&L received during January) occasionally goes beyond the scope of this Board's Protective Order of November 7, 1979.

Brownsville also received documents from the files of C&SW and C&SW Services relating to Brownsville or San Antonio. These documents were produced pursuant to an informal request contained in a letter dated February 7, 1980, from George Spiegel to David Stahl, requesting a further search for documents that C&SW had not produced in June, 1979, but which Brownsville obtained in discovery from other parties. The files now produced all dated from the period prior to 1973, and the bulk are prior to 1970. Brownsville has requested a further search for more recent C&SW files relating to Brownsville. These files, the C&SW filing system, and the circumstances of (apparent) production to other parties are the subject of Brownsville's "Second Set of Interrogatories and Requests for Production of Documents" filed on February 20, 1980. C&SW filed an objection to this formal request on February 22, 1980.

Brownsville has not received a complete copy of the November 29, 1968, memorandum it requested from CP&L in a letter dated December 7, 1979.

Brownsville has received copies of documents provided by TU to other parties, but has not received the documents it requested from TU in November, 1979.

Brownsville provided HL&P with copies of testimony of Mr. William Mayben in unrelated proceedings.

Brownsville is in the process of updating its interrogatory responses and supplementing its production of documents. It is continuing to analyze documents and deposition transcripts as it receives them.

Respectfully submitted,

Marc Poirier

Marc R. Poirier
Attorney for the Public
Utilities Board of the City of
Brownsville, Texas

MRP:vha

DOCKETED USNRC
MAR 10 1980
Office of the Secretary Docketing & Service Branch

UNITED STATES OF AMERICA
BEFORE THE
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY LICENSING BOARD

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

CERTIFICATE OF SERVICE

I hereby certify that I have caused copies of the foregoing MONTHLY DISCOVERY REPORT OF THE PUBLIC UTILITIES BOARD OF THE CITY OF BROWNSVILLE, TEXAS to be served on the following by deposit in the United States mail, first class, postage paid, this 6th day of March, 1980.

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March 6, 1980