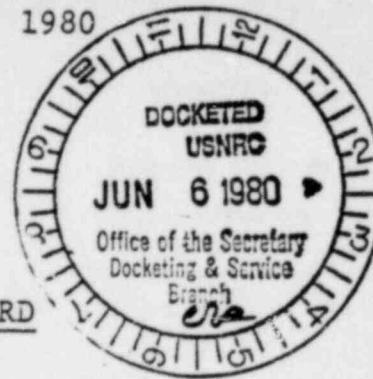


June 3, 1980



UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of
HOUSTON LIGHTING & POWER COMPANY
(Allens Creek Nuclear Generating
Station, Unit 1)

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Docket No. 50-466

INTERVENOR CARRO HINDERSTEIN'S MOTION TO QUASH
APPLICANT'S MOTION TO COMPEL THE PRODUCTION OF DOCUMENTS

John F. Stolz, Chief
Intervention Branch
Intervenor, CARRO HINDERSTEIN, submits the following points
in opposition to Applicant's Motion to Compel the Production of
Documents from Intervenor CARRO HINDERSTEIN and TEXPIRG sent to
Intervenors on April 29, 1980, as amended by letter dated May 20,
1980, from Jack R. Newman under United States Nuclear Regulatory
Commission Rules and Regulations, 10 C.F.R. §2.740(c)(3), (4),
and (6).

My contract with Mr. Saxion is by verbal agreement and no
written contract or agreement exists. Therefore, Applicant's
request for "(1) Copies of any contracts, agreements, or written
assignments between Mr. Saxion and Ms. Hinderstein or TexPirg,"
is an impossibility. Both Mr. Saxion and myself have said, under
oath, that I have employed Mr. Saxion as an expert witness.
Intervenor requests that this request be quashed.

II.

Mr. Saxion currently works for Gutierrez, Smouse, Wilmut
& Associates. He is currently involved in three projects

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involving the water availability in the Brazos River Basin for the cities of McGregor, Cleburne, and Freeport. These works are in progress now with no final report. Intervenor requests that Applicant's request for "(3) Copies of all project reports listed in paragraph (2) above that discuss the availability of water in the Brazos River Basin, specifically including reports for the cities of McGregor and Cleburne," be quashed. As these projects are completed, they will become public and be available for inspection and copying by the cities that have commissioned them.

III.

As for Applicant's request for "(2) A list of all projects in which Mr. Saxion has participated and in which research was conducted on the availability of water to municipalities or other clients who have employed Mr. Saxion or his firm," Mr. Saxion has in his first deposition referred to some such projects he was involved in. However, some of the information Applicant seeks is from private clients of Mr. Saxion's current or prior firms, and such information is not disclosable and not available to Mr. Saxion. The information is under the control of a third party and not in the possession of Mr. Saxion.

In conclusion, Intervenor CARRO HINDERSTEIN requests that Applicant's Motion to Compel the Production of Documents from Intervenor CARRO HINDERSTEIN and TEXPIRG as amended be quashed as it applies to the instant Intervenor. Mr. Saxion has in good

faith submitted to one deposition and will be deposed again June 17, 1980. Any further motions and requests for material that is not in existence or under the control of a third party would constitute harassment and cause unreasonable expense to combat.

Intervenor would note that Mr. Saxion has sent working papers, speeches, testimony, letters, and studies to Applicant in compliance with their request.

Respectfully submitted,

Carro Hinderstein

CARRO HINDERSTEIN, Intervenor
8739 Link Terrace
Houston, Texas 77025

CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the above and foregoing Intervenor Carro Hinderstein's Motion to Quash Applicant's Motion to Compel the Production of Documents, in the above captioned proceeding, were served on the following by deposit in the United States mail postage pre-paid, this 3rd day of June 1980:

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Carro Hinderstein
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