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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 Company  
(Allen's Creek Nuclear Generating  
Station, Unit 1)

Sheldon J. Wolfe, Esq.  
Dr. E. Leonard Cheatum  
Mr. Gustave A. Linenberger

DOCKET NUMBER

50-466



WITHDRAWAL OF MOTION TO COMPEL (June 11, 1980)

On June 11, 1980, I sent you a MOTION TO COMPEL DISCOVERY of HL&P's most recent rate case. On the same day, counsel for the Applicant called to say that he had located the documents in question and was making them available for my inspection. On June 12 and on two subsequent days I examined and copied out pages from the rate case.

I therefore withdraw that portion of my June 11 Motion which seeks to compel discovery of the rate case, on the understanding that Applicant will continue to make that file available.

The second half of my motion read as follows:

Intervenor further requests that access to said documents be provided for an indefinite period beyond the 120-day discovery period, and that Applicant's legal file and transcript of any subsequent rate-hike proceeding be provided as well.

I find nothing in 10 CFR Parts 2.740 and 2.741 which explicitly states the time period for which Intervenor may have access to documents, or which precludes (a) request(s) for documents that may become available after the close of the discovery period described in the Board's March 10, 1980 Order.

I therefore assume that I shall have the right to examine the rate case documents as outlined in the second part of my June 11 Motion reproduced above,

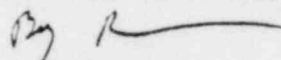
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unless and until I hear to the contrary from the Board or its representative.

I will provide rationale for granting this right of access, should that be considered necessary. (My concern about this is not purely theoretical; HLM President D.D. Jordan has promised Houston Industries shareholders to seek another rate increase this summer.) I trust that if the Applicant has objections to my asserting this right, it will raise these objections in a timely fashion.

FOR THE INTERVENORS,

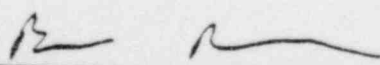
  
Bryan Baker

CERTIFICATE OF SERVICE

I hereby certify that copies of the preceding document were served on the following parties to the proceeding by deposit in the United States mail, First Class, on or before June 30, 1980.

Sheldon J. Wolfe, Esq.  
Dr. Leonard Cheatum  
Mr. Gustave A. Linenberger  
Mr. Chase R. Stephens  
R. Gordon Gooch, Esq.  
J.G. Copeland, Esq.  
Richard Lowerre, Esq.  
Hon. Charles J. Dusek  
Hon. Leroy E. Grebe  
Atomic Safety and Licensing Appeal Board  
Atomic Safety and Licensing Board Panel  
Steve Schinkl, Esq.

Stephen A. Doggett, Esq.  
Robert S. Framson &  
Madeline Bass Framson  
W. Matthew Perrenod  
Mr. James M. Scott  
Carro Hinderstein  
D. Marrack  
J. Morgan Bishop &  
Margaret Bishop  
Mr. John F. Doherty  
Brenda McCorkle  
Wayne E. Rentfro  
P.H. Potthoff

  
Bryan Baker