

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

THE ATOMIC SAFETY AND LICENSING BOARD

Sheldon J. Wolfe, Esquire, Chairman
Dr. E. Leonard Cheatum, Member
Gustave A. Linenberger, Jr., Member



In the Matter of)
HOUSTON LIGHTING AND POWER COMPANY) Docket No. 50-466 CP
(Allens Creek Nuclear Generating)
Station, Unit 1))

ORDER
(May 30, 1980)

On April 29, 1980, Applicant filed a Motion To Compel The Production Of Documents From Intervenors Carro Hinderstein And TexPirg. Therein, Applicant asserted that, during the deposition of Mr. Howard Saxion on February 14, 1980, Mr. Saxion as the Intervenors' expert witness agreed to produce certain requested documents and work papers. Applicant stated that its repeated efforts to secure said material had been fruitless. Ms. Hinderstein did not respond. However, in a letter dated May 1, 1980, TexPirg advised that it had advised Applicant's attorney on April 28, 1980, that it would furnish the requested material within two weeks.

Subsequently, in a letter dated May 20, 1980, Applicant advised that the Intervenors had produced a portion of the requested materials on May 15, 1980 and that, to the extent that these materials had been provided, its Motion To Compel in part was moot. However, it requested that its motion be granted as to certain identified materials which had not been produced. Thereafter, in a letter of May 28, 1980, Applicant requested that we rule on the outstanding motion sufficiently in advance of the taking of Mr. Saxion's deposition on June 17, 1980 in order that it will have adequate

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time to review the material.

The Motion To Compel is granted with respect to the following identified documents which were not among those documents produced by the Intervenor on May 15, 1980:

(1) Copies of any contracts, agreements, or written assignments between Mr. Saxion and Ms. Hinderstein or TexPirg.


(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. Specify those project reports that discuss the availability of water in the Brazos River Basin.

(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.

Intervenors shall furnish these materials listed above by no later than June 9, 1980.

IT IS SO ORDERED.

FOR THE ATOMIC SAFETY AND
LICENSING BOARD


Sheldon J. Wolfe, Esquire
Chairman

Dated at Bethesda, Maryland
this 30th day of May, 1980.