## UNITED STATES OF AMERICA NUCLEAR REGULATORY COMMISSION

THE ATOMIC SAFETY AND LICENSING BOARD

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

In the Matter of

HOUSTON LIGHTING AND POWER COMPANY

Docket No. 50-466 CP

(Allens Creek Nuclear Generating Station, Unit 1)

## ORDER

(July 31, 1980)

 In a Motion for Extension of Discovery dated July 14, 1980,
Mr. F. H. Potthoff asserted that he had not received an order directing him to begin and complete discovery by July 9, 1980 and requested an extension of time.

In our Order of April 30, 1980, the Board had admitted Mr. Potthoff as a party, admitted his Contention 6(VI), and directed that discovery on Contention 6 should be initiated immediately and completed by July 9, 1980. Mr. Chase Stephens of the Commission's Docketing and Service Branch has advised the Chairman that the April 30 Order was served upon Mr. Potthoff and indeed the certificate of service reflects that this service had been made. Yesterday, Mr. Stephens advised the Chairman that he had ultimately been able to contact Mr. Potthoff on the telephone and that Mr. Potthoff stated that he had not received the April 30 Order. Mr. Stephens also advised the Chairman that, subsequent to April 30, 1980, the

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Docketing and Services Branch had inadvertently failed to serve certain documents upon Mr. Potthoff but that these documents would be served on July 30.

Because of these unusual circumstances, we grant the instant motion. Since only one contention is involved and since Mr. Potthoff has already initiated discovery by serving upon Applicant a first set of interrogatories on July 10, 1980, Mr. Potthoff shall complete discovery upon Contention 6 by September 12, 1980.

2. In our Order of July 16, 1980, we granted Applicant's Motion to Compel Answers to Interrogatories. We note that while Applicant's certificate of service reflects that its First Set of Interrogatories and Requests for Production of Documents was served upon Mr. Potthoff on May 17, 1980, its certificate of service does not reflect that the Motion to Compel Answers to Interrogatories of June 24, 1980 had been served upon Mr. Potthoff. Further, we note that our Order of July 16, 1980 had not been served upon Mr. Potthoff. Accordingly, Mr. Potthoff shall serve (mail) his responses to Applicant's First Set of Interrogatories by August 19, 1980.

IT IS SO ORDERED.

FOR THE ATOMIC SAFETY AND LICENSING BOARD

Isq., Chairman

Dated at Bethesda, Maryland this 31st day of July 1980.