

2/4/75

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of )  
)  
THE TOLEDO EDISON COMPANY and )  
THE CLEVELAND ELECTRIC ILLUMINATING )  
COMPANY )  
(Davis-Besse Nuclear Power Station, )  
Unit 1) )  
)  
THE CLEVELAND ELECTRIC ILLUMINATING )  
COMPANY, ET AL. )  
(Perry Nuclear Power Plant, )  
Units 1 and 2) )

Docket Nos. 50-346A  
50-440A  
50-441A

PREHEARING CONFERENCE ORDER

1. Pursuant to notice, a prehearing conference was convened on January 31, 1975. All parties were present and participated except AMP-0 and the State of Ohio. 1/

2. Reports of the extent of review of materials produced through discovery were presented by each party. During the prehearing conference the Applicants offered to transport to a central depository in Washington, D. C. for inspection all materials designated for further review by the Department of Justice and Nuclear Regulatory Commission; the central depository to be located in the Washington, D. C. offices of Applicants' counsel. After discussion thereon, the Board approved the proposal and rules as follows:

1/ These two parties were not involved in the subject matter discussed relating to discovery occurring among the other parties. The said prehearing conference, initially scheduled for January 17, 1975 was reset to January 31, 1975 upon request and showing of good cause for same.

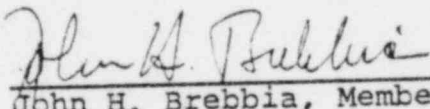
- (a) A document depository is to be established in the Washington, D. C. offices of Applicants' counsel. The Applicants will produce up to 25 file drawers as requested by the Department of Justice and the Nuclear Regulatory Commission Staff. The documents are to be forwarded to the depository as quickly as possible, preferably by February 10, 1975; and the entire production of 25 file drawers to be made by February 15, 1975.
- (b) Depositions will commence on April 7, 1975, and the said document depository will remain open and available throughout the deposition taking.
- (c) The City of Cleveland may request production of documents from the Applicants up to 60 file drawers to be placed in the document depository identified above; transportation expense to be paid by the City. The Board expects that 15 file drawers per week, commencing February 10, 1975, will be placed in the depository. The City will be prepared to commence the taking of depositions by April 7, 1975. In view of this ruling, the City's motion dated December 12, 1974 is thus denied in part and granted in part.

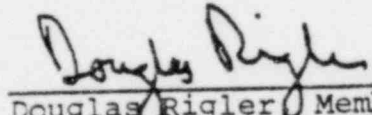
(d) The parties are directed to confer and attempt to resolve any discovery problem that may arise before relief is requested of the Board.

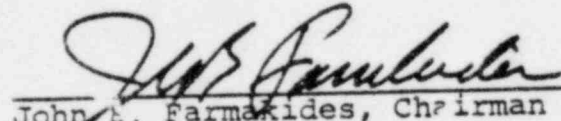
In view of the action taken above, all pending motions relating to discovery are hereby denied subject to renewal following document review. Motions to quash outstanding subpoenas may be renewed at any time.

IT IS SO ORDERED.

ATOMIC SAFETY AND LICENSING BOARD

  
\_\_\_\_\_  
John H. Brebbia, Member

  
\_\_\_\_\_  
Douglas Rigler, Member

  
\_\_\_\_\_  
John E. Farmakides, Chairman

Dated at Bethesda, Maryland  
this 14th day of February 1975.