

RELATED CORRESPONDENCE

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board



In the Matter of	)	
THE TOLEDO EDISON COMPANY and	)	Docket Nos. 50-346A
THE CLEVELAND ELECTRIC ILLUMINATING	)	50-500A
COMPANY	)	50-501A
(Davis-Besse Nuclear Power Station,	)	
Units 1, 2 and 3)	)	
THE CLEVELAND ELECTRIC ILLUMINATING	)	Docket Nos. 50-440A
COMPANY, ET AL.	)	50-441A
(Perry Nuclear Power Plant,	)	
Units 1 and 2)	)	

CORRECTION TO MINUTES OF  
CONFERENCE CALL OF NOVEMBER 14, 1975

On page four of the minutes of the conference call of November 14, 1975, it is stated:

He [the Chairman] added that this proceeding involves a joint applicant for a nuclear facility and it therefore was a general conspiracy case, so that all evidence would be received as to all Applicants. (Underlining added)

The Chairman does not recollect having made the statement underlined above and if he did so, it was not his intent to so state. The Board thus far has not sought to characterize the situation allegedly inconsistent with the antitrust laws in terms other than those set forth in the issues in controversy. It is the Board's recollection that during the conference call, Mr. Benbow for Ohio Edison referred to these actions in terms of a conspiracy and combination charge, whereas Mr. Reynolds, also counsel for

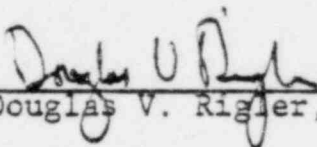
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Applicants, asserted that parties other than Applicants had not specifically charged a conspiracy.

The parties' respective views with regard to combinations and conspiracies will be set forth in the pretrial briefs soon to be filed. At this juncture, however, it is important to note that the Board has made no prejudgment with respect to the characterization of the violation alleged.

On page five of the minutes, the secretary for purposes of the conference call correctly reports that parties were advised to be prepared to speak with respect to the Applicants' Motion to Quash Justice's Subpoena, the City of Cleveland's Motion to Reopen Discovery and the new interrogatories submitted on behalf of Ohio Edison and Pennsylvania Power. The Chairman indicated, however, that although the parties should be prepared to speak, the Board was not granting permission for oral argument and would make that decision after further study of the pleadings filed in these matters.

ATOMIC SAFETY AND LICENSING BOARD

  
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Douglas V. Rigler, Chairman

Dated at Bethesda, Maryland  
this 19th day of November 1975.