

0-3-75

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))	

MINUTES OF CONFERENCE CALL OF OCTOBER 28, 1975

On October 28, 1975, at 2:30 P.M., the Department of Justice initiated a conference call with counsel for the Applicants, William Bradford Reynolds, and the Chairman of the Licensing Board, Douglas V. Rigler, to discuss briefing schedule in connection with certain filings by the Applicants.

Steven M. Charno, on behalf of the Department of Justice, indicated that the following issues are or will be before the Board: (1) amendment of the Department's Answers to Interrogatories and The Production of Documents, and (2) a subpoena requesting documents previously obtained by the Department pursuant to a Civil Investigative Demand issued to the Cleveland Electric Illuminating Company. Mr. Charno indicated that other questions concerning the production of documents by the Applicants had been settled without the necessity of referring the matter to the Board for decision.

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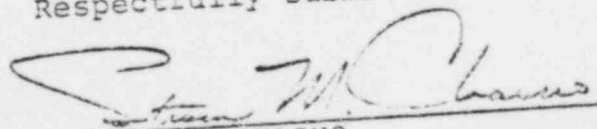
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Mr. Charno further indicated that the Department would not file any further papers concerning the amendment to its interrogatory answers. This matter was set for oral argument in the Hearing Room of the Atomic Safety and Licensing Appeal Board in East West Towers, 4350 East West Highway, Bethesda, Maryland, at 9:30 A.M. on October 31, 1975. Mr. Rigler asked Mr. Charno to inform the non-Applicant parties of the scheduling of this argument.

Mr. Reynolds indicated that because of the present deadline of November 10 for filing of pre-hearing briefs, he required additional time in which to respond to the subpoena sought by the Department. Mr. Reynolds further indicated that, if the documents in contention were produced and raised new allegations, Applicants would require an opportunity to amend their pre-hearing brief to meet these allegations. The Chairman ruled that Applicants would have an opportunity to amend their pre-hearing brief, if required, and that Applicants would have until November 15 to move to quash or modify the subpoena sought by the Department. The Chairman further ruled that the Department would have until October 31 to file its application for a subpoena, together with supporting papers sufficient to result in joinder of the issue upon the filing of Applicant's response on November 15.

Whereupon the conference call was ended.

Respectfully submitted,



STEVEN M. CHARNO
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October 31, 1975

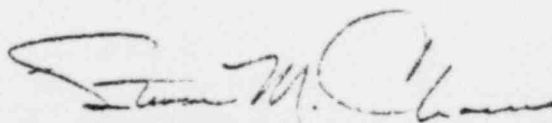
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(Perry Nuclear Power Plant,)	
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CERTIFICATE OF SERVICE

I hereby certify that copies of MINUTES OF CONFERENCE CALL OF OCTOBER 28, 1975 have been served upon all of the parties listed on the attachment hereto by deposit in the United States mail, first class, airmail or by hand delivery, this 31st day of October 1975.



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