

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

8

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

5/24/76

In the Matter of)	
)	
The Toledo Edison Company and)	
The Cleveland Electric Illuminating)	Docket Nos. 50-346A
Company)	50-500A
(Davis-Besse Nuclear Power Station,)	50-501A
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))	

PROPOSED MINUTES OF CONFERENCE
CALLS OF APRIL 23, 1976

On Friday afternoon, April 23, 1976, Chairman Rigler initiated a conference call with Mr. Reynolds, Mr. Lessy, Mr. Hjelmfelt, and Ms. Urban.

Chairman Rigler stated that the purpose of the conference call was to discuss changes in the hearing schedule. He stated that because Mr. Smith would be unable to be present Monday, April 26, 1976, through Wednesday, April 28, 1976, and Mr. Frysiak would be unable to be present Tuesday afternoon and Wednesday, there would be no hearing on Tuesday afternoon and Wednesday, but that he would expect that the hearing would be held on Tuesday, April 29 and Friday, April 30.

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Mr. Reynolds stated that because Friday had originally been scheduled as an open day, he had made other commitments. Chairman Rigler then stated that we would go ahead and meet on Monday and Tuesday and resolve the problem of Friday at that time.

Mr. Reynolds stated that he might have to reschedule Mr. Firestone to appear after Duquesne Light Company's case was completed, and assumed that the parties preferred that he be rescheduled rather than be brought on and then have to be brought back. Mr. Lessy stated that this was the preference of the parties. Mr. Reynolds stated that Mr. Firestone could not appear on Friday and that he [Mr. Reynolds] had not made the decision as to whether Mr. Firestone would appear on Thursday.

Chairman Rigler also stated that the Appeal Board had set argument on the disqualification motion for May 10, 1976. He stated that he did not recall the preference of the parties as to having that a free day, but he would do what the parties wished.

The conference call was resumed with the same participants later on the afternoon of April 23, 1976, at the request of Mr. Reynolds.

Mr. Reynolds said that he would like to suggest that the appearance of Messrs. Slemmer and Firestone be postponed until after Duquesne Light Company's case. Mr. Reynolds proposed that Duquesne Light Company's case begin on Thursday, April 29, and that it continue on Tuesday, May 4, and Wednesday, May 5.

Mr. Slemmer would then appear on Thursday, May 6, and Friday, May 7, followed by Mr. Firestone on May 11 and then Ohio Edison's case.

Mr. Lessy protested this schedule change in that he did not feel that Duquesne Light Company's case would be completed on Wednesday, May 5, and he did not wish to have Mr. Slemmer start in the afternoon.

Mr. Reynolds stated that he does not wish to have Mr. Slemmer testify without the entire Board present, nor does he wish to separate the testimony of Messrs. Slemmer and Firestone. He stated that whenever Duquesne Light Company's case was finished, Mr. Slemmer would begin.

Mr. Lessy stated that it would be to everyone's detriment to start an expert witness when he could not be completed in one week.

Mr. Reynolds stated that the Applicants had cross-examined under those circumstances.

Mr. Hjelmfelt and Ms. Urban stated that the City and Department, respectively, had no objection to Mr. Reynolds' proposed schedule. Mr. Lessy also agreed to the schedule.

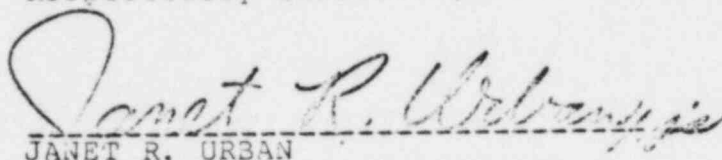
Chairman Rigler asked whether Duquesne Light Company could present its case on Friday, April 30, and Mr. Reynolds replied that Duquesne Light has "lots of problems" with Friday.

Chairman Rigler then stated that since the scheduling problems were not caused by Mr. Reynolds, the Board would go along with

Mr. Reynolds' suggestion that the entire Board hear Mr. Slemmer's testimony, and that Duquesne Light Company begin its case on April 29 with Messrs. Slemmer and Firestone to follow the completion of Duquesne Light Company's case.

Chairman Rigler stated that the hearing would resume 9:30 Thursday morning.

Respectfully submitted,

A handwritten signature in cursive script, reading "Janet R. Urban". The signature is written in dark ink and is positioned above the typed name.

JANET R. URBAN
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May 24, 1976

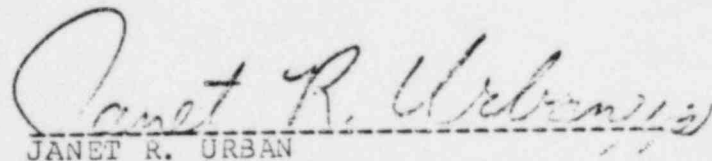
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CERTIFICATE OF SERVICE

I hereby certify that copies of PROPOSED MINUTES OF CONFERENCE CALLS OF APRIL 23, 1976 have been served upon all of the parties listed on the attachment hereto by deposit in the United States mail, first class or airmail this 24th day of May 1976.



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