

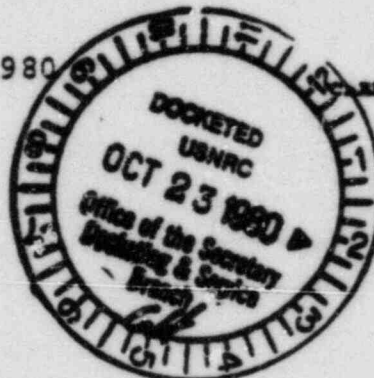
LAW OFFICES
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TROY B. CONNER, JR.
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ROBERT M. RADER
*NOT ADMITTED IN D. C.

October 21, 1980

(202) 882-8800

CABLE ADDRESS: ATOMLAW



Marc R. Poirier, Esq.
Spiegel & McDiarmid
2600 Virginia Avenue, N.W.
Washington, D.C. 20037

Houston Lighting & Power Co., et al.,
(South Texas Projects, Units 1 & 2),
NRC Docket Nos. 50-498A, 50-499A;

Texas Utilities Generating Co., et al.,
(Comanche Peak Steam Station, Units 1 & 2),
NRC Docket Nos. 50-445A, 50-446A.

Dear Mr. Poirier:

This letter is in reply to your October 15, 1980 letter addressed to Robert M. Rader regarding the release to other parties in the captioned proceedings of the documents which the Public Utilities Board of the City of Brownsville, Texas ("Brownsville") has designated as potential exhibits and for which Gulf States Utilities Company ("GSU") has claimed confidential treatment pursuant to a Stipulation to Protective Order issued by the Atomic Safety and Licensing Board ("Board") on July 24, 1979 ("Stipulation"). You requested our consent to make these documents available in some unspecified manner to any requesting party. You further requested that, if GSU had any objection to this procedure, we contact you.

The Stipulation which was executed by you on behalf of Brownsville controls any further dissemination of documents in your possession for which proprietary treatment has been claimed by GSU. Nothing therein excuses full compliance with its terms or permits any alternative procedure with regard to release of GSU confidential documents.

We understand that there is some controversy whether the South Texas and Comanche Peak proceedings have been consolidated for purposes other than discovery. Therefore,

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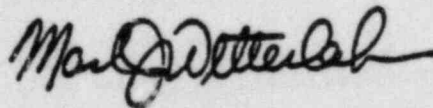
under the terms of the Stipulation, we strongly object to your releasing any of the material subject to the Stipulation to any attorney or other individual not associated with a party in the South Texas proceeding. The Stipulation prohibits such disclosure until the Board specifically rules that the two proceedings have been consolidated for purposes other than discovery. Moreover, prior to any general distribution of the GSU proprietary documents to any additional parties to the South Texas proceeding, Brownsville should seek to determine whether the Board will permit these documents to become part of the evidentiary record in the manner which we understand it has proposed in its trial brief.

In the time available, we have reviewed the documents attached to your letter and have determined that certain of them may be disclosed generally. The following documents designated by you with a number in brackets in the upper right hand corner may be made available to the other parties to the proceeding without restriction:

[1347]	[1370]	[1445]
[1348]	[1371-73]	[1446]
[1349-50]	[1374-76]	[1447]
[1351]	[1407]	[1448]
[1352]	[1413-14]	[1449]
[1353-54]	[1416-18]	[1450]
[1355]	[1419]	[1451]
[1356]	[1441]	[1466-67]
[1357-65]	[1442]	[1468-70]
[1368-69]	[1444]	

As I noted to you in our telephone conversation of October 16, 1980, while your letter states that it was hand delivered, we received it on that date through the U.S. Postal Service even though the envelope had no postage affixed nor did it give any indication it was to be hand delivered.

Sincerely,



Mark J. Wetterhahn
Counsel for Gulf States
Utilities Company

MJW:sdd