

3/26/75

UNITED STATES OF AMERICA
BEFORE THE
ATOMIC ENERGY COMMISSION

In the Matter of)
) Docket Nos. 50-269A, 50-270A,
DUKE POWER COMPANY) 50-287A, 50-369A,
(Oconee Units 1, 2 and 3) 50-370A
McGuire Units 1 and 2))

APPLICANT'S OBJECTIONS TO SPECIAL REQUEST
FOR INTERROGATORIES

Pursuant to Section 2.740b(b) of the Commission's Rules of Practice, 10 C.F.R., Part 2, Duke Power Company ("Applicant") objects and moves to strike certain portions of the Special Request for Interrogatories, filed on March 9, 1973, by the Department of Justice ("the Department").

Applicant objects to the second paragraph of the Special Request, which seeks a detailed description of Applicant's filing system, including a listing of the "classifications or labels used to index or mark" the Company's files. Applicant is willing to provide, and has provided in response to the first paragraph of the Special Request, a description of the Applicant's filing system. In addition, Applicant is willing to respond to any relevant inquiry about the existence and location of particular documents. However, the principal thrust of the paragraph in question is the attempt to obtain a listing of the Applicant's file labels. This is the second time that the Department has pressed this attempt in this proceeding.

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documents, to the extent that such information can be ascertained at all without a file search; and Applicant has agreed to undertake such a file search under appropriate circumstances. There is consequently no conceivable reason to compel Applicant to compile a description of its more than 2.5 million file folders in this proceeding.

CONCLUSION

WHEREFORE, Applicant objects to the second paragraph of the Special Request for Interrogatories.

Respectfully submitted,

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March 26, 1973

AFFIDAVIT

DISTRICT OF COLUMBIA) ss:

William L. Porter, having been first duly sworn, appeared before me and stated as follows:

1. I am assistant general counsel for Duke Power Company, Charlotte, North Carolina, and am familiar with the document filing and retention procedures utilized within the Company.

2. Some documents are filed and maintained in the Company's permanent records files, which are under the direction of the office of the Company's Secretary. The attached affidavit of J. C. Goodman describes the filing system utilized for documents which are sent to the permanent records files.

3. Many documents, however, are not sent to the permanent record files, but rather are retained in the files of the Company employee or department who wrote or received the particular document. The Duke Power Company has no uniform system for organizing and maintaining official records. There is also no uniform method used at all filing areas for charging out files or for providing continuity on older files which are still active. Furthermore, there is a lack of uniformity in the method of arranging files. This means there may be several ways of filing the same type of record. Each time a new major

project is started, a new filing arrangement may be started. Each functional area has different filing methods -- numerical, decimal, alphabetical, subjective, or some combinations of these arrangements.

4. I estimate that records are found today in about 430 locations and occupy 61,000 cu. ft. of space. This estimate is based on the fact that a 1969 study of Duke files (see Attachment A) found that there were 429 file locations and 44,500 cu. ft. of records. To the best of my knowledge and belief, there has been no reduction in the number of file locations since that study and the volume of records has grown at least 10 percent per year.

5. The use of indexing and cross referencing techniques runs the gauntlet from nothing at all to extremely detailed and complex systems.

6. There is no established policy on location and maintenance of official record copies at designated filing locations. There is no official file copy easily identifiable as such, thereby permitting its segregation from informational, courtesy, and other duplicate copies.

7. There is no policy regulating the exact number of copies to be made. The preparation of many extra copies, in addition to regular required file copies, has resulted in widespread duplication of files. Most areas where files are maintained keep extra copies of materials that they originate. In addition,

reproduced items forwarded for information only often wind up in the files. There is no established, enforced policy on date breaks requiring retirement of files out of the office to the wastebasket, or to an interim storage area, or to a permanent storage area.

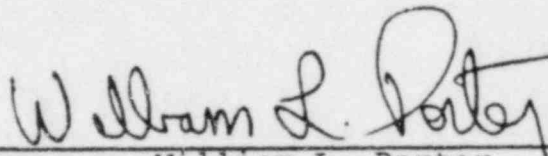
8. Throughout the file areas, there is a lack of consistency in the types of folders, guides and labels used. No standards have been established indicating precisely what types, sizes and quality of folders, guides, labels, etc. are to be used to meet specific operating needs.

9. The statements contained in the preceding seven paragraphs herein are confirmed by a study of the headquarter's files conducted for the Company in 1969 by an outside consultant. In fact, much of the description above has been excerpted verbatim from that study. Although most of the study involved recommendations for changing the Company's document filing procedures, Attachment A is an excerpt from the report describing the consultant's findings about then-existing headquarters filing practices. The consultant's recommendations have not been implemented, so that Attachment A reflects the present situation in both the headquarters and field offices.

10. Based upon the aforementioned 1969 study of the Company's records, together with recent sampling of typical files, I estimate that there are at least 1.5 million file folders in the Charlotte headquarters which contain classifications or labels describing the documents contained therein. Based upon discussions with

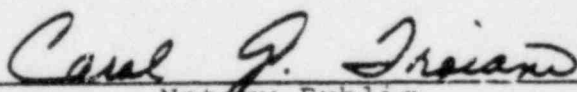
field office personnel, I estimate that at least 1 million such folders are found in the Company's many offices outside of the Charlotte headquarters, throughout our service area in the Carolinas.

11. A given document is most likely to be located in the files of its author or recipient; often an extensive file search may be required to locate particular documents. The documents supplied in response to Item 1 of the First Joint Document Request in this proceeding, showing the Company's management positions, chain of command, and the individuals occupying these positions, will facilitate the location of particular documents.



William L. Porter

Subscribed and sworn to before me this 23rd day of
March, 1973.



Notary Public

My Commission Expires _____ 1976