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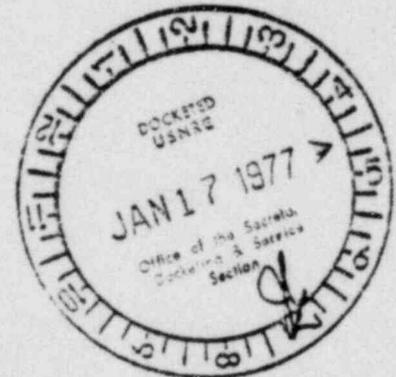
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January 10, 1977

Myron M. Cherry, Esq.  
One IBM Plaza  
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50-329



RE: Midland Proceedings: Discovery

Dear Mr. Cherry:

At approximately 3:45 p.m. your secretary contacted me for the second time today concerning your request to inspect documents which we have made available to the parties in this proceeding. She stated, in substance, that contrary to the information she gave me on her first call, you wanted the documents available for your inspection on Saturday, January 15, Sunday, January 16 and Monday, January 17. As you are aware, since December 13, 1976, we have been providing you, on a weekly basis, with indexes of documents available for your review. This is the first time that you have requested an opportunity to inspect the documents. As I stated in my first letter of today's date, our offices will be closed on Saturday, January 15 and Sunday, January 16. However, the documents will be available for your review on Monday, January 17, during normal business hours. Of course, they are currently available for your inspection during regular business hours on reasonable notice, just as documents have been available for your inspection on that basis since December 13.

As you know, Rule 34 of the Federal Rules of Civil Procedure, upon which NRC discovery rules are based, states that a document request "shall specify a reasonable time, place and manner of making the inspection and performing the related acts".

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Myron M. Cherry, Fsq.  
January 10, 1977  
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Since inspection of the documents during a reasonable time, i.e. normal working hours, does not appear to meet your schedule, in order to attempt to accommodate you, we are prepared to make available on either Saturday or Sunday a paralegal familiar with the documents and a xerox operator to copy those documents which you designate, provided that you are willing to pay their hourly overtime wage rate for the time they will expend in providing this service to you. If you wish to exercise this option, please notify me in writing by Thursday, January 13, setting forth your consent to this provision and the exact date and time at which you will appear at our offices, so that we may make the necessary arrangements.

Sincerely,

*R. Rex Renfrow, III*  
R. Rex Renfrow, III (mc)

RRR:mc  
cc: Service List