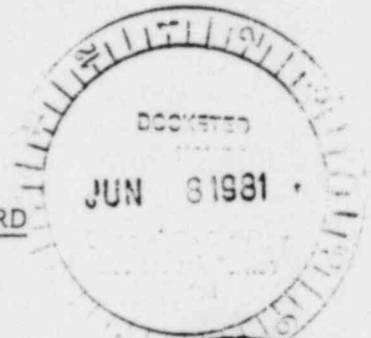


UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of) Docket No. 50-367
)
NORTHERN INDIANA PUBLIC) (Construction Permit
SERVICE COMPANY) Extension)
)
(Bailly Generating Station,) June 4, 1981
Nuclear-1))

NORTHERN INDIANA PUBLIC SERVICE COMPANY'S RESPONSE
TO OBJECTIONS TO NIPSCO'S SECOND SET
OF INTERROGATORIES TO PCCI



On June 1, 1981 (nearly three weeks after a response was due), Porter County Chapter Intervenors (PCCI) filed objections to all interrogatories included in NIPSCO's Second Set of Interrogatories to PCCI.*/ The sole basis for the objection was that those interrogatories were directed to "Porter County Chapter Intervenors" (PCCI) ("a non-existent entity") rather than the three organizations and two individuals which file combined pleadings, are represented by the same counsel, and have been treated as a group and denominated "PCCI" in this proceeding.

*/ Under NRC regulations, responses to those interrogatories were due on May 12. At the request of counsel for PCCI, counsel for NIPSCO agreed to extend the time for response to June 1, 1981. Counsel for NIPSCO was led to believe that the additional time was required because the interrogatories called for technical information which could not be gathered in the normal fourteen-day period permitted for response to interrogatories. No representation was made that the three additional weeks requested by PCCI would be used to formulate a single objection to the entire set of interrogatories.

8106110378

D503
5/1

The objection is thus to "an obvious technical deficiency" (as the pleading explicitly acknowledges; Objection, p. 2) which in no way confused or deceived counsel for intervenors.

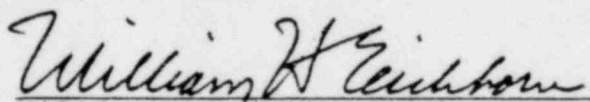
We respectfully suggest that the Objection is simply a vehicle for obtaining yet another extension of time for responding to interrogatories and, consequently, yet another delay in the proceeding. As such it should be rejected.

In any event, on May 29, 1981, NIPSCO refiled its Second Set of Interrogatories directing them separately to each of the three organizations and two individuals which make up the group known as "PCCI." Thus, any "technical" objection regarding the identity of the person or organization required to respond has been mooted.

Respectfully submitted,

EICHHORN, EICHHORN & LINK
5243 Hohman Avenue
Hammond, Indiana 46320

By:


William H. Eichhorn

Attorneys for Northern Indiana
Public Service Company

LOWENSTEIN, NEWMAN, REIS
& AXELRAD
1025 Connecticut Avenue, N.W.
Washington, D.C. 20036