

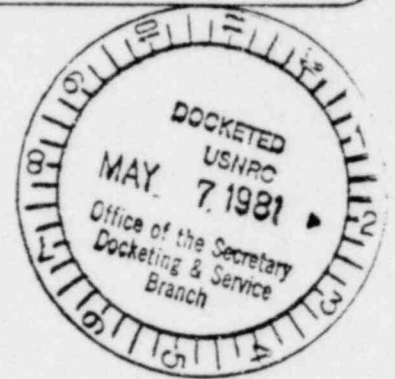


BPI

Business and Professional People for the Public Interest

109 North Dearborn Street, Suite 1300 • Chicago, Illinois 60602 • Telephone: (312) 641-5570

May 5, 1981



Mr. William H. Eichhorn
Eichhorn, Eichhorn & Link
5243 Hohman Avenue
Hammond, Indiana 46320

Re: Northern Indiana Public Service
Company (Raily Generating
Station, Nuclear-1) Docket No.
50-367 (Construction Permit
Extension)

Dear Bill:

This letter is in connection with NIPSCO's production yesterday, at the Bailly site, of a number of documents in response to Porter County Chapter Intervenor's Second Request to NIPSCO for Production of Documents and Porter County Chapter Intervenor's Third Request to NIPSCO for Production of Documents. As you and I had agreed beforehand, we designated those documents which we desired to take back to Chicago for further inspection and copying.

After we had designated all documents which we desired to take with us, we were informed by Russell Bohn that, at your direction, we would not be allowed to take with us those documents which had been segregated by NIPSCO personnel and placed in a box marked "Box 10". As I understand it, the sole basis for your refusal to permit us to take the documents with us is the possibility that others (either Public Service Company of Indiana or General Electric Company) may treat some of the information in them as proprietary.

Having produced those documents, NIPSCO cannot now withhold them from our further inspection and copying. They were part of a larger group of documents, all of which you informed us were responsive to our requests. It was

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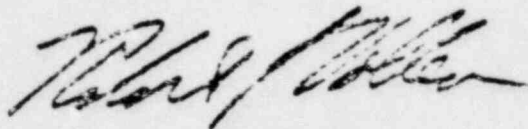
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only after we had designated them as among those to be taken with us that your client took the position that we could not do so. That kind of discovery tactic is simply not permitted by the NRC rules.

I would appreciate your arranging for the prompt delivery to my office of the documents in the box marked "Box 10".

If we do not hear from you by Friday, May 8, we will have no choice but to ask the Board to order NIPSCO to furnish those documents to us.

Very truly yours,



Robert J. Vollen
One of the Attorneys for Porter
County Chapter Intervenors

RJV:beg

cc: Administrative Judge Herbert Grossman, Esq.
Administrative Judge Robert L. Holton
Administrative Judge J. Vann Leeds
Maurice Axelrad, Esq.
Diane B. Cohn, Esq.
George and Anna Grabowski
George Schultz
Richard L. Robbins, Esq.
Mike Olszanski
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