

August 3, 1981



Ms. Mary Jo Murray
Assistant Attorney General
Environmental Control Division
158 West Randolph Street
Suite 2315
Chicago, Illinois 60601

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

Dear Ms. Murray:

This letter responds to the State of Illinois' "Application Pursuant to 10 C.F.R. § 2.720(h)(2)(i)" and "People of the State of Illinois Notice of Deposition of Owen Thompson", both dated August 4, 1981. Illinois, in its Application, "adopts in its entirety" "Porter County Chapter Intervenor's" Second Application Pursuant to 10 C.F.R. § 2.720(h)(2)(i)", dated June 9, 1981. Illinois Notice of Deposition parallels PCCI's Notice of Deposition with respect to Dr. Thompson, although Illinois does not also seek to depose, as did PCCI, Mr. Edward Jordan.

We responded to PCCI's Application on June 29, 1981, with a copy of our response transmitted to counsel for the State of Illinois. ("NRC Staff Response to 'Porter County Chapter Intervenor's' Second Application Pursuant to 10 C.F.R. § 2.720(h)(2)(i)'"). In the response we opposed the Application for a Licensing Board order requiring the Staff to make Dr. Thompson (and Mr. Thompson) available for deposition.

Our position is unchanged from that stated in our June 29 response and represents our answer to Illinois' Application. Since the Licensing Board has yet to rule on PCCI's Application, we reiterated to counsel for PCCI and Illinois during the deposition of Mr. Bohn on July 28 that we would not be making Dr. Thompson and Mr. Jordan available for deposition on August 4, 1981, as requested in Illinois' and PCCI's Notices. This letter will confirm the Staff's position.

Sincerely,

Stephen H. Lewis
Counsel for NRC Staff

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