

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY
AND LICENSING BOARD

In the Matter of)
WASHINGTON PUBLIC POWER)
SUPPLY SYSTEM) Docket No. 50-460-OL
(WPPSS Nuclear Project No. 1))

AFFIDAVIT OF GERALD C. SORENSEN
REGARDING CONTACT WITH MEMBER OF
PETITIONER ORGANIZATION

My name is Gerald C. Sorensen. I am employed by the Washington Public Power Supply System as the Manager of Regulatory Programs (formerly Licensing Programs). My business address is Post Office Box 968, Richland, Washington 99352. During the Prehearing Conference on January 26, 1983, concerning the Construction Permit extension requests for WNP-1 and WNP-2, the representative for the Coalition for Safe Power (Petitioner) inferred that their member, Mr. Terry Dana, had been harassed by a representative of the Washington Public Power Supply System (TR at 41). Again, in the document filed with the Licensing Board on February 7, 1983, Petitioner stated that "...the Applicant in this case has also subjected Petitioner's members to harassment by exerting pressure upon him to withdraw his support from the petitions which were filed in early 1982" (CSP Position on Protective Order at 6).

These claims by the Petitioner concerning the contact between the Supply System and Mr. Dana do not correctly depict the nature of that contact and are therefore false and misleading. An accurate statement of the facts is as follows. On March 25, 1982, I called Mr. Terry Dana at his home. When the phone was answered I asked to speak with Terry Dana. The answering party responded that he was Terry Dana. I then introduced myself, noting that I was the Manager of Licensing for the

Washington Public Power Supply System and expressed interest in talking with him about the petitions filed by the Coalition for Safe Power. After a rather lengthy pause, Mr. Dana replied that he would prefer not to talk with me, that if I were attempting to alter his views it could be considered harassment, that he knew his rights, and since he was being represented by the Coalition I should contact them. I assured Mr. Dana that it was not my intent to harass him, that if he felt uncomfortable in speaking with me that was fine, and that it was not my intent to force a conversation on him. I explained that the reason for my call was that since he is a party to the petition and that the only interest the Coalition has is that represented by him, I would be interested in knowing of his concerns. I noted that a hearing would be time consuming and costly, and questioned whether there are other ways to address his concerns. I then stated that if he felt uncomfortable in speaking with me, I would have an opportunity to hear his concerns if a hearing were granted. Mr. Dana responded that he did not feel that we had anything to discuss as his views were not going to change. I then gave him my telephone number and suggested that he call me if he had any interest in discussing his concerns in the future, and terminated the conversation in a cordial manner. At no point in the conversation did I suggest that Mr. Dana withdraw his affidavit.

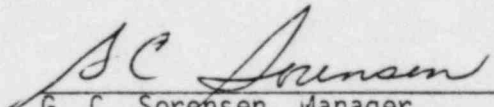
This entire conversation lasted less than three (3) minutes and to my knowledge constituted the only contact between the Supply System and Mr. Dana.

I have made no attempt to determine Mr. Dana's place of employment and to my knowledge there has been no contact between the Supply System and Mr. Dana's employer regarding Mr. Dana.

STATE OF WASHINGTON)
) SS
COUNTY OF BENTON)

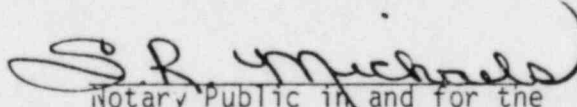
I, G. C. Sorensen, being duly sworn, subscribe to and say that I am the Manager, Regulatory Programs, for the WASHINGTON PUBLIC POWER SUPPLY SYSTEM, and that the foregoing is a true and accurate account of my conversation with Mr. Terry Dana.

Date 15 FEB, 1983


G. C. Sorensen, Manager
Regulatory Programs

On this day personally appeared before me G. C. Sorensen to me known to be the individual who executed the foregoing instrument and acknowledged that he signed the same as his free act and deed for the uses and purposes therein mentioned.

GIVEN under my hand and seal this 15 day of February, 1983.


Notary Public in and for the
State of Washington

Residing at 255 Saint O
Richland, wa.
Dec. "85"

Powell

NUCLEAR REGULATORY COMMISSION

MAY 11 1982
Wentzeln, Newman,
& Axelrad

In the Matter of:

PUGET SOUND POWER & LIGHT CO.,
et al


(Skagit/Hanford Nuclear Project
Units 1 & 2

)
)
) DOCKET NOS.
) STN-50-522
) STN-50-523
)

DATE: May 5, 1982

PAGES: 1 thru 77

AT: Richland, Washington

ALDERSON  REPORTING

400 Virginia Ave., S.W. Washington, D. C. 20024

Telephone: (202) 554-2345

1 if we could finance them without using this BPA financing,
2 go forward, but in all likelihood we will want to try to
3 use the regional financing.

4 JUDGE LINENBERGER: All right, thank you.

5 JUDGE WOLF: Does anyone have any further statement
6 about the matter that they wish to make? If not, we will
7 move on then to another matter, namely, the Notice of the
8 Taking of Deposition of M. Terry Dana.

9 MR. THOMSEN: I think I can dispose of that.

10 The Applicants had wanted to question Mr. Dana
11 about his affidavit, and about the 70-odd contentions that
12 have been filed on his behalf now by the Coalition. Of course,
13 the Coalition objected to that. I thought that perhaps I
14 could resolve this informally by simply having a meeting with
15 Mr. Dana, and so I talked with him earlier this morning by
16 phone, and inquired whether -- I had talked to him Sunday
17 also about the possibility of meeting, and I asked him
18 whether he was willing to meet with me. He had said he wanted
19 to talk to Ms. Bell, and I assume he has.

20 At any rate, this morning he said he was not willing
21 to meet with me, and I asked him whether he was going to come
22 to this conference, and he said he was not. And I asked him
23 whether he would consider withdrawing from this proceeding,
24 and he said, "No." And I asked whether he was familiar with
25 the 70 contentions filed on his behalf. I wasn't sure about

1 that. He said, "Yes," he was. And I asked him whether he
2 would be willing to consider withdrawing any of those
3 contentions. That had been one thing I wanted to discuss with
4 him. And he said, "No." And I asked him whether he realized
5 the consequences of that, in terms of this proceeding, the
6 expense and difficulty we all have, the job, anyway, of dealing
7 with those contentions, and he said he was.

8 So in view of these responses, I concluded that it
9 would not be productive to take his deposition, so I withdraw
10 the request on that. He satisfied the points I had in mind
11 over the telephone.

12 JUDGE WOLF: Well, I don't think that I am satisfied
13 with his refusal to discuss the matter with you, and I think
14 that under those circumstances, unless he is willing to
15 respond to discovery in this matter that he will not be
16 eligible to testify here.

17 MS. BELL: Excuse me, he is not able to, or I am
18 not able to?

19 JUDGE WOLF: I say unless this person, Mr. Dana,
20 is willing to comply with the procedures of this hearing, he
21 will not be eligible to testify, if you intended to bring
22 him as a witness. I don't know whether you did or not.

23 MS. BELL: Mr. Chairman, Mr. Dana is not a witness.
24 He is a member of the Coalition for Safe Power, and as for
the discussion that the Applicant has had with this member of

1 ours, Mr. Dana, we were never informed that the Applicant
2 was interested in an informal discussion with him, or of
3 these two phone calls, but we are not intending to bring him
4 as a witness. He is simply our member.

5 JUDGE WOLF: Well, did I misunderstand Mr. Thomsen?
6 I thought that you had set up a date for taking this person's
7 deposition, is that correct?

8 MR. THOMSEN: Yes, I had in the Notice suggested
9 that it be taken last evening, but then the Coalition objected
10 to the taking of any deposition. So I thought then maybe at
11 least we could have an informal discussion. And they were
12 suggesting that I was trying to harrass Mr. Dana by the taking
13 of -- and of course, I thought: Well, let us have a private
14 meeting then, just Ms. Bell, and whoever he wanted there,
15 off the record sort of discussion, and Sunday he said: Well,
16 he would talk to Ms. Bell about that, and think it over, and
17 this morning he said he would rather not meet with me, even
18 informally. So I went on to ask him the questions, and in
19 view of the answers I got, I decided to withdraw the request.

20 MS. BELL: Mr. Chairman, it seems that the
21 Applicant has had an informal discussion with Mr. Dana over
22 the telephone, and since he has withdrawn the request to
23 depose Mr. Dana, it seems the question is moot.

24 CHAIRMAN WOLF: Well, I understand that, and
25 of course it is up to him how he handles it, but I am not

1 prepared to accept that conduct on the part of a person who
2 is standing as the basis for your Intervention here. I think
3 he has a duty to this Board to respond and be cooperative, and
4 I will take this under advisement, and we will discuss it at
5 a later time.

6 I don't believe that discovery is harassment. That
7 might have been so back around the period of the Civil War,
8 but the procedures in the courts have long passed that time,
9 and I think that any time there is a request for discovery,
10 I think the parties have to respond. If there is any
11 harassment, you can bring it to me, and we will see that it is
12 eliminated, but the mere fact that they are asked to appear
13 for discovery is not harassment, in my judgment.

14 We will take up next, Ms. Bell, your motion for
15 extension of time by the Coalition for Safe Power, dated
16 April 20th, 1982.

17 MS. BELL: What do you request from me? o

18 CHAIRMAN WOLF: Are you still standing by that
19 motion? Do you want to--

20 MS. BELL: Yes, we are still standing by the motion, i
21 and in fact since the motion was filed, we still received an
22 additional amendment to the Preliminary Safety Analysis t
23 Report, and of course the Staff has also apparently filed
24 their DES, so--

25 CHAIRMAN WOLF: Well, you may receive amendments

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing "Applicant's Motion for Leave to Supplement Memorandum" in the captioned matter were served upon the following persons by deposit in the United States mail, first class, postage prepaid this 17th day of February, 1983:

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Chairman, Atomic Safety and
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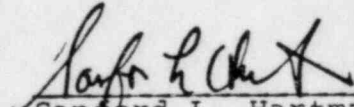
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