

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

DOCKETER  
U/RC

'82 SEP 30 P1:16

In the Matter of )  
 )  
Philadelphia Electric Company )  
 )  
(Limerick Generating Station, )  
Units 1 and 2) )


DOCKET NO. 50-352-OL  
50-353-OL

RESPONSE OF DEL-AWARE UNLIMITED, INC. TO MOTION OF THE  
DELAWARE RIVER BASIN COMMISSION TO QUASH SUBPEONA

Del-AWARE Unlimited, Inc. answers the Motion of the General Counsel of DRBC as follows:

1. A subpeona has been issued to Gerald Hansler, which is being served on him on September 23, 1982, pursuant to order of the Board.
2. Del-AWARE Unlimited does not seek any additional testimony from Mr. Hansler other than that provided at his deposition and in his subsequent responses. However, under the rules of evidence, Del-AWARE does not believe that the deposition of Mr. Hansler can be admitted as such, and therefore, absent stipulation from the parties as to the admissibility of his deposition, required to produce his live testimony at the hearings. Clearly, if other parties (PECo and Staff) are willing to agree to the admission of the portions of Mr. Hansler's deposition testimony sought by Del-AWARE, will agree that Mr. Hansler need not appear.
3. The weight of Mr. Hansler's testimony is for the Commission, but Del-AWARE submits that his understandings and evidence are relevant to the decision on the issues before the Board.

WHEREFORE, Del-AWARE urges that the Board not quash the subpoena heretofore issued to Mr. Hansler.



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Robert J. Sugarman

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September 27, 1982

CERTIFICATE OF SERVICE

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OFFICE OF SERVICE  
DOCKETING & SERVICE

I hereby certify that I have served copies of the foregoing Response of Del-AWARE Unlimited, Inc. to Motion of the Delaware River Basin Commission to Quash Subpeona by mailing a copy this 27th day of September, 1982, to the following persons:

Lawrence Brenner, Esq., Chairman  
Administrative Judge  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Dr. Richard F. Cole  
Administrative Judge  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555


Dr. Peter A. Morris  
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Robert J. Sugarman