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BRANCH

November 15, 1982

Nunzio Palladino, Chairman
Victor Gilinsky, Commissioner
John F. Ahearne, Commissioner
Thomas Roberts, Commissioner
James K. Asselstine, Commissioner

DOCKET NUMBER 50-289
PROC. & UTIL. FAC.

SUBJECT: TMI-1 Restart, Docket No. 50-289

Gentlemen:

During the TMI oral argument in Harrisburg on November 9, I thought that I heard Commissioner Ahearne say that the Commission would be reviewing the transcripts of the ongoing trial between GPU and Babcock and Wilcox in the federal court in New York. The Union of Concerned Scientists is also understandably very interested in reviewing these transcripts to determine how they affect the issues in the Restart Proceeding. As I said in oral argument, UCS believes that it is incumbent on the Commission to direct B&W to present to you all evidence it has bearing on the integrity and competence of GPU. To the extent that the safety of the plant is also an issue in the New York trial, those facts are obviously also relevant.

I therefore request that you make the transcripts available to the parties by placing them in the Public Document Room in the TMI-1 Restart docket or by making some other reasonable arrangement. I will be happy to discuss this with your Staff.

Very truly yours,

Ellyn R. Weiss

cc: TMI-1 Service List

ERW:law