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March 17, 1983

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U.S. Nuclear Regulatory
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Washington, D.C. 20555

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Dean, Division of Engineerings,
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Member, Atomic Safety and
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881 West Outer Drive
Oak Ridge, Tennessee 37830

Re: Texas Utilities Generating Company, et al.
(Comanche Peak Steam Electric Station,
Units 1 and 2), Docket Nos. 50-445 and 50-446

Gentlemen:

In its Notice of Resumed Evidentiary Hearing dated March 4, 1983, the Board directed the NRC Staff "to prepare and serve subpoenas for the appearance as Board Witnesses" of ten named individuals. During a telephone conference call held on March 8, 1983, between the Board and parties, Applicants' counsel suggested that such subpoenas were not necessary since all of the named individuals were employees of the Applicants or their vendors. Counsel suggested that the Applicants attempt to secure the voluntary attendance of the named individuals. Staff counsel indicated his willingness to coordinate with Applicants' counsel in an effort to determine if the voluntary attendance of the individuals could be obtained. Subsequently, the Board's legal assistant advised the undersigned counsel that the Board also requires the appearance as Board Witnesses of the following four individuals: Michael Foote, Dave Brown, Chris Dupree and Bill Hartshorn. These individuals also are employees of the Applicants or their vendors.

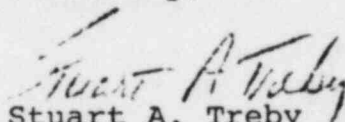
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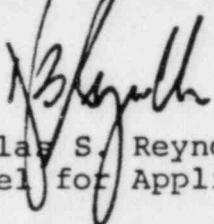
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The undersigned counsel understand the Board's position to be that if the appearance at the hearing of the named individuals can be assured by commitment of counsel, subpoenas would not be necessary. This will advise that Applicants' counsel can now represent that each of the fourteen prospective Board Witnesses has been contacted and has stated that he/she will voluntarily appear on April 4, 1983. Both counsel are aware of their responsibilities to the Board and the importance to the orderly conduct of this proceeding that each Board Witness appear on April 4, 1983. In recognition of this responsibility, Applicants' counsel will continue to monitor the availability of the named individuals and, should there be any indication that an individual will not appear voluntarily, Applicants' counsel will advise Staff counsel promptly so that a subpoena for the appearance of that individual can be prepared and served.

Applicants' counsel also requests that if the Board concludes, prior to April 4, that any prospective Board Witness will not be called and need not appear, then counsel be so advised so that the individual(s) can be released.

Sincerely,


Stuart A. Treby
Counsel for NRC Staff


Nicholas S. Reynolds
Counsel for Applicants

cc: Service List