

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

'83 MAR 30 P5:50

COMMISSIONERS:

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

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

SERVED MAR 31 1983

TEXAS UTILITIES GENERATING)
COMPANY, ET AL.,)
(Comanche Peak Steam Electric)
Station, Units 1 and 2))

Docket No. 50-445
50-446

ORDER
(CLI-83-8)

On March 4, 1983, the Licensing Board ordered the NRC staff to, inter alia, issue subpoenas to ten individuals who had been identified by a third party as allegedly providing written statements to I&E in the course of their investigation of an allegation of reprisal. Notice of Resumed Evidentiary Hearing (March 4, 1983). See also Memorandum and Order (Memorializing Conference Call) (March 9, 1983). The apparent purpose of this Licensing Board order is to permit it to conduct, by way of a direct examination of the individuals, an independent investigation of the reprisal allegation and the resulting staff investigation. Having previously acted to preserve the Commission's jurisdiction over the issue of disclosure of alleged informant identities, CLI-83-6, 16 NRC (1983) we believe it appropriate to act expeditiously to continue to preserve our jurisdiction. Accordingly, the Licensing Board's order of March 4, 1983 and its related order of

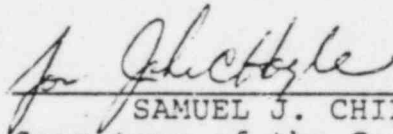
March 9, 1983 are hereby stayed pending further Commission order to the extent that those orders in any way entail a Board inquiry which could, directly or indirectly, result in possible identification of persons interviewed by the NRC staff when conducting its investigation.

Parties may seek reconsideration of the stay within 5 days of receipt of this order.

It is so ORDERED.



For the Commission



SAMUEL J. CHILK
Secretary of the Commission

Dated at Washington, DC,
this 30th day of March, 1983