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May 29, 1984

Ms. Jane M. Whicher
Business and Professional People for
the Public Interest
109 North Dearborn Street
Suite 1300
Chicago, Illinois 60602

Re: Commonwealth Edison Company
(Byron Nuclear Station, Units 1 and 2)
Docket Nos. 50-454 and 50-455 O L

Dear Jane:

Confirming our conversations on May 21 and May 24 regarding both the scope of the reopened hearing and Commonwealth Edison Company's response to intervenors' discovery requests, Commonwealth Edison Company takes the following positions with respect to intervenors' discovery.

1. Commonwealth Edison Company will produce documents responsive to paragraphs 1 through 16 and paragraphs 37 and 38 insofar as those two paragraphs seek documents referred to in responding to interrogatories 2, 8, 9, 11 and 12. Documents withheld on grounds of privilege will be identified and the basis for the privilege stated. You agreed to withdraw intervenors request paragraph 17 on my representation that there is no construction assessment program applicable to Byron. Similarly you agreed to drop paragraphs 33 through 36 after you have had an opportunity to informally review the

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Ms. Jane M. Whicher
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status of this issue at Byron. We stated that we would object to paragraphs 18 through 32 of the document request as well as the balance of paragraphs 37 and 38. As with objections to certain interrogatories, it seems appropriate to await rulings by the Licensing Board on the scope of the reopened hearing before filing formal objections. If the Licensing Board wishes to hear evidence on any of the subjects comprised within the document requests and interrogatories to which we now object, we will, of course, reconsider our position. Some documents responsive to paragraphs 1-7, 9, 11-13 and 15 are available today for your inspection and copying at our offices. About two file drawers of documents are now available.

Commonwealth Edison Company will answer interrogatories 1 through 12 and 24 insofar as information responsive to the interrogatories is not privileged. Interrogatories 20 through 23 and 25 may be withdrawn by you on the same basis as applicable to paragraphs 33 through 36 of the request to produce documents. While our time for filing answers or objections to interrogatories technically expired on May 24, you agreed to an informal extension of that date. Our present intention is to file answers to the interrogatories on June 4.

Sincerely,



MIM:es

Michael I. Miller

cc Service List