

August 27, 1984

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)
TEXAS UTILITIES ELECTRIC)
COMPANY, et al.)
)
(Comanche Peak Steam Electric)
Station, Units 1 and 2))

Docket Nos. 50-445-2:08

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MOTION TO STRIKE TESTIMONY OF APPLICANT

CASE moves to strike the following portions of Applicant's testimony as leading questions where counsel is testifying and not the witness:

Calicutt, Liford and Johnson

- TR. 10, lines 17-24
- TR. 12, line 25 - TR. 13, line 7
- TR. 13, line 18 - TR. 14, line 3
- TR. 18, line 20 - TR. 19, line 3
- TR. 20 - entire page
- TR. 21 - line 1
- TR. 23, line 21 - TR. 24, line 3
- TR. 28, lines 12-19
- TR. 32, lines 9-11
- TR. 34, lines 23-25
- TR. 35, entire page
- TR. 36, lines 1-4
- TR. 37, lines 3-9
- TR. 37, line 13 - TR. 38, line 2
- TR. 41, lines 10-12
- TR. 43, line 25 - TR. 44, line 9
- TR. 48, lines 10-16
- TR. 49, line 22 - TR. 50, line 5
- TR. 50, lines 16-23
- TR. 51, lines 20-25
- TR. 52, lines 1-12
- TR. 52, line 23 - TR. 53, line 2
- TR. 55, lines 1-10
- TR. 58, lines 12-19
- TR. 59, line 21 - TR. 60, line 1
- TR. 71, lines 9-12

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CASE moves to strike the following portions of Applicant's testimony as impermissible redirect examination:

Calicutt, Liford and Johnson

TR. 25, line 5 - TR. 37, line 12 (previously discussed in examination at TR. 38,133-134)

CASE moves that the following testimony be stricken as irrelevant to any direct testimony of Ms. Barnes, Ms. Neumeyer or the T-shirt incident:

Purdy

TR. 41,302-315
TR. 41,353-361
TR. 41,361-368 (also hearsay TR. 41,363 line 2 -
TR. 41,364 line 11; TR. 41,365 line 21; TR. 41,366 line 19)

CASE moves to strike the following testimony as hearsay:

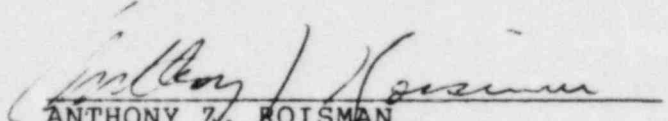
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TR. 115, line 23 - TR. 118, line 11
TR. 118, line 25 - TR. 119, line 11

The leading nature of the questioning identified and the hearsay is blatant and obvious. The irrelevant testimony relates to matters not raised in the CASE direct although raised by the witness in other fora. The reasoning in support of striking the impermissible redirect is set forth in our earlier Motion (8/24/84).

For the reasons given, the Motion should be granted.

Respectfully submitted,


ANTHONY Z. ROISMAN
Trial Lawyers for Public Justice
2000 P Street, N.W., Suite 611
Washington, D.C. 20036
(202) 463-8600

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)
TEXAS UTILITIES GENERATING)
COMPANY, et al.)
)
(Comanche Peak Steam Electric)
Station, Units 1 and 2))

Docket Nos. 50-445-2
and 50-446-2

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CERTIFICATE OF SERVICE

By my signature below, I hereby certify that true and correct copies of CASE's Motion To Strike Testimony Of Applicant have been sent to the names listed below this 27th day of August, 1984, by: Express mail where indicated by *; Hand-delivery where indicated by **; and First Class Mail unless otherwise indicated.

Administrative Judge Peter B. Bloch
U.S. Nuclear Regulatory Commission
Atomic Safety and Licensing Board
Washington, D.C. 20555

Herbert Grossman, Alternate Chairman
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dr. Kenneth A. McCollom, Dean
Division of Engineering, Architecture
and Technology
Oklahoma State University
Stillwater, Oklahoma 74074

Dr. Walter H. Jordan
881 W. Outer Drive
Oak Ridge, Tennessee 37830

Ms. Ellen Ginsberg, Law Clerk
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Nicholas S. Reynolds, Esquire
Bishop, Liberman, Cook, Purcell
& Reynolds
1200 17th Street, N.W.
Washington, D.C. 20036

Stuart Treby, Esquire
Geary S. Mizuno, Esquire
Office of Executive Legal Director
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Chairman
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Chairman
Atomic Safety and Licensing Appeal
Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Renea Hicks, Esquire
Assistant Attorney General
Environmental Protection Division
Supreme Court Building
Austin, Texas 78711

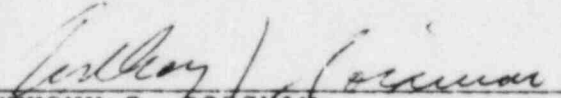
John Collins
Regional Administrator, Region IV
U.S. Nuclear Regulatory Commission
611 Ryan Plaza Drive, Suite 1000
Arlington, Texas 76011

Docketing and Service Section (3 copies)
Office of the Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Lanny A. Sinkin
114 W. 7th, Suite 220
Austin, Texas 78701

Dr. David H. Boltz
2012 S. Polk
Dallas, Texas 75224

Michael D. Spence, President
Texas Utilities Generating Company
Skyway Tower
400 North Olive Street, L.B. 81
Dallas, Texas 75201



ANTHONY Z. ROISMAN
Trial Lawyers for Public Justice
2000 P Street, N.W., Suite 611
Washington, D.C. 20036
(202) 463-8600