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September 11, 1984

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ERNEST L. BLAKE, JR., P.C.

DOCKETED  
PROD. & UTIL. FAC. 50-289 SP

Lynne Bernabei, Esq.  
Government Accountability Project  
1555 Connecticut Avenue, N.W.  
Washington, D.C. 20036

Dear Lynne:

This will acknowledge receipt late yesterday of your letter of September 10, 1984. In that letter you provide notice that TMIA would like access to Licensee's Discovery Room the evenings of September 11 to 14 and the weekend of September 15 to 16 and request that Licensee make available during the discovery period two sets of documents -- one in Washington and the other in Harrisburg.

In Licensee's response of Tuesday, September 4 to TMIA's first set of discovery requests, we stated that Licensee documents were being made available in a Discovery Room in Harrisburg. Late the following day, September 5, you called questioning their placement in Harrisburg since you and Ms. Doroshow are located in Washington. The next morning, September 6, I replied by hand-delivered letter providing our rationale for the Discovery Room's location, but stating we would move them if that were TMIA's preference. Your response, late in the day on Friday, September 7, stated TMIA wanted the documents produced in Washington. Arrangements were made over the weekend to meet that request and the documents were moved to our offices in Washington on Monday, September 10; our actions were confirmed in my letter to you delivered Monday morning.

At no time during that week of communications did you make reference to two sets of documents. My letter of September 6 clearly states there is one set of documents and it will be made available in one location. I am aware now of Ms. Bradford's disappointment that the documents have been moved from her location in Harrisburg to Washington. We acted on your request as TMIA's counsel. It is our intention now to retain the set of produced documents at our office in Washington throughout the discovery period, based both on your request and our knowledge that Washington is the preference of the other lead intervenor UCS. As you are aware there is overlap between the training related documents being produced for TMIA and UCS.

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Letter to Lynne Bernabei, Esq.  
September 11, 1984  
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We have two individuals in our firm who are generally familiar with the documents being produced and who will be available to oversee production and assist TMIA. I have checked on their availability and one of them will be available the evenings of September 11, 12, 13 and 14 as well as during the day on September 15. The documents will not be available for review on Sunday, September 16.

In sum:

(1) Licensee's documents produced in response to TMIA discovery requests are, and will be, available for TMIA review at counsel's Washington offices, starting today, September 11 throughout the discovery period during normal work hours from 9:00 a.m. to 5:30 p.m.

(2) Reasonable notice should be provided by TMIA as to times when actual review of the documents is desired.

(3) In response to TMIA's request of September 10, the documents will be available as well from 5:30 p.m. to 9:00 p.m. on September 11, 12, 13 and 14 and from 9:00 a.m. to 5:30 p.m. on September 15.

(4) Further timely requests for access to the documents during other than normal working hours of 9:00 to 5:30, Monday through Friday, will be accommodated if possible; requests for Sunday will not be considered.

Sincerely,

*Ernie*

Ernest L. Blake

ELB:pr

cc: Service List