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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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In the Matter of:)
)
TEXAS UTILITIES ELECTRIC) Docket Nos. 50-445-2 and
COMPANY, et al.) 50-446-2
)
(Comanche Peak Steam Electric) (Application for
Station, Units 1 and 2)) Operating Licenses)

APPLICANTS' MOTION FOR RECONSIDERATION
OF MEMORANDUM (Deficiency Paper: Jim Cole)

Applicants move the Board to reconsider its November 9, 1984 "Memorandum (Deficiency Paper: Jim Cole)," which ordered Applicants to file "deficiency paper, or an explanation of why it does not exist," by November 21, 1984. The memorandum addresses a matter beyond the scope of this proceeding.

I. FACTS

On October 10, Intervenors moved for the production of documents by Applicants related to the termination of the employment of James Cole. Intervenor based its request on the recollection of "[o]ne of the CASE document reviewers" that Cole had been terminated for document falsification, and certain allegations by Avril Dillingham, Jr. Intervenor speculated that because Cole's name appears on liner plate travelers, documents relating to his termination are relevant to Sue Ann Neumeyer's allegation that she improperly signed hold points on the liner plate travelers.

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The Board not only granted Intervenor's motion, but also ordered the production of document that Intervenor's had not requested, including Cole's "last job performance evaluation, any complaints or disciplinary records, and any NCRs filed by him in the week before his termination." Applicants produced the documents. Now the Board requires a further submittal.

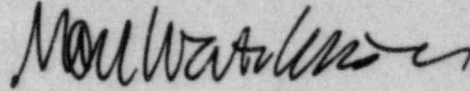
II. ARGUMENT

This Board was convened to address allegations of harassment and intimidation. Intervenors did not list James Cole as a potential witness in the proceeding. To our knowledge, no party has alleged that James Cole harassed anyone or was harassed by anyone at Comanche Peak. Intervenors' stated purpose in seeking production of documents regarding James Cole was to attempt to relate Cole's termination to Cole's signature on stainless steel liner plate travelers. In ordering Applicants to produce "deficiency paper," the Board has improperly identified a sua sponte issue. Moreover, because the issue is purely technical, it is beyond the scope of this proceeding.

CONCLUSION

The Board should vacate its Memorandum dated November 9, 1984.

Respectfully submitted,



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November 19, 1984

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing document in the above-captioned matter was served upon the following persons by hand-delivery,* overnight delivery,** or by deposit in the United States mail,*** first class, postage prepaid, this 19th day of November, 1984:

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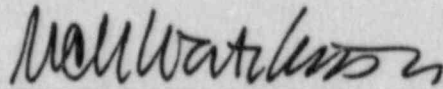
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