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In the Matter of
Metropolitan Edison Company
(Three Mile Island Nuclear Station, Unit 1)
Docket No. 50-289 SP

Dear Lynne:

This will confirm the outcome of our discussions of October 18 and 19 regarding TMIA's continued access to the documents Licensee has produced in its Discovery Room in response to TMIA requests on the Dieckamp mailgram issue.

As I indicated to you it was my expectation that access to the documents would terminate at the end of the discovery period, that I could then release the personnel we had lined up to meet your requests for inspection of documents and that the documents would be packaged and sent to Harrisburg to be available during the hearings. That squared with my recollection of how Licensee's discovery room had been handled earlier in this proceeding. You challenged me on the reasonableness of this position, and I agreed to reconsider.

I have reconsidered the position, after reviewing the history of this proceeding and conducting some research of the area. I have found no support for your observation that generally documents are available once produced up until the time for hearing or trial, but I also find my recollection of how it was handled in 1980 in this proceeding was faulty.

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Lynne Bernabei, Esq.

October 22, 1984

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Under these circumstances, I have informed you that Licensee will continue to make the documents available to TMIA. I do ask that you provide us with notice at least a day in advance of your desire to use the Discovery Room so that I can make arrangements for personnel, that you plan to use the Room during normal business hours only (9:00-5:30, Monday through Friday), and that you schedule your use recognizing that the Room will close on November 7 to allow Licensee time to package the documents for shipment to Harrisburg prior to the start of hearing.

You also asked me today about the Moore notes. The Moore notes which I described in my October 12 letter to you have been placed in the Discovery Room. They were provided on October 15, and I apologize for not specifically alerting you. I am informed, however, that TMIA has already inspected these notes and received copies as well.

Sincerely,

Emil

Ernest L. Blake, Jr.
Counsel for Licensee

cc: Service List