

695

RELATED CORRESPONDENCE

HARMON, WEISS & JORDAN

2001 S STREET, N.W.

SUITE 430

WASHINGTON, D.C. 20009

GAIL MCGREEVY HARMON  
ELLYN R. WEISS  
WILLIAM S. JORDAN, III  
DIANE CURRAN  
DEAN R. TOUSLEY

DOCKETED  
CONRO

TELEPHONE  
(202) 328-3500

October 18, 1984 <sup>'84</sup> OCT 19 P1:36

Ivan W. Smith, Chairman  
Administrative Judge  
Atomic Safety & Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

DOCKETING & SERVICE  
BRANCH

DOCKET NUMBER  
PROD. & UTIL. DIV. 50-289 SP

Dear Mr. Smith,

During the conference call of October 17, 1984, concerning discovery disputes, you recalled that the parties reached agreement in 1981 on a protocol for exchanging documents that would be used as exhibits to a party's case in chief. I do not recall UCS' having been a party to such an agreement which would be consistent with the fact that we had completed our part of the earlier evidentiary hearings by then. In any case, I do not object to an agreement such as you described and I understand that our objection to GPU's request that we identify all documents to be used in cross-examination to have been resolved essentially by reference to that agreement. That is, we will identify documents constituting our case in chief but documents used for traditional cross-examination purposes need not be identified. Considering that GPU's motion to compel was late without excuse, I think that the 1981 agreement is effectively the only mechanism by which this could have been achieved.

My purpose in writing is to seek your affirmation that the 1981 agreement applies to all parties insofar as it requires identification of exhibits, and to suggest that you establish a date for the exchange of this information. I would suggest the same date that prefiled testimony is due.

Very truly yours,

Ellyn R. Weiss

cc: TMI-1 ASLB Service List

8410240474 841018  
PDR ADDCK 05000289  
G PDR

DS03