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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Before Administrative Judges:

Peter B. Bloch, Chairman
Dr. Kenneth A. McCollom
Dr. Walter H. Jordan

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USNRC

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In the Matter of

TEXAS UTILITIES ELECTRIC COMPANY, et al.

(Comanche Peak Steam Electric Station,
Units 1 and 2)

OFFICE OF GENERAL COUNSEL
DOCKET
Docket Nos. 50-445-OL
50-446-OL

SERVED FEB 15 1985

ASLBP No. 79-430-06 OL

February 15, 1985

MEMORANDUM
(Motion for Protective Order)

Applicants' Motion for Protective Order, filed January 23, 1985, is granted in part.

Applicants' motion for reconsideration of our December 18, 1984, Memorandum and Order (Reopening Discovery; Misleading Statement) will be acted on subsequently, after Applicants' new legal team has had an opportunity to reassess its position on the motion; however, nothing in that motion persuades us that we erred in reopening discovery generally.

Our reason for granting the Motion in part is that we are now more aware of the scope of the Staff's concerns and wish to avoid burdening Applicants with unnecessary duplication of effort. Hence, we will restrict Applicants' obligation to respond at this time solely to discovery related to the validity or reliability of tests and samples. However, this constitutes merely a deferral of the obligation to respond to the interrogatories and discovery requests. One month after the last Staff filing, CASE may reactivate its requests providing that it con-

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siders the underlying information still necessary. Meanwhile, we would expect the Staff to be conversant with the requests so that it will assure itself that it is adequately informed concerning CASE's areas of inquiry.

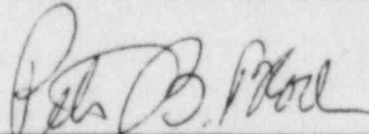
O R D E R

For all the foregoing reasons and based on consideration of the entire record in this matter, it is this 15th day of February 1985

ORDERED:

That Texas Utilities Electric Company et al. may refuse to respond to CASE requests for discovery except to the extent that the requests relate to the validity or reliability of tests and samples. CASE may submit additional discovery on the permitted questions by February 28, 1985. CASE may reactivate its remaining discovery requests one month after the Staff's last SSER related to the activities of the Comanche Peak Task Force.

FOR THE
ATOMIC SAFETY AND LICENSING BOARD



Peter B. Bloch, Chairman
ADMINISTRATIVE JUDGE

Bethesda, Maryland