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USNRC

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION '84 OCT 31 P12:51

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD PUBLIC  
DOCKETING & SERVICE  
BRANCH

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

MEMORANDUM IN SUPPORT OF O.B. CANNON'S  
MOTION TO STRIKE THE TESTIMONY OF JACK NORRIS

By this memorandum, Applicants support O.B. Cannon's Motion to Strike the Testimony of Jack Norris. This Board was convened for the express purpose of adjudicating the question of whether there was pervasive harassment and intimidation of Quality Control inspectors at Comanche Peak. As Applicants have argued, the testimony of Mr. Norris, and the other Cannon witnesses is not within the scope of this contention. Simply put, neither Mr. Norris, nor any of his colleagues, have any personal knowledge relevant to this issue, and, for this reason alone, the testimony of Mr. Norris should be stricken from the record.

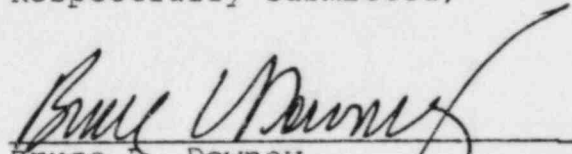
In addition, even if the testimony were relevant, Mr. Norris has been improperly called as a Board witness. While the Board has rejected Applicants' argument on this point, the impropriety of calling Mr. Norris at all provides a second, independent basis for striking his testimony. Finally, the particular circumstances surrounding the examination of Mr. Norris also require that his

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testimony be stricken in fairness to the witness and to O.B. Cannon. The fairness issue is fully briefed in Cannon's memorandum, and Applicants endorse Cannon's argument.

For all of the reasons discussed above, Mr. Norris' testimony should be struck and preserving it would serve no purpose except to divert the parties' and the Board's attention for the real issues in this proceeding.

Respectfully submitted,



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October 30, 1984

DOCKETED  
USNRC

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

'84 OCT 31 P12:51

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

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)

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing "Memorandum In Support Of O.B. Cannon's Motion To Strike The Testimony Of Jack Norris" in the above-captioned matter were served upon the following persons by hand-delivery on October 31 1984, or by overnight delivery,\* or deposit in the United States mail,\*\* first class, postage prepaid, this 31st day of October, 1984:

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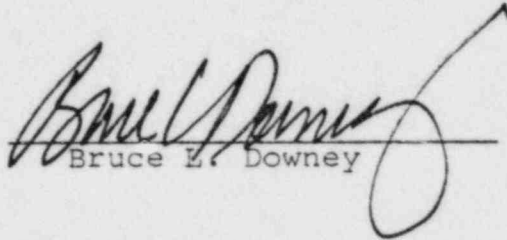
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