

11/2/84

DOCKETED
USNRC

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

'84 NOV -8 A10:16

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

TEXAS UTILITIES GENERATING
COMPANY, et al.

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

DO NOT WRITE IN THESE SPACES

Docket Nos. 50-445-*DC*
and 50-446-*DC*

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

CASE'S THIRD MOTION FOR SUMMARY DISPOSITION,
REGARDING LACK OF INDEPENDENCE AND/OR CREDIBILITY OF CYGNA

Pursuant to 10 CFR 2.749(a), CASE (Citizens Association for Sound Energy), Intervenor herein, files this, its Third Motion for Summary Disposition, Regarding Lack of Independence and/or Credibility of Cygna.

CASE's Third Motion is as set forth in the attached Affidavit of CASE Witness Jack Doyle. As with CASE's 10/6/84 First Motion for Summary Disposition, our Third Motion addresses certain aspects of the Cygna Phases 1 and 2 and Cygna Phase 3 Reports. (See also CASE's 11/2/84 Answer to, and Motions Regarding, Applicants' Motions to Set Schedule for Briefs Addressing Cygna Phase 3 Issues and for Expedited Responses, which is being sent in the same mail as CASE's instant motion.)

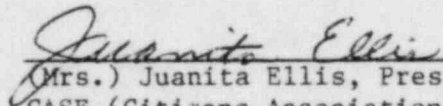
The issue of Cygna's independence and/or credibility is of vital importance in these proceedings, since part of Cygna's reviews are the direct result of the Board's 12/28/83 Memorandum and Order (Design Quality Assurance) (see Applicants' 10/5/84 Motions to Set Schedule for Briefs Addressing Cygna Phase 3 Issues and for Expedited Responses, page 1), and

8411090371 841102
PDR ADOCK 05000445
G PDR

since the Board may rely, in part, upon the Cygna Phases 1 and 2 and Cygna Phase 3 Reports in making its decision on whether or not to grant an operating license for Comanche Peak.

For the reasons stated above and in the attached Affidavit of CASE Witness Jack Doyle, CASE moves that the Licensing Board rule favorably on CASE's Motion.

Respectfully submitted,



(Mrs.) Juanita Ellis, President
CASE (Citizens Association for Sound
Energy)

1426 S. Polk
Dallas, Texas 75224
214/946-9446