

643

Filed: September 25, 1985

UNITED STATES OF AMERICA
 NUCLEAR REGULATORY COMMISSION

85 SEP 30 11:05

before the

ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

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

APPLICANTS MOTION FOR MODIFICATION
 WITH RESPECT TO THE BOARDS'
 MEMORANDUM OF AUGUST 29
 1985 (PROPOSAL FOR GOVERNANCE
 OF THIS CASE)

For the reasons set forth in their Memorandum in Support filed herewith, the Applicants move the Boards to modify their Memorandum of August 29, 1985 (Proposal for Governance of this Case) (the Memo) by:

1. Clarifying the language of the Memo to make clear that any "lack of independence" of CPRT from TUGCO management will have no effect upon the admissibility of testimony by CPRT members or findings documented by CPRT and that no prejudgment has been made as to the weight to be accorded such evidence.

8510020145 850925
 PDR ADOCK 05000445
 G PDR

DS03

2. Striking from paragraph 1 on page 4 of the Memo the word "both" in the third line, and everything after the word "plant" in the fourth and fifth lines.

3. Striking paragraph 2 on page 4 of the Memo.

4. Striking from paragraph 6 on page 5 of the Memo the words "Applicants and by" in the second line and the entire last clause of that paragraph.

5. Striking the last sentence of paragraph 7 on page 5 of the Memo.

6. Striking the fourth "question" which appears on pages 6-7 of the Memo commencing "How the CPRT will address managements' responsibility for:"

By its Attorneys,

Nicholas S. Reynolds
William A. Horin
BISHOP, LIBERMAN, COOK
PURCELL & REYNOLDS
1200 Seventeenth Street, N.W.
Suite 700
Washington, DC 20036
(202) 857-9800

Robert A. Wooldridge
WORSHAM, FORSYTHE, SAMPOLS
& WOOLDRIDGE
2001 Bryan Tower, Suite 3200
Dallas, TX 75201
(214) 748-9365

Thomas G. Dignan, Jr.
R. K. Gad III
ROPES & GRAY
225 Franklin Street
Boston, MA 02110
(617) 423-6100

By 

Thomas G. Dignan, Jr.
Counsel for Applicants

CERTIFICATE OF SERVICE

I, Thomas G. Dignan, Jr., one of the attorneys ^{SEP 30 1985} for the Applicants herein, hereby certify that on September 25, 1985, I made service of the within document by mailing ^{DOC-ET-107-11} copies thereof, postage prepaid, to:

Peter B. Bloch, Esquire
Chairman
Administrative Judge
Atomic Safety and Licensing
Board
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Dr. Walter H. Jordan
Administrative Judge
881 W. Outer Drive
Oak Ridge, Tennessee 37830

Chairman
Atomic Safety and Licensing
Appeal Panel
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Stuart A. Treby, Esquire
Office of the Executive
Legal Director
U.S. Nuclear Regulatory
Commission
7735 Old Georgetown Road
Room 10117
Bethesda, Maryland 20814

Herbert Grossman
Alternate Chairman
Administrative Judge
Atomic Safety and Licensing
Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Mr. William L. Clements
Docketing & Services Branch
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Chairman
Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Mrs. Juanita Ellis
President, CASE
1426 S. Polk Street
Dallas, Texas 75224

Renea Hicks, Esquire
Assistant Attorney General
Environmental Protection Division
P.O. Box 12548, Capitol Station
Austin, Texas 78711

Anthony Roisman, Esquire
Executive Director
Trial Lawyers for Public Justice
2000 P Street, N.W., Suite 611
Washington, D.C. 20036

Dr. Kenneth A. McCollom
Administrative Judge
Dean, Division of Engineering,
Architecture and Technology
Oklahoma State University
Stillwater, Oklahoma 74078

Ms. Billie Pirner Garde
Citizens Clinic Director
1555 Connecticut Avenue, N.W.
Suite 202
Washington, D.C. 20036

Elizabeth B. Johnson
Administrative Judge
Oak Ridge National Laboratory
P.O. Box X, Building 3500
Oak Ridge, Tennessee 37830

Nancy Williams
Cygn Energy Services, Inc.
101 California Street
Suite 1000
San Francisco, California 94111

Ellen Ginsberg, Esquire
Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Joseph Gallo, Esquire
Isham, Lincoln & Beale
1120 Connecticut Avenue, N.W.
Suite 840
Washington, D.C. 20036

Mr. Lanny A. Sinkin
3022 Porter Street, N.W., #304
Washington, D.C. 20008

Mr. Robert D. Martin
Regional Administrator,
Region IV
U.S. Nuclear Regulatory Commission
Suite 1000
Arlington, Texas 76011

Geary S. Mizuno, Esquire
Office of the Executive
Legal Director
U.S. Nuclear Regulatory Commission
Maryland National Bank Bldg.
Room 10105
7735 Old Georgetown Road
Bethesda, Maryland 20814

Mr. James E. Cummins
Resident Inspector
Comanche Peak S.E.S.
c/o U.S. Nuclear Regulatory
Commission
P.O. Box 38
Glen Rose, Texas 76043



Thomas G. Dignan, Jr.