

will be inadequate, regardless of the number of parties.

The 45 days Applicant attributes to their discovery period includes the major holiday periods of Christmas and New Year. Texas PIRG believes that, in a practical sense, the actual discovery period is considerably shorter because of these winter holidays. In particular, many of the citizen-petitioners may be involved in distant travels and other such events. It would be unreasonable to conclude that such parties would be devoting their holidays to discovery.

Texas PIRG does not believe the proposed discovery period would enable parties to become involved in multiple rounds of discovery.^{*}/Interrogatories will not be useful unless time is available for follow-up of information leading to new lines of inquiry into a contention. Furthermore, interrogatories may be required before the proper depositions may be sought. To become involved in a "rush" discovery time frame may, for example, result in awkward or difficult scheduling if several parties simultaneously seek to find times for depositions.

Finally, Texas PIRG believes the Board should give some consideration to the relative resources available to the parties involved here. Many of the petitioner-intervenors may be subjected to preparing for depositions or responding to interrogatories from the Applicant or other parties; that is certainly their right and cannot be faulted. However, Texas PIRG by the very nature of its organizational difference from the Applicant cannot draw upon a similar magnitude of manpower. Properly initiating and analyzing discovery may be difficult during a short time period for Texas PIRG, if Texas PIRG must also respond to the rightful inquiries of other parties during the same time frame.

^{*}/ Needless to say, there are no assurances that parties will agree on the relevancy of inquiries, and the time required to resolve such disputes might result in further delays in obtaining information.

The D.R.C. staff has not yet released the new safety evaluation report. The staff's indicated date of release would probably place the distribution time frame of that important document sometime during discovery. Though Texas PIRG would be speculating to conceive what the contents of that document will be, it would be within the realm of reason to believe that the SER could lead to further issues in this hearing. At the least, the new safety report will probably lead to new lines of discovery for various parties. All of this means ample discovery time must be given in order to examine new material.

Texas PIRG urges the Board to consider the factors outlined above, and to further consult all the parties--once that is known--prior to establishing a schedule.

Respectfully submitted,

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On this the 22nd Day of November, 1978 in
the County of Harris, Texas.