

ORIGINAL

# UNITED STATES NUCLEAR REGULATORY COMMISSION

---

ATOMIC SAFETY AND LICENSING BOARD

In the Matter of:

PUBLIC SERVICE COMPANY OF  
NEW HAMSHIRE, et al.

(SEABROOK STATION, UNITS 1 and 2)

) Docket Nos.  
) 50-443-OL-1-R  
) 50-444-OL-1-R  
) (Onsite emergency planning  
) and safety issues)  
) ASLB No. 88-558-01-OLR

Pages: 1138 through 1158

Place: Bethesda, Maryland

Date: February 23, 1988

---

TR-01/11

## HERITAGE REPORTING CORPORATION

*Official Reporters*  
1220 L Street, N.W., Suite 600  
Washington, D.C. 20005  
(202) 628-4888

8802290226 880223  
PDR ADDCK 05000443  
T PDR

1 UNITED STATES NUCLEAR REGULATORY COMMISSION  
2 ATOMIC SAFETY AND LICENSING BOARD

3  
4 In the Matter of: ) Docket Nos.  
5 PUBLIC SERVICE COMPANY OF ) 50-443-OL-1-R  
NEW HAMPSHIRE, et al. ) 50-444-OL-1-R  
6 ) (Onsite emergency planning  
and safety issues)  
(SEABROOK STATION, UNITS 1 AND 2) ) ASLB No. 88-558-01-OLR

7  
8 Tuesday  
February 23, 1988  
9 Room 424  
East-west Towers  
10 4350 East-west Highway  
Bethesda, Maryland

11 The above-entitled matter came on for hearing,  
12 pursuant to notice, at 2:06 p.m.

13 BEFORE: JUDGE SHELDON J. WOLFE, CHAIRMAN  
14 JUDGE JERRY HARBOUR, MEMBER  
Atomic Safety and Licensing Board  
15 US Nuclear Regulatory Commission  
Washington, D.C. 20555

16 APPEARANCES:

17 For the Applicants:  
18 THOMAS G. DIGNAN, JR., ESQ.  
Ropes & Gray  
19 225 Franklin Street  
Boston, Massachusetts 02110

20  
21 For the Intervenor NECNP:  
22 ANDREA FERSTER, ESQ.  
Harmon & Weiss  
23 2001 S Street NW  
Washington, D.C. 20009

24 For the NRC Staff:  
25 GREGORY BERRY, ESQ., Office of General Counsel, NRC  
11555 Rockville Pike, 15th Floor  
Rockville, Maryland 20852

P R O C E E D I N G S1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

JUDGE WOLFE: I'm using the loudspeaker in my office. Judge Harbour is here also. I would advise that we have the reporter here, who's transcribing this conference, and it would be most helpful to the reporter and to the Board if, when you speak, just before you speak if you would identify yourselves as to -- so that we'll know who is speaking.

I would indicate also, as a preliminary matter, that we've just received today a notice of special appearance by Westinghouse, and that Westinghouse has moved for an extension of time. Have you received those documents, Mr. Dignan?

MR. DIGNAN: I have received them, Your Honor. I don't have them right here. I've got them in reproduction, but I have received them.

JUDGE WOLFE: Yes.

Ms. Ferster, you've seen those?

MS. FERSTER: I've not seen them yet.

JUDGE WOLFE: Mr. Berry?

MR. BERRY: No, Your Honor, I have not seen those. I'm not aware of this notice of special appearance by Westinghouse.

JUDGE WOLFE: Yes. That's with respect to NECNP Contention I.V. in that special appearance.

However, the reason I'm calling is that we've issued, as you know, the memorandum and order LPB-88-6, dated

1 February 17, 1988, and in light of that and pursuant to our  
2 order of December 2, 1987, which was unpublished, the Board is  
3 phoning you to find out whether you are filing motions for  
4 summary disposition with respect to NECNP Contentions IV and  
5 I.V., and/or whether, if you're not, what your sense is as to  
6 when a hearing should be scheduled.

7 Mr. Dignan, why don't you pick up on that?

8 MR. DIGNAN: It is my plan to file a summary  
9 disposition motion on both issues, Your Honor.

10 JUDGE WOLFE: All right.

11 Ms. Ferster?

12 MS. FERSTER: Your Honor, NECNP has not yet decided  
13 whether it is going to file summary disposition, since some  
14 discovery is still outstanding. We can't evaluate that until  
15 we've received responses.

16 We also plan to be filing a motion for  
17 reconsideration with regard to the Board's latest decision on  
18 the scope of Contention IV, and whether the issue of microbial  
19 fouling is within the scope of that contention; an will be  
20 filing that on March 3rd.

21 JUDGE WOLFE: I see. Mr. --

22 MR. BERRY: This is Gregory Berry.

23 JUDGE WOLFE: Yes.

24 MR. BERRY: Mr. Berry from the Staff.

25 JUDGE WOLFE: Right.

1 MR. BERRY: The Staff hasn't made a determination at  
2 this time as to whether it will file a motion for summary  
3 disposition on either of the contentions. And of course, we  
4 can state at this time that if either of the other parties  
5 file such a motion, that the Staff will respond to those. But  
6 at this time, no final determination has been made as to  
7 whether the Staff will file its own independent motion for a  
8 summary disposition on either of the contentions.

9 JUDGE WOLFE: Ms. Ferster, you say you're filing a  
10 motion for reconsideration on March 3rd; is that correct?

11 MS. FERSTER: That's correct, and as we count it,  
12 we're going to have 10 days to -- and five days for mailing --  
13 from the date of your order on the scope of the Contention IV.  
14 And that date is March 3rd, so we will be filing on that date a  
15 motion for reconsideration on the scope of that contention.

16 And we hope to, at that point, have supporting  
17 documents that demonstrate that microbial fouling was intended  
18 to be within the scope of that contention in 1982.

19 JUDGE WOLFE: Well, I can't -- the Board can't pass  
20 on something that hasn't been filed as yet, but I guess that  
21 will delay, at least for now, our determination on when the  
22 parties should file motions for summary disposition with  
23 respect to these two NECNP contentions, IV and I.V.

24 That's the way it appears, and we'll just have to  
25 await further submissions, among which will be NECNP's motion

1 for reconsideration.

2 Are there any other comments or statements that  
3 any one of the parties wishes to make at this time?

4 MR. DIGNAN: Well, Your Honor, I don't understand.  
5 I'll be perfectly frank. A motion for summary -- for  
6 reconsideration can be filed anytime. There's no automatic  
7 10-day barrier to it; there's no automatic right to have 10  
8 days to file it; there's nothing in the rules on it at all.

9 I don't -- I would respectfully suggest that the  
10 filing of -- if filing motions be -- announced intent to file  
11 a motion for reconsideration holds things up, it can do it  
12 forever, because it can be filed anytime. And I think NECNP  
13 should be directed to get it in there posthaste if it's the  
14 Board's view that they want to deal with it before setting a  
15 schedule. I don't see any need to wait till March 3rd.

16 JUDGE WOLFE: Yes. Today is Tuesday, February 23.  
17 And, yes --

18 MS. FERSTER: Your Honor, this is counsel for NECNP;  
19 may I speak?

20 JUDGE WOLFE: Ms. Ferster, yes.

21 MS. FERSTER: We had decided that 10 days was the  
22 appropriate time, since that is the time limit for filing  
23 responses to motions, and with the five days for mailing time  
24 added onto that. And that seems to be an abbreviated time  
25 period already, and it would be very difficult to obtain the

1 supporting documents needed to -- for that motion for  
2 reconsideration that were indicated in your order. Prior to  
3 that, our expert is not located in the same area, and there is,  
4 of course, mailing time and lag time. And we think that 10  
5 days plus the five-day mailing time would be -- is an  
6 appropriate time period, and that a shorter period would hamper  
7 our ability to effectively make that motion.

8 JUDGE WOLFE: Well, I seem to have a recollection,  
9 Ms. Ferster, that you did bring up in the pleading, or the  
10 submission, filed after your most recent one with respect to --  
11 let's see, let me get it here.

12 Well, you did indicate -- I don't have the document  
13 before me right now -- but you did indicate, Ms. Ferster, that  
14 you were contemplating such a motion for reconsideration,  
15 I believe, or filing an amended contention, at least. I've  
16 forgotten which document that was now. Do you recall that,  
17 Ms. Ferster?

18 MS. FERSTER: I believe that was in our motion to  
19 compel discovery, and we did indicate that that filing was  
20 stated as a reason why we should be given leave to reply. It  
21 was in our motion for leave to reply to the Applicants'  
22 response to our motion to compel, and it was given as a  
23 possible action that we might take, which was why we needed an  
24 opportunity to reply to that. And that is still an option.

25 We feel, however, that that's an option of last

1 resort only because we still believe that the issue of  
2 microbial fouling is encompassed within the scope of our  
3 contention as originally worded, and that what is lacking is  
4 the type of proof from experts and documents that are dated as  
5 of the date the contention was admitted that would demonstrate  
6 that this is in fact so.

7 JUDGE WOLFE: All right. Anything more?

8 MR. DIGNAN: Yes, there's another matter that I  
9 think --

10 JUDGE WOLFE: Is this Mr. Dignan?

11 MR. DIGNAN: -- I'd like to get on the record on,  
12 Your Honor --

13 JUDGE WOLFE: This is Mr. --

14 MR. DIGNAN: This is Tom Dignan.

15 JUDGE WOLFE: Yes, okay.

16 MR. DIGNAN: And that is this. I assume that, while  
17 I understand you're not scheduling summary disposition now, is  
18 that an indication of discovery outstanding, and I just wish  
19 to advise the parties and the Board that one piece of the  
20 discovery which we will be responding to seems to be mostly  
21 directed at MIC, which I understand the Board to have ruled  
22 out of the contention.

23 The other possible matter is the Westinghouse matter,  
24 and I would remind everybody that both us and Westinghouse had  
25 indicated that they are perfectly willing to give the document



1 up right now under an appropriate protective agreement.

2           NECNP has refused this course of action. They're  
3 free to litigate with Westinghouse for the next 10 years as  
4 far as I'm concerned on whether that remains permanent or not,  
5 and it will be my position if a response comes in that  
6 discovery still has to be taken on the SGTR issue that NECNP  
7 has waived that argument insofar as that document is concerned  
8 by refusing to take it under a protective agreement.

9           JUDGE WOLFE: Well, Ms. Ferster, isn't there a  
10 possibility you can get together with, certainly, with  
11 Westinghouse and square this away so that we can proceed with  
12 the disposition on the steam generator tube rupture contention?

13           MS. FERSTER: Your Honor, we would be happy to --

14           JUDGE WOLFE: What's the hangup?

15           MS. FERSTER: -- concern with Westinghouse or the  
16 Applicant on resolving this issue, but as yet I -- well, first  
17 of all, I will tell you that the attorney for NECNP who's  
18 handling that is just not available at this time to speak to  
19 that, but it's my understanding that this -- that the offer  
20 for a protective order occurred in a response to our  
21 interrogatories without making any showing as to entitlement  
22 for it. Therefore, it's very difficult to evaluate whether we  
23 can come to an agreement at this point without -- and  
24 certainly without seeing Westinghouse's response, or without  
25 seeing Applicants' reasons for claiming entitlement to a

1           MR. DIGNAN: Well, this has nothing to do with  
2 whether we claim it, I respectfully suggest. What I am saying  
3 is the offer has been outstanding, and Westinghouse has  
4 repeated it, and I have authority to make it on their behalf  
5 from their own counsel. We're perfectly willing to give you  
6 the document tomorrow if you'll take it under a protective  
7 agreement, which you can then argue to the Board should be  
8 lifted or nullified or anything else.

9           But the position as it's been articulated to me by  
10 NECNP is that they won't take it on that basis, they want to  
11 take it free and clear or not take it at all. And I'm just  
12 saying if that be their position, I'm going to be arguing that  
13 they can't be heard to say that they should dodge a summary  
14 disposition motion on a basis that there's outstanding  
15 discovery, at least with respect to that particular document,  
16 because they're free to have a look at it tomorrow if they want  
17 it, but only if they'll sign the standard Westinghouse  
18 protective agreement, which Westinghouse has authorized me to  
19 give them.

20           JUDGE WOLFE: Yes. Well, all that I can add to all  
21 this is that the Board is very concerned that this portion of  
22 the Seabrook case with respect to the onsite issues,  
23 is concerned that this case is getting caught in a morass.  
24 We're just simply not moving.

25           I've been a litigator for many years myself, and I

1 just don't understand this, the constant motions, the constant  
2 blizzard of pleadings, and the delay in trying these issues or  
3 summarily disposing of them. And I would advise all parties  
4 that when I find, when the Board finds, that there has been  
5 unwarranted delay in the processing and in this proceeding,  
6 the Board will take whatever action is available to it. And  
7 we want to move this case along, period.

8 And I would suggest that all parties attend to what  
9 I'm saying here. I can't at this point -- well, hold on, I  
10 want to talk to Judge Harbour. I'll put this on mute and I'll  
11 be right back.

12 (The Board confer.)

13 JUDGE WOLFE: All right, Ms. Ferster?

14 MS. FERSTER: Yes, Your Honor.

15 JUDGE WOLFE: You have before you the Board's  
16 memorandum and order of February 17?

17 MS. FERSTER: Yes, I do.

18 JUDGE WOLFE: When did you receive that, please?

19 MS. FERSTER: Let's see, I received that on February  
20 18th.

21 JUDGE WOLFE: February 18th. Well, I think it's  
22 fair --

23 MS. FERSTER: No, excuse me, Your Honor, I received  
24 it on the 19th. It indicates it was served on the 18th, but  
25 we received in our office on the 19th.

bgnTp2

1 JUDGE WOLFE: Well, I think, in all fairness, so that  
2 we can get this case moving, as I indicated before, we will  
3 accept your motion for reconsideration only if it's filed on  
4 or before March 1, and that should be, Ms. Curran (sic),  
5 hand-delivered to the Board by the cloase of business on March  
6 1, and you should express-mail it to Mr. Dignan in Boston.

7 And how you like yours to be delivered, Mr. Berry?

8 MR. BERRY: We would prefer it by messenger, Your  
9 Honor.

10 JUDGE WOLFE: By messenger. So with respect to both  
11 the Board and the Staff, the submission on March 1 shall be  
12 hand-delivered to the Board and to Staff counsel, and you will  
13 express-mail it to Mr. Dignan.

14 All right. Anything more?

15 MS. FERSTER: Your Honor, this is Andrea Ferster  
16 speaking.

17 When this, the issue of the scope of Contention IV  
18 is resolved on whether microbial fouling is within that  
19 contention, I would note that there's one outstanding issue,  
20 and that is the fact that we do have outstanding discovery  
21 that we're not -- we have not yet received responses for.  
22 And some of the discovery is due from the Staff on March 2nd;  
23 the rest is due not until mid-March, and that relates to the  
24 issue of biofouling, and it requests information that is  
25 directly related to macrofouling, which is acknowledged to be

1 within the scope of our contention.

2           So I would like to confer again at some point before  
3 some scheduling, schedule for summary disposition is  
4 established after this, after the March -- after the motions  
5 for reconsideration are taken in to determine whether  
6 discovery is in fact completed on those issues.

7           MR. BERRY: Your Honor, this is Mr. Berry.

8           JUDGE WOLFE: Yes.

9           MR. BERRY: I believe that I need to make a brief  
10 response to Ms. Ferster's last remarks.

11           The Staff is -- it is correct that there is -- NECNP  
12 is owed some outstanding discovery from the Staff on its  
13 two contentions. I believe the Staff filed its response to  
14 NECNP's second set of interrogatories directed against the  
15 Staff. I don't have them in front of me, but I believe it was  
16 before February the 12th. And the reason I think it's before  
17 that date is it was filed before I was away on leave, and that  
18 was around February 12th

19           We did respond to NECNP's second set of  
20 interrogatories Nos., I believe, 31 to 46. They were the ones  
21 dealing with the biofouling issue. We'd indicated that we  
22 would respond to the remaining interrogatories by March the  
23 2nd, and we certainly expect to do that, if not before.

24           With respect to Ms. Ferster's remark, I understood  
25 it to be suggesting that in responding to NECNP's

1 interrogatories that raised the microbiologically-induced  
2 corrosion issue, that the Staff acquiesced in some suggestion  
3 that that issue's within the scope of the contention. I must  
4 respectfully take issue with that. The Staff responded to  
5 those interrogatories, but, you know, that should not be taken  
6 as any concession on the Staff's part that those are within --  
7 covered within the scope of the admitted contention, and the  
8 Staff responded to it on that basis.

9           To the extent there is that suggestion, well, then  
10 I would respectfully request the Staff be given an  
11 opportunity to argue the contrary, although I don't believe  
12 that's necessary in light of Your Honor's recent memoranda  
13 order ruling that the MIC issue is not within the scope of  
14 the admitted contention. But the Staff did respond to that,  
15 to the micro -- to that part of NECNP's interrogatories, and  
16 the only outstanding discovery against the Staff relates to  
17 the steam generator tube issue, which we will be responding to  
18 shortly.

19           And so, and the Staff would suggest that that is no  
20 basis for deferring any decision on this request for  
21 reconsideration of the Board's ruling on the MIC issue. You  
22 know, there is no further discovery coming from the Staff  
23 that NECNP needs to possess in order to respond to the  
24 Board's -- you know, this motion for which they seek  
25 reconsideration.

1 JUDGE HARBOUR: This is Judge Harbour.

2 Ms. Ferster, what was the mid-March discovery you  
3 said was outstanding?

4 MS. FERSTER: Your Honor, we have sent out a set of  
5 interrogatories to the Applicant that ask for information  
6 dealing both with microbial fouling, which was -- which the  
7 Board has said is not within the scope of the contention; and  
8 also ask for information with regard to macrobial fouling, or  
9 bivalve fouling, which is clearly within the scope of the  
10 contention.

11 And my only comment was that I would like to confer  
12 again on scheduling of summary disposition, since at this  
13 time there is this discovery that is outstanding to the  
14 Applicants, as well as the steam generator tube discovery with  
15 respect to the Staff.

16 JUDGE WOLFE: What if we deny your motion for  
17 reconsideration, Ms. Ferster?

18 MS. FERSTER: Well, if you deny our motion for  
19 reconsideration, there still is outstanding discovery on the  
20 issue of biofouling by mussels and clams, which is within  
21 the scope of that contention, and we would like to have that  
22 in hand before we start dealing with summary disposition  
23 issues.

24 JUDGE HARBOUR: Mr. Dignan, would you respond to  
25 that, please?

1 Mr. Dignan?

2 MR. DIGNAN: Hello?

3 JUDGE HARBOUR: Mr. Dignan, did you hear  
4 Ms. Ferster's --

5 MR. DIGNAN: Yes, I did.

6 JUDGE HARBOUR: Could you respond to the -- her  
7 statement that there is additional macrofouling discovery  
8 against the Applicants?

9 MR. DIGNAN: Yes, Your Honor. I'd like to respond  
10 in two veins.

11 One is there is a set of interrogatories that was  
12 sent out February 19th. I will accept the representation that  
13 I should read certain of those questions as going to macro.  
14 I thought it was all micro, but I'll look at it, in any event.

15 But more importantly, I wanted to respectfully  
16 inquire of the Board as to whether that discovery is in order  
17 at all. What the Board did was it originally had an order out  
18 directing the completion of discovery by December 28. When  
19 the Board decided that would be inequitable, another order was  
20 put out -- and I would point out you quoted all of this in the  
21 recent decision -- directing the completion of discovery by  
22 February 19th.

23 Now, is it a proper interpretation of that that  
24 somebody waits till the 19th and fires out a set of  
25 interrogatories, or was the directive to complete discovery



1 by that time, that is, to have gotten them out 14 days before  
2 then so that the answers would be due and in by the 19th?

3 JUDGE WOLFE: Yes. Well, I don't --

4 MR. DIGNAN: Completion of discovery, I am just  
5 saying, in the ordinary language to me always means discovery's  
6 over, not that that's the date at which you fire your last  
7 cannon so that you extend the period in which the case must  
8 remain --

9 JUDGE WOLFE: Yes. Well, our December 2nd, 1987,  
10 order was explicit that discovery should proceed apace and be  
11 completed by February 19th.

12 MR. DIGNAN: That was my understanding also.

13 MS. FERSTER: Your Honor, may I respond to that?

14 JUDGE WOLFE: Yes.

15 MS. FERSTER: This is Andrea Ferster. We understood  
16 the discovery order to mean that when you said discovery be  
17 completed by February 19th, that it would mean that we had  
18 submitted all our requests for interrogatories or documents or  
19 information by then. Obviously, if that were so, that if,  
20 since the Applicants have 20 days or 10 days -- 20 days to  
21 respond to discovery under the rules, then by that reasoning  
22 of your -- the Board's order, we could not have sent out any  
23 interrogatories after the end of January, which can't be the  
24 case.

25 In any case, Your Honor, I would like, if the

1 Applicant does not believe that these interrogatories we sent  
2 out are appropriate, I think that we should have an opportunity  
3 to brief that issue, if they choose to file some sort of  
4 motion or if they fail to respond to that, those interrogatories,  
5 or some kind of request for interpretation, then we can brief  
6 that issue, because it was certainly our understanding that we  
7 could file any interrogatories up until the date when you  
8 indicated that discovery was to be completed.

9 JUDGE WOLFE: Have you filed any response,  
10 Mr. Dignan?

11 MR. DIGNAN: No, these are just arrived here, Your  
12 Honor.

13 JUDGE WOLFE: I see. Well, as I say, we're going to  
14 start matters at this end by making certain that we're not  
15 inundated with a lot of motions, a lot of pleadings, a lot of  
16 extensions of time, and so forth. And we're going to insist  
17 that we proceed in a timely manner.

18 We've just been presented now with some matters that  
19 we can't fully appreciate because we haven't seen the  
20 documentation and so forth. But I do think that we may or may  
21 not hold another conference after the filing of your motion  
22 for reconsideration, Ms. Ferster. We may or may not hold a  
23 conference to decide at what time motions, or a motion, for  
24 summary disposition shall be filed. We're going to take it  
25 into our own hands to make that determination. We're just

1 tired of the blizzard of papers in this case, and I think it's  
2 unwarranted. And we're just going to have to make decisions  
3 in order to expedite this case.

4 But I'm not saying yea or nay at this point on  
5 whether or not we will hold another conference. We'll just  
6 have to make that determination after we see what the present  
7 submissions, current submissions, will be.

8 Is there something else?

9 JUDGE HARBOUR: Mute it a minute.

10 JUDGE WOLFE: Going on mute. Hold on for a moment.

11 (The Board confer.)

12 JUDGE WOLFE: Judge Harbour and I have been  
13 discussing something off the record. His statements to me  
14 were well taken, that in order to expedite this case, if and  
15 when pleadings are submitted and there are responses, motions  
16 to compel and responses, whatever, we may take it into hand  
17 just holding conference calls and giving you our oral rulings,  
18 and that way we'll -- that will serve to accelerate these  
19 proceedings.

20 Anything else?

21 MR. BERRY: Nothing for the Staff, Your Honor.

22 MR. DIGNAN: Your Honor?

23 JUDGE WOLFE: Yes.

24 MR. DIGNAN: I don't wish to --

25 JUDGE WOLFE: This is Mr. Dignan.

1 MR. DIGNAN: -- Dignan. But with respect to the  
2 point I was making as to whether discovery should be completed  
3 or not, I would point out to the Board that a review of the  
4 discovery package that came in, that is to say, the set of  
5 interrogatories and a motion for request of entry upon land  
6 for inspection and other purposes, with the exception of a few  
7 of the beginning interrogatories, which were followup  
8 questions on answers we have given, a large number of the  
9 interrogatories and the entire request for inspection is  
10 something that could have been asked an awfully long time ago.  
11 They've basic questions like what's the metallurgy of various  
12 systems.

13 And I respectfully suggest that, if not in violation  
14 of the letter -- and I think it is in violation of the  
15 letter -- but certainly of the spirit of the order that came  
16 down, this effort to throw these kind of basic questions out  
17 on February 19th should not be countenanced.

18 JUDGE WOLFE: Yes. Well, Mr. Dignan, you have the  
19 Board at a disadvantage. Did you object in writing?

20 MR. DIGNAN: I haven't, Your Honor, I haven't  
21 responded to the interrogatories because they came in on my  
22 desk yesterday.

23 JUDGE WOLFE: I see. Well --

24 MR. DIGNAN: I will --

25 JUDGE WOLFE: Put it in writing, submit it to us,

1 then we'll have something before us on which to rule. You may  
2 or may not be -- your objections may or may not be well taken.  
3 I just don't have these papers before me.

4 MR. DIGNAN: All right. I will include in whatever  
5 response we make such objections as I think are in order,  
6 including the procedural one, Your Honor.

7 JUDGE WOLFE: All right, fine.

8 All right, thank you very much.

9 MR. DIGNAN: Thank you.

10 MS. FERSTER: Thank you, Your Honor.

11 MR. BERRY: Thank you, Your Honor.

12 JUDGE WOLFE: All right.

13 MR. DIGNAN: Your Honor?

14 JUDGE WOLFE: Yes.

15 MR. DIGNAN: Is the reporter going to be sending out  
16 the transcript of this conference call in conformity with the  
17 orders that are on file, or does any special arrangement have  
18 to be made with the reporter?

19 JUDGE WOLFE: I'll leave that to the reporter. How  
20 about that?

21 THE REPORTER: If there are arrangements on file --

22 JUDGE WOLFE: Do you need a microphone?

23 Identify yourself.

24 THE REPORTER: This is Kent Andrews with Heritage  
25 Reporting. If there are arrangements on file, then our

1 office should send out the transcripts as arranged.

2 MR. DIGNAN: Okay. Ropes & Gray has a standing  
3 order of four copies, I believe it is, on file, and if that  
4 turns out not to be the case, I'd like to be advised.

5 THE REPORTER: Fine.

6 JUDGE WOLFE: Fine.

7 MR. DIGNAN: Thank you.

8 JUDGE WOLFE: All right, ladies and gentlemen,  
9 thank you.

10 MS. FERSTER: Thank you.

11 JUDGE WOLFE: All right.

12 (Whereupon, at 2:41 p.m., the hearing in the  
13 above-entitled matter was concluded.)

14

15

16

17

18

19

20

21

22

23

24

25

CERTIFICATE

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

This is to certify that the attached proceedings before the United States Nuclear Regulatory Commission in the matter of:

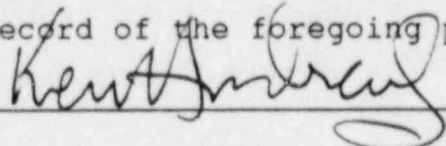
Name: Public Service Company of New Hampshire, et al.  
(Seabrook Station, Units 1 and 2)

Docket Number: 50-443/444-OL-1-R (ASLB No. 88-558-01-OLR)

Place: Bethesda, Maryland

Date: February 23, 1988

were held as herein appears, and that this is the original transcript thereof for the file of the United States Nuclear Regulatory Commission taken stenographically by me and, thereafter reduced to typewriting by me or under the direction of the court reporting company, and that the transcript is a true and accurate record of the foregoing proceedings.

/s/ 

(Signature typed): Kent Andrews

Official Reporter

Heritage Reporting Corporation