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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

OFFICE OF SECRETARY
DOCKETING AND
BRANCH

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	
HOUSTON LIGHTING & POWER COMPANY)	Docket Nos. 50-498 OL
<u>ET AL.</u>)	50-499 OL
)	
(South Texas Project, Units 1)	
and 2))	

Applicants' Motion For Leave To Reply To
Portions Of CCANP Partial Response To Show Cause Order

The Licensing Board's Order dated February 7, 1986 directed CCANP to Show Cause why sanctions should not be imposed for certain behavior of its attorney. On February 21, CCANP filed two responses; (1) a letter from one of its attorneys, and (2) a pleading styled CCANP Partial Response to Show Cause Order (CCANP Partial Response). Although the latter document purports to address solely the propriety of the proposed sanction of striking the CCANP January 17, 1986, motion, it also replies to Applicants' Response to "CCANP Motion to Reopen the Phase II Record: IV; For Discovery and to Suspend Further Activity in Phase III." (Applicants' Response).

CCANP had no authority under the Commission's rules or any order of the Board to reply to Applicants' Response. Accordingly the CCANP Partial Response is an unauthorized pleading. Moreover, there are factual premises inherent in the CCANP Partial Response (i.e., that the Board denied CCANP

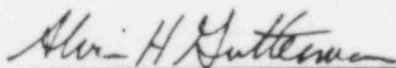
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adequate opportunity for discovery in Phase II and that CCANP has not had adequate access to documents from the litigation between the Project owners and Brown & Root) which are erroneous and could tend to mislead the Board. Accordingly, Applicants move the Board for leave to reply to the CCANP Partial Response.

The proposed reply Applicants seek to file is attached. 1/

Respectfully submitted,



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Dated: February 28, 1986

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ATTORNEYS FOR HOUSTON LIGHTING & POWER COMPANY, Project Manager of the South Texas Project acting herein on behalf of itself and the other Applicants, THE CITY OF SAN ANTONIO, TEXAS, acting by and through the City Public Service Board of the City of San Antonio, CENTRAL POWER AND LIGHT COMPANY, and CITY OF AUSTIN, TEXAS

1/ Applicants' proposed reply is restricted to the arguments in the CCANP Partial Response which are in reality a reply to Applicants' Response; it does not comment on CCANP's arguments that sanctions should not be imposed on CCANP or its attorney.