



PENNSYLVANIA PUBLIC UTILITY COMMISSION
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG, PENNSYLVANIA

September 13, 1988

Chairman Lando W. Zech, Jr.
U.S. Nuclear Regulatory Commission
Washington D.C. 20555

Dear Chairman Zech:

On August 16, 1988 I wrote to you requesting the full disclosure of all meetings and phone calls between senior management at the Philadelphia Electric Company and senior officials at the Nuclear Regulatory Commission on the subject of the restart of the Peach Bottom Nuclear Generating station and the imposition of the recently announced fines. On the same day I made an identical written request of Mr. Joseph Paquette, the CEO of PECO. On September 2, 1988 Mr. Paquette responded to my request with a letter which suggests that several secret meetings between PECO and the NRC have occurred over the last six months on these two critical subjects.

To date I have received no reply from you or your office to the request that I made on August 16th. Your silence indicates one of two things: either you have no intention of voluntarily complying with my request or you are willing to permit the CEO of PECO to act as your spokesperson. Either position is unacceptable to me and, therefore, today I am filing a Freedom of Information Act request with the NRC to force disclosure of this information.

The issue here is whether PECO and the NRC can deny the public the right to participate in their secret meetings. I remind you that what is at stake here is whether the NRC is more interested in insuring the people of Pennsylvania and Maryland that PECO has the will and ability to safely operate Peach Bottom or whether the NRC is more interested in insuring the PECO bottom line.

I do not believe that Governor Casey appointed me to the Public Utility Commission to advocate secrecy, to cover up possible secret deals, or to wink at arrogant attempts to freeze out 12 million Pennsylvanians from safety decisions that affect all of them.

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According to Mr. Paquette's response to my letter, secret discussions were held among PECO executives and NRC officials apparently regarding whether Peach Bottom operators should be fired or wrist slapped with fines. No representatives of the Commonwealth of Pennsylvania were present at these meetings in spite of the fact that the Commonwealth has been active in the Peach Bottom issue since 1987. Had the reactor operators been fired, restart would have been delayed, costing PECO more millions. Shortly after one round of secret talks, the NRC agreed to only fine these operators - operators who had either fallen asleep on duty, left the plant controls unmanned, or otherwise risked another Three Mile Island.

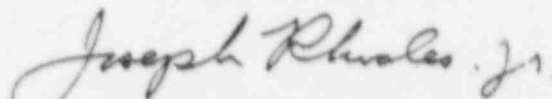
In today's papers, PECO says it's 98% ready to restart Peach Bottom. Well, I hope that last 2% includes its releasing all internal reports about the documented, mind-blowing disregard for safety by Peach Bottom operators, and a full explanation of why PECO gave bonuses this year to most of the very same operators that the NRC fined.

I think the people of Pennsylvania have a right to know what goes on in these secret meetings and how PECO and the NRC can both look at the actions of the same plant operators with the NRC deciding to fine them and PECO deciding to give them bonuses. The people of Pennsylvania deserve to learn more about the basis for both decisions.

I favor the public's right to know. You apparently favor a "behind closed doors" approach with the elite "admirals club" making safety decisions for the average citizen who is kept in the dark about what is happening. Clearly we disagree. It is time our disagreement became public even if your process stays secret.

When I joined the PUC, I trusted that the NRC process was open and fair. Now my trust, and the trust of many other Pennsylvanians, is shaken. We must work together to repair that trust before it is permanently shattered.

Sincerely yours,



Joseph Rhodes, Jr.
Commissioner