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OFF: October 3, 1988  
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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION  
before the  
ATOMIC SAFETY AND LICENSING BOARD

In the Matter of  
PUBLIC SERVICE COMPANY OF  
NEW HAMPSHIRE, et al.  
(Seabrook Station, Units 1 and 2)

Docket Nos. 50-443-OL  
50-444-OL  
Off-site Emergency  
Planning Issues

APPLICANTS' RESPONSE TO MOTIONS FOR  
PROTECTIVE ORDER BY TON, TOWN, AND CON

On August 31, 1988, Applicants filed their "First Set of Interrogatories and First Request for Production of Documents to All Parties and Participating Local Governments Regarding Contentions on the Seabrook Plan for Massachusetts Communities" (hereinafter "SPMC Interrogatories"). On September 16, 19, and 20 respectively, the Town of Newbury ("TON"), the Town of West Newbury ("TOWN"), and the City of Newburyport ("CON") filed motions for protective orders

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PDR ADOCK 05000443  
G PDR

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against answering certain questions propounded and producing certain documents requested in the SPMC Interrogatories.<sup>1</sup>

During the week of September 26, Applicants engaged in a series of negotiations with TON, TOWN, and CON. As a result of these negotiations, these three Intervenors each agreed to file supplemental answers to the SPMC Interrogatories and to produce additional documents. Applicants reached similar agreements with the Town of Salisbury ("TOS") and the Attorney General for the Commonwealth of Massachusetts ("Mass AG"), neither of whom had moved for a protective order.<sup>2</sup>

In order to preserve their rights, Applicants hereby make a pro forma motion that TON, TOWN, CON, TOS, and Mass AG be compelled to answer Applicants' SPMC Interrogatories and produced the documents requested therein. However, Applicants are confident that the issues that would be raised by such a motion will be mooted by the supplemental responses that the five Intervenors have undertaken to provide. Accordingly, Applicants respectfully request that the Board take no action on this pro forma motion, and indefinitely extend the time for reply to it, unless and until Applicants

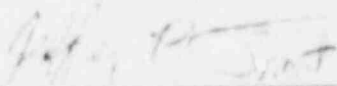
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<sup>1</sup> TOWN'S answers were filed three days late, with no explanation and without any motion for an extension.

<sup>2</sup> In addition, Applicants and Town of Amesbury ("TOA") engaged in negotiations that appreciably narrowed the issues between them resulting from TOA's interrogatory responses of September 14, 1988 and Applicants' motion to compel of September 26.

advise the Board that one or more of the negotiated settlements of the parties' disputes have broken down.

By their attorneys,



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CERTIFICATE OF SERVICE

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I, Jeffrey P. Trout, one of the attorneys for the Applicants herein, hereby certify that on October 3, 1988, I made service of the within document by depositing copies thereof with Federal Express, prepaid, for delivery to (or, where indicated, by depositing in the United States mail, first class postage paid, addressed to):

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Adjudicatory File  
Atomic Safety and Licensing  
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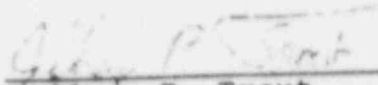
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