



PENNSYLVANIA PUBLIC UTILITY COMMISSION
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG, PENNSYLVANIA

September 13, 1988

FREEDOM OF INFORMATION
ACT REQUEST

FOIA 88-478

Rec'd 9-16-88

Director, Office of Administration
U.S. Nuclear Regulatory Commission
Washington D.C. 20555

Re: FREEDOM OF INFORMATION ACT REQUESTS
Peach Bottom Units 2 and 3
NRC Docket Nos. 050-277 and 050-278
Restart Investigation and
Mismanagement Investigation

Dear Sir:

As a Commissioner of the Pennsylvania Public Utility Commission, I have a statutory responsibility for the public health and safety in regards to the operation of electric generating stations operating within the Commonwealth. My specific concerns about the future operation of the Peach Bottom Nuclear Generating Facility in York County run deep.

I have serious questions concerning the relationship between the announcement of the proposed fines for mismanagement at Peach Bottom and the schedule for restart of Peach Bottom Units 2 and 3. Accordingly, I am hereby requesting disclosure of the following records pursuant to the Freedom of Information Act:

1. The dates and topics of discussion of all meetings and telephone calls from November 25, 1987 to September 13, 1988 between or among NRC Chairman Lando W. Zech, Jr., Commissioner Thomas Roberts, Commissioner Kenneth Carr or Commissioner Kenneth Rogers, and PECO Chairman and CEO, Joseph F. Paquette, Mr. Corbin McNeill (PECO Senior Vice-President, Nuclear Operations), Mr. Dickinson Smith (Vice-President, Peach Bottom), or Mr. James Watkins (Member, PECO Board of Directors) concerning the issues of the restart schedule for the Peach Bottom Nuclear Generating Facility or the imposition of fines for mismanagement at the Peach Bottom Nuclear Generating Facility.
2. All documents, including, but not limited to notes, agendas, minutes, correspondence and memoranda, that were reviewed, exchanged, produced, or discussed during any meeting or telephone call from November 25, 1987 to September 13, 1988, between or among NRC Chairman Lando W. Zech, Jr.,

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Commissioner Thomas Roberts, Commissioner Kenneth Carr, or Commissioner Kenneth Rogers, PECO Chairman and CEO Joseph F. Paquette, Mr. Corbin McNeill (PECO Senior Vice-President, Nuclear Operations), Mr. Dickinson Smith (Vice-President, Peach Bottom) or Mr. James Watkins (Member, PECO Board of Directors) concerning either the issues of the restart schedule for Peach Bottom Nuclear Generating Facility or the imposition of fines for mismanagement at the Peach Bottom Nuclear Generating Facility.

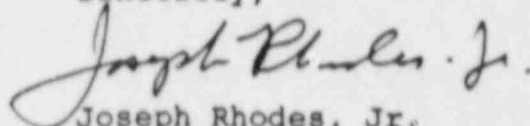
3. The dates and topics of discussion of all meetings and telephone calls from November 25, 1987 to September 13, 1988 between or among Joseph F. Paquette (PECO Chairman and CEO), Mr. Corbin McNeill (PECO Senior Vice-President, Nuclear Operations), Mr. Dickinson Smith (Vice-President, Peach Bottom), Mr. James Watkins (Member, PECO Board of Directors) or other senior Philadelphia Electric Company executives and Nuclear Regulatory Commission senior management, including William T. Russell, William Kane, James Linville, or Jay Gutierrez, concerning either the issues of the restart schedule or the imposition of fines for mismanagement at the Peach Bottom Nuclear Generating Facility.
4. All documents, including, but not limited to notes, agendas, minutes, correspondence, and memoranda, that were reviewed, exchanged, produced or discussed during any meeting or telephone call from November 25, 1987 to September 13, 1988 between or among Joseph F. Paquette (PECO Chairman and CEO), Mr. Corbin McNeill (PECO Senior Vice-President, Nuclear Operations), Mr. Dickinson Smith (Vice-President, Peach Bottom), Mr. James Watkins (Member, PECO Board of Directors) or other senior Philadelphia Electric Company executives and Nuclear Regulatory Commission senior management, including William T. Russell, William Kane, James Linville, or Jay Gutierrez, concerning either the issues of the restart schedule or the imposition of fines for mismanagement at the Peach Bottom Nuclear Generating Facility.
5. The dates and topics of all meetings and telephone calls from November 25, 1987 to September 13, 1988 between or among James Everett (former Chairman and CEO of PECO), John Austin (former President of PECO), or John S. Kemper (former PECO Senior Vice-President, Nuclear Operations) and NRC Chairman Lando W. Zech, Jr., Commissioner Thomas Roberts, Commissioner Kenneth Carr or Commissioner Kenneth Rogers concerning issues of the restart schedule for Peach Bottom Nuclear Generating Facility or fines for mismanagement at the Peach Bottom Nuclear Generating Facility.

6. All documents, including, but not limited to notes, agendas, minutes, correspondence, and memoranda, that were reviewed, exchanged, produced, or discussed during any meeting or telephone call from November 25, 1987 to September 13, 1988 between or among James Everett (former Chairman and CEO of PECO), John Austin (former President of PECO), or John S. Kemper (former PECO Senior Vice President, Nuclear Operations) and NRC Chairman Lando W. Zech, Jr., Commissioner Thomas Roberts, Commissioner Kenneth Carr or Commissioner Kenneth Rogers concerning issues of the restart schedule for Peach Bottom Nuclear Generating Facility or fines for mismanagement at the Peach Bottom Nuclear Generating Facility.
7. The dates and topics of all meetings and telephone calls from November 25, 1987 to September 13, 1988 between or among James Everett (former Chairman and CEO of PECO), John Austin (former President of PECO), or John S. Kemper (former PECO Senior Vice-President, Nuclear Operations) and Bill Kane, NRC Director, Reactor Projects, Region I; Bruce Bogar, NRC Assistant Director, Nuclear Reactor Regulation; Robert Martin, NRC Project Manager, Nuclear Reactor Regulation; William T. Russell, NRC Administrator, Region I; Thomas Murley, NRC Director, Nuclear Reactor Regulation; or Victor Stello, Jr., NRC Executive Director of Operations concerning the issues of the restart schedule for Peach Bottom Nuclear Generating Facility or the imposition of fines for mismanagement at the Peach Bottom Nuclear Generating Facility.
8. All documents, including but not limited to notes, agendas, minutes, correspondence, and memoranda, that were reviewed, exchanged, produced, or discussed during any meeting or telephone call from November 25, 1987 to September 13, 1988 between or among James Everett (former PECO Chairman and CEO); John Austin (former PECO President); or John S. Kemper (former PECO Senior Vice President, Nuclear Operations) and Bill Kane, NRC Director, Reactor Projects, Region I; Bruce Bogar, NRC Assistant Director, Nuclear Reactor Regulation; Robert Martin, NRC Project Manager, Nuclear Reactor Regulation; William T. Russell, NRC Administrator, Region I; Thomas Marley, NRC Director, Nuclear Reactor Regulations; or Victor Stello, Jr., NRC Executive Director of Operations, concerning the issues of the restart schedule for Peach Bottom Nuclear Generating Facility or the imposition of fines for mismanagement at the Peach Bottom Nuclear Generating Facility.

You are hereby advised that whatever cost is involved in disclosing these records is acceptable.

Public disclosure of this information will go a long way towards restoring and assuring public confidence in the NRC's oversight role vis-a-vis Peach Bottom and PECO. I respectfully await your reply.

Sincerely,



Joseph Rhodes, Jr.
Commissioner
Pa. Public Utility Commission

cc: Joseph F. Paquette, Philadelphia Electric Company
Daniel P. Delaney, Chief Counsel