

3309
CNN0003 and JNN0003

04/29/87

BNN0001

Correction to 4/27/87 CNN0001

& JNN0002, Response of CASE &

JI to 4/3/87 B/O,

Computerization

N/A

DOCKETED
USNRC

'87 MAY -4 P12:20

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

CASE

(CITIZENS ASSN. FOR SOUND ENERGY)

1426 S. Polk

Dallas, Texas 75224

214/946-9446

April 29, 1987

Administrative Judge Peter B. Bloch
Atomic Safety and Licensing Board
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Dr. Kenneth A. McCollom
1107 West Knapp Street
Stillwater, Oklahoma 74075

Dr. Walter H. Jordan
881 W. Outer Drive
Oak Ridge, Tennessee 37830

Dear Administrative Judges:

Subject: In the Matter of
Texas Utilities Electric Company, et al.
Comanche Peak Steam Electric Station,
Units 1 and 2
Docket Nos. 50-445-OL and 50-446-OL,
and 50-445-CPA
Application for an Operating License, and
Application for a Construction Permit

Corrections to Pages 1, 3, and Service List
of CNN0001 and JNN0002, 4/27/87 Response of
CASE (in OL) and Joint Intervenors (in CPA)
to Board's 4/3/87 Memorandum and Order
(Proposed Order Concerning Standardized
Computer Filing Formats)

We are attaching hereto corrected pages 1, 3, and the Service List for subject filing.

8705060010 870427
PDR ADOCK 05000445
G PDR

The single change on page 3 is the third word of the first line: "in" should be "is." We did not notice the error until all copies had been typed, copied, collated, and stapled; there was not sufficient time to redo them and still get them in the mail by our deadline of 4/27/87. However, we did change all copies with pen and ink since the error could have made it difficult to understand the sentence.

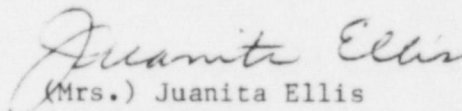
The single change on page 1 is in the third line of the standardized computer format information: we inadvertently inserted an extra "0"; it should read "BNN0001" instead of "BNN00001." We did not notice this error until we were preparing this letter.

In addition, although the basic information on the Service List was correct, some of the addresses were not (although copies were mailed to the correct addresses); in addition, we decided to send copies to Ms. Garde and Mr. Roisman by Federal Express rather than First Class Mail as was indicated. We are therefore also attaching a revised Service List.

We apologize for any inconvenience which may have been caused by these inadvertent errors.

Respectfully submitted,

CASE (Citizens Association for Sound Energy)


(Mrs.) Juanita Ellis
President

cc: Service List

Attachments: Revised pages 1, 3, and Service List

CNN0001 and JNN0002
04/27/87
BNN0001
CASE's Response to 4/3/87 B/O
JI's Response to 4/3/87 B/O
Computerization
Prejudice to Due Process
N/A

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of	}}	
	}}	
TEXAS UTILITIES ELECTRIC	}}	Docket Nos. 50-445-OL
COMPANY, <u>et al.</u>	}}	and 50-446-OL
(Comanche Peak Steam Electric	}}	
Station, Units 1 and 2)	}}	(Application for an
	}}	Operating License)
	}}	
	}}	
	}}	Docket No. 50-445-CPA
	}}	
	}}	(Application for a
	}}	Construction Permit)

RESPONSE OF CASE (IN OL) AND JOINT INTERVENORS (IN CPA)
TO BOARD'S 4/3/87 MEMORANDUM AND ORDER
(Proposed Order Concerning Standardized Computer Filing Formats)

This Response to the Board's 4/3/87 Memorandum and Order (Proposed Order Concerning Standardized Computer Filing Formats) is being filed on behalf both of CASE in the Operating License (OL) proceedings and the Joint Intervenor (CASE and Meddie Gregory) in the Construction Permit Application (CPA) proceedings /1/. Throughout this pleading, rather than having to continually refer both to CASE and Joint Intervenor, when we are speaking on behalf of both, we will usually simply refer to Intervenor; and when we use that term when voicing a position or concern, the Board should consider that we are speaking on behalf of all Intervenor in both dockets.

inevitably occur is that we will become a second-class party, almost like an interested party because we will not -- and cannot -- be on equal footing. We will not have equal access to the information, and essentially by default it will become an ex-parte situation, because the other two parties (Applicants and NRC Staff) will be able to communicate with the Board and we will not. Intervenor will have handicaps which will prevent full, reasoned, and intelligent participation. In addition to the lack of machine capability is person power. The Board has its own personnel available, Jack Whetstone, as well as having available an administrative staff to assist with the computerization; CASE does not have such personnel, and those individuals who are available are working at full capacity already. In addition to the fact that we have lawyers or representatives in three different locations (Dallas, Texas; Washington, D.C.; and Appleton, Wisconsin), we also have expert witnesses all over the country. These experts have no capability to get on a computer system; it would require their physical location at a computer or instead of being able to send hard copies back and forth in the mail, it would be using hard copies plus the additional task of converting to computerized records. This brings us to yet a third factor, which is the sheer amount of time involved to organize and maintain a computerized system. These are the three primary reasons it would be absolutely impossible for Intervenor to stand on equal footing with the other parties, and why Intervenor must regretfully oppose the Board's Order and consider the possibility of an appeal should it become necessary.

CASE has already contributed much to these proceedings. We have done so by a lot of hard work (by CASE and its witnesses and whistleblowers) and an ability to read, digest, and analyze the issues. We are certain that the Board does not

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of	}}	
	}}	
TEXAS UTILITIES ELECTRIC	}}	Docket Nos. 50-445 -OL
COMPANY, <u>et al.</u>	}}	and 50-446 -OL
(Comanche Peak Steam Electric	}}	
Station, Units 1 and 2)	}}	Docket No. 50-445-CPA

REVISED
CERTIFICATE OF SERVICE

By my signature below, I hereby certify that true and correct copies of
RESPONSE OF CASE (IN OL) AND JOINT INTERVENORS (IN CPA) TO BOARD'S 4/3/87
MEMORANDUM AND ORDER (Proposed Order Concerning Standardized Computer Filing
Formats)

have been sent to the names listed below this 27th day of April, 1987,
by: ~~Express Mail~~ where indicated by * and First Class Mail elsewhere.
Federal Express

* Administrative Judge Peter E. Bloch
U. S. Nuclear Regulatory Commission
4350 East/West Highway, 4th Floor
Bethesda, Maryland 20814

Thomas G. Dignan, Jr., Esq.
Ropes & Gray
225 Franklin Street
Boston, Massachusetts 02110

Judge Elizabeth B. Johnson
Oak Ridge National Laboratory
P. O. Box X, Building 3500
Oak Ridge, Tennessee 37830

Geary S. Mizuno, Esq.
Office of Executive Legal
Director
U. S. Nuclear Regulatory
Commission
Washington, D. C. 20555

Dr. Kenneth A. McCollom
1107 West Knapp Street
Stillwater, Oklahoma 74075

Chairman, Atomic Safety and Licensing
Board Panel
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Dr. Walter H. Jordan
881 W. Outer Drive
Oak Ridge, Tennessee 37830

Chairman
Atomic Safety and Licensing Appeal
Board Panel
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Mr. Robert Martin
Regional Administrator, Region IV
U. S. Nuclear Regulatory Commission
611 Ryan Plaza Dr., Suite 1000
Arlington, Texas 76011

Lanny A. Sinkin
Christic Institute
1324 North Capitol Street
Washington, D. C. 20002

Dr. David H. Boltz
2012 S. Polk
Dallas, Texas 75224

William Council, Vice President
Texas Utilities Generating Company
Skyway Tower
400 North Olive St., L.B. 81
Dallas, Texas 75201

Docketing and Service Section
(3 copies)
Office of the Secretary
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

* Ms. Billie P. Garde
Government Accountability Project
Midwest Office
104 E. Wisconsin
Appleton, Wisconsin 54915-8605

Renea Hicks, Esq.
Assistant Attorney General
Environmental Protection Division
Supreme Court Building
Austin, Texas 78711

* Anthony Z. Roisman, Esq.
1401 New York Ave., N.W., Suite 600
Washington, D. C. 20005

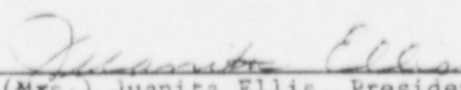
Mr. Herman Alderman
Staff Engineer
Advisory Committee for Reactor
Safeguards (MS H-1016)
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Robert A. Wooldridge, Esq.
Worsham, Forsythe, Sampels
& Wooldridge
2001 Bryan Tower, Suite 3200
Dallas, Texas 75201

Robert A. Jablon, Esq.
Spiegel & McDiarmid
1350 New York Avenue, N.W.
Washington, D. C. 20005-4798

Ms. Nancy H. Williams
Project Manager
Cygn Energy Services
101 California Street, Suite 1000
San Francisco, California
94111-5894

Mark D. Nozette, Counselor at Law
Heron, Burchette, Ruckert & Rothwell
1025 Thomas Jefferson Street, N. W.,
Suite 700
Washington, D. C. 20007


(Mrs.) Juanita Ellis, President
CASE (Citizens Association for Sound Energy)
1426 S. Polk
Dallas, Texas 75224
214/946-9446