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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
before the
ATOMIC SAFETY AND LICENSING BOARD

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

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' OBJECTION IN THE NATURE OF A
MOTION IN LIMINE TO A PORTION OF
THE PREFILED TESTIMONY OF T. MICHAEL CARTER

Applicants move this Board in the nature of a motion in limine to exclude as evidence in this proceeding portions of the "Testimony of T. Michael Carter on Behalf of James M. Shannon, Attorney General for the Commonwealth of Massachusetts Concerning Contentions JI 13B; JI 27G; JI 36; MAG EX-9" [hereinafter "Testimony"]. In support of their motion, Applicants say that the portions of the Testimony in question are not material or relevant to the issues before this Board.

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ARGUMENT

Two portions of the Testimony are not material or relevant to any issue presently before this Board. First, the two complete paragraphs on page 19 of the Testimony assert that messages need to be repeated frequently through a number of channels. This testimony is outside the scope of any admitted contention or basis. Nor does this portion of the Testimony address the issues raised in JI Contention 35.¹ Furthermore, Mass AG did not raise this issue in any of his responses to discovery. It should be excluded.

Second, the section of the Testimony, entitled "The Adequacy of the Procedures in the SPMC and the Procedures Actually Utilized During the June, 1988 Exercise for the Handling of the News Media," beginning on page 39 and ending on page 41, proclaims the need for the development of comprehensive plans for handling disruptive news media personnel. This testimony appears to be aimed at addressing the assertions set forth in JI Contention 36 Basis A. That basis asserts:

No provision has been made in the SPMC for the news media at the Emergency Operations Facility ("EOF"). The Media Center is located in the Town Hall, Newington, New Hampshire (Plan 3.7-6) which is three to four miles from the EOF and the EOC (Plan 5.1-2). However, the Public Information Advisor who is responsible for issuing news releases and directing public information activities is located at the EOC and not the Media Center. No adequate

¹ The Testimony, through its title, purports to only address JI 13B, JI 27G, JI 36 and MAG EX-9. The exclusion of JI 35 in the title was presumably an oversight.

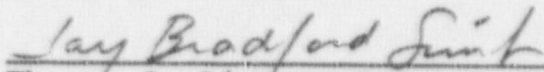
procedures for coordinating the activities of the public information staff at the EOC and the personnel at the Media Center are provided. Adequate procedures also do not exist for the coordination of the activities of Media relations representatives who will be communicating directly with the press by telephone.

This basis deals with procedures for coordinating the activities of the ORO in presenting public information to the media, not with the disruptive effects of the media the witness alleges will occur at the Media Center.² Mass AG did not indicate otherwise in his responses to discovery. Consequently, the Testimony is irrelevant and should be excluded.

CONCLUSION

For the reasons stated above, the above-noted portions of the Testimony should be excluded.

Respectfully submitted,


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² Indeed, the Testimony seems to criticize the idea of allowing media personnel at the EOC, the very change in the SPMC which Basis A seems to demand be made.