

MEMORANDUM

TO: TOM KOTOSKE, J. RANDALL JONES, D. McCREA AND NIK
SKRINJARIC

FROM: CHARLES H. McCREA, SR. 

RE: TELEPHONE CONVERSATION WITH ED COLMER, GENERAL COUNSEL
OF EDISON ELECTRIC INSTITUTE (EEI)

DATE: OCTOBER 10, 1989

Pursuant to the October 6 request of Richard Hinckley, Assistant Chief Counsel of Nevada Power Company (702/367-5626), I called Ed Colmer, who is the Assistant General Counsel of EEI in Washington (202/778-6615). Colmer had called Hinckley regarding the subpoena served upon EEI by the defendants in our case.

Colmer is appalled at the breadth of the subpoena. He has no problem with the publications or other library documents of EEI, but is concerned about internal memos and minutes of meetings of EEI committees regarding PCBs, at which plans and strategies regarding EEI's intimate involvement with government agencies in the promulgation of rules regarding PCBs were discussed. EEI participated very actively in the PCB hearings and rule making sessions, and doubtless the defendants are looking for any industry trade association activity to which they can tie Nevada Power.

Colmer was not particularly well informed about our case and had never heard of the Chattanooga case. I explained a little of what our case is about and told him, in response to an expressed

concern, that he need have very little concern that any of the documents he might produce would compromise Nevada Power. He confirmed that Nevada Power has been a non-participant in any EEI proceedings regarding PCBs; he said Nevada Power rarely attend meetings on anything.

He asked me whether Nevada Power was a member of the Utility Solids Waste Activities Group, which he described as an independently funded organization related to EEI. I said I did not know, but thought that Nevada Power was not, inasmuch as USWAG was not among the entities mentioned when we specifically asked Fabbi and Reddaway what industry organizations Nevada Power belonged to.

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