

August 3, 2006

Michael C. Farrar, Chairman  
Administrative Judge  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

E. Roy Hawkens  
Administrative Judge  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Nicholas G. Trikouros  
Administrative Judge  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

In the Matter of  
DALE L MILLER  
Docket No. IA 05-053, ASLBP No. 06-846-02

Dear Administrative Judges:

On Monday, July 31, 2006, the NRC staff filed "NRC Staff's Application for Issuance of a Subpoena" requesting a subpoena for Rebecca Slyker. The subpoena attached to that application mistakenly scheduled Ms. Slyker's deposition for August 8, 2006. However, the agreed upon date with Ms. Slyker and her counsel is August 7, 2006 at 4:00 PM. Please find attached a modified subpoena reflecting the correct date of the deposition.

Sincerely,

***/RA by Mary C. Baty/***

Sara E. Brock  
Mary C. Baty  
Michael A. Spencer  
Counsel for the NRC Staff

Attachment: As stated.

cc: Jane G. Penny  
Thomas W. Scott  
James R. Wooley  
Stephen J. Schlegelmilch

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matters of:

DALE L. MILLER

Docket No. IA-05-053

ASLBP No. 06-846-02-EA

TO: Rebecca Slyker  
c/o James R. Wooley  
Stephen J. Sclegelmilch  
Baker & Hostetler, LLP  
3200 National City Center  
1900 E. 9th Street  
Cleveland, OH 44114-3486

YOU ARE HEREBY COMMANDED to appear to testify at a deposition in the  
the above captioned proceeding.  
to be conducted at Davis-Besse Nuclear Power Station  
5501 North State Route 2, Oak Harbor, OH 43449  
on the 7th day of August, 20 06 at 4:00 PM .

BY ORDER OF THE ATOMIC SAFETY AND LICENSING BOARD

BY: \_\_\_\_\_  
Michael Farrar, Chairman ASLB

\_\_\_\_\_  
Date

ATTORNEY FOR THE NRC STAFF:

Sara E. Brock/Mary C. Baty/Michael A. Spencer

TELEPHONE: 301-415-8393/301-415-1324/301-415-4073

10 C.F.R. 2.702(f)

*On motion made promptly, and in any event at or before the time specified in the subpoena for compliance by the person to whom the subpoena is directed, and on notice to the party at whose instance the subpoena is issued, the presiding officer,*

*or, if he is unavailable, the Commission may: (1) Quash or modify the subpoena if it is unreasonable or requires evidence not relevant to any matter in issue, or (2) Condition denial of the motion on just and reasonable terms.*