

the circumstances, simply rescheduling the deposition of Mr. Geisen in the above-captioned proceedings for the first two weeks of October 2006 would not resolve all of the issues that Mr. Geisen has raised in his pending Motion to Quash Subpoena, including his need for further discovery beyond simply the possible production of an unredacted Office of Investigations Report dated August 22, 2003, which is the subject of a pending Motion to Compel in *David Geisen*, IA-05-052, ASLBP No. 06-845-01-EA. Thus, the parties were unable to reach an agreement regarding the deposition of Mr. Geisen that would render his pending Motion to Quash Subpoena moot.

Respectfully Submitted,

/RA by Sara E. Brock/

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

***/RA by Sara E. Brock
for Charles McAleer/***

Charles F.B. McAleer, Jr.
Counsel for Mr. Geisen

***/RA by Sara E. Brock
for Jane Penny/***

Jane G. Penny
Counsel for Mr. Moffitt

Dated at Rockville, Maryland
this 31st day of August, 2006

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matters of)	
)	
DALE L. MILLER)	Docket No. IA-05-053
)	ASLBP No. 06-846-02-EA
)	
STEVEN P. MOFFITT)	Docket No. IA-05-054
)	ASLBP No. 06-846-02-EA
)	

CERTIFICATE OF SERVICE

I hereby certify that copies of "JOINT STATUS REPORT REGARDING DISCUSSIONS ON SCHEDULING THE DEPOSITION OF DAVID GEISEN" in the above captioned proceeding have been served on the following persons by deposit in the United States mail; through deposit in the Nuclear Regulatory Commission internal mail system as indicated by an asterisk (*); and by electronic mail as indicated by a double asterisk (**) on this 31st day of August , 2006.

Michael C. Farrar * **
Administrative Judge, Chair
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Mail Stop: T-3 F23
Washington, D.C. 20555-0001
E-Mail: mcf@nrc.gov

Nicholas G. Trikourous * **
Administrative Judge
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Mail Stop: T-3 F23
Washington, D.C. 20555-0001
E-Mail: ngt@nrc.gov

E. Roy Hawkens * **
Chief Administrative Judge
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Mail Stop: T-3 F23
Washington, D.C. 20555-0001
E-Mail: erh@nrc.gov

Office of the Secretary * **
Attn: Rulemaking and Adjudications Staff
U.S. Nuclear Regulatory Commission
Mail Stop: O-16 C1
Washington, D.C. 20555
E-mail: hearingdocket@nrc.gov

Adjudicatory File *
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Mail Stop: T-3 F23
Washington, D.C. 20555

Jane G. Penny * **
Thomas W. Scott * **
Killian & Gephart, LLP
218 Pine Street
P.O. Box 886
Harrisburg, PA 17108-0886
E-mail: jpenny@killiangephart.com
tscott@killiangephart.com

Office of Commission Appellate Adjudication *
U.S. Nuclear Regulatory Commission
Mail Stop: O-16 C1
Washington, D.C. 20555

Libby Perch * **
Board Staff
Atomic Safety and Licensing Board Panel
Mail Stop: T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
E-mail: emp1@nrc.gov

Richard A. Hibey, Esq. **
Charles F.B. McAleer, Jr., Esq.
Andrew T. Wise, Esq.
Mathew T. Reinhard, Esq.
Miller & Chevalier
655 Fifteenth Street, N.W., Suite 900
Washington, D.C. 20005-5701
E-Mail: rhibey@milchev.com
cmcaleer@milchev.com
awise@milchev.com
mreinhard@milchev.com

/RA/

Sara E. Brock
Counsel for NRC Staff