

January 22, 2007

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	
DAVID GEISEN)	Docket No. IA-05-052
)	
)	ASLBP No. 06-845-01-EA

NRC STAFF'S APPLICATION FOR THE ISSUANCE OF A SUBPOENA
TO RANDALL ROSSOMME

INTRODUCTION

Pursuant to 10 C.F.R. § 2.702(a) of the Commission's regulations, the Staff of the Nuclear Regulatory Commission (Staff) requests that the Atomic Safety and Licensing Board (Board), designated in the above-captioned proceedings, issue a subpoena, attached hereto, requiring Randall Rossomme, to attend and give testimony at a deposition.

DISCUSSION

The Staff requests the Board to issue a subpoena for Randall Rossomme in order to ensure the Staff's ability to depose this individual on the date specified. Mr. Rossomme's testimony is relevant to issues raised by this enforcement proceeding. Mr. Rossomme, as a FirstEnergy Nuclear Operating Company (FENOC) employee, interviewed Mr. Geisen and other Davis-Besse personnel as part of FENOC's investigation of the head degradation event at Davis-Besse.

CONCLUSION

In light of the foregoing, the Staff requests the Board to issue the attached subpoena to Mr. Rossomme.

Respectfully submitted,

/RA by Mary C. Baty/

Mary C. Baty
Counsel for the NRC Staff

Dated at Rockville, MD
this 22nd day January, 2007

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of:

David Geisen

Docket No. IA-05-052
ASLBP No. 06-845-01-EA

TO: Randall Rossomme
c/o Donald P. Ferraro
Timothy P. Matthews
1111 Pennsylvania Ave, N.W.
Washington, D.C. 20004

YOU ARE HEREBY COMMANDED to appear to testify at a deposition in
the above captioned proceeding
to be conducted at the U.S. Nuclear Regulatory Commission Headquarters,
11555 Rockville Pike, Rockville, MD 20852
on the 13th day of February, 2007 at 1:00 PM.

BY ORDER OF THE ATOMIC SAFETY AND LICENSING BOARD

BY: _____
Michael C. Farrar, Chairman ASLB

Date

ATTORNEY FOR THE NRC STAFF:

Michael A. Spencer/Mary C. Baty

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

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.

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NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
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CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF'S APPLICATION FOR ISSUANCE OF A SUBPOENA TO RANDALL ROSSOMME" 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 22nd day of January, 2007.

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

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

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

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

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

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
awise@milchev.com
mreinhard@milchev.com

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

Margaret Parish * **
Board Law Clerk
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Mail Stop: T-3 F23
Washington, D.C. 20555
E-Mail: map4@nrc.gov

Donald P. Ferraro * **
Timothy P. Matthews * **
Morgan, Lewis & Bockius, LLP
1111 Pennsylvania Ave, N.W.
Washington, D.C. 20004
dferraro@morganlewis.com
tmattthews@morganlewis.com

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

/RA by Mary C. Baty/

Mary C. Baty
Counsel for the NRC Staff