

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of	§	
	§	
HOUSTON LIGHTING & POWER COMPANY	§	Docket Nos. 50-498A
THE CITY OF SAN ANTONIO	§	50-499A
THE CITY OF AUSTIN and	§	
CENTRAL POWER AND LIGHT COMPANY	§	
	§	
(South Texas Project, Units Nos.	§	
1 and 2)		

APPLICATION FOR ISSUANCE OF SUBPOENAS

Houston Lighting and Power Company, pursuant to 10 C.F.R. §§2.740, and 2.741, applies for the issuance of the attached Subpoenas, which call for a deposition requiring the attendance of the party listed, and for production of documents. The testimony and document production sought encompasses, but is not limited to, the testimony to be given in the instant proceeding, interest in and awareness of nuclear power projects, interconnections and operations involving interstate systems and the Texas Interconnected Systems, bulk electric power supply, transmission planning, and fuel supply for electrical generation of electricity.

1551 242

Subpoenas

- (1) North Bardell, City of College Station
- (2) Lorence Bravenec, City of College Station
- (3) Keeper of the Records, City of College Station

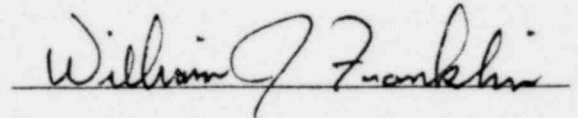
m

7912130

313

Respectfully submitted,

Dated: December 4, 1979

A handwritten signature in cursive script, reading "William J. Franklin", written over a horizontal line.

Attorney for Houston Lighting  
& Power Company

Baker & Botts  
3000 One Shell Plaza  
Houston, Texas 77002

Lowenstein, Newman, Reis,  
Axelrad & Toll  
1025 Connecticut Avenue, N.W.  
Washington, D.C. 20036

1551 243



BY ORDER OF THE ATOMIC SAFETY  
AND LICENSING BOARD

By \_\_\_\_\_

\_\_\_\_\_

. . . . ., 19. .

J. Gregory Copeland  
Attorney for Houston Lighting  
& Power Company  
BAKER & BOTTS  
3000 One Shell Plaza  
Houston, Texas 77002  
(713) 229-1234

---

10 C.F.R. 2.720(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 was 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.

1551 245

SCHEDULE TO SUBPOENA

1. All documents referring or relating to or setting forth instances of competition with (1) Houston Lighting & Power Company and/or (2) Texas Power & Light Company and/or (3) Texas Electric Service Company, and/or (4) Dallas Power & Light Company; and any communications with any of the aforementioned entities.

2. All documents provided to or received from the U.S. Department of Justice or the U.S. Nuclear Regulatory Commission in connection with this action or the licensing of any nuclear powered electric generation plant. All documents referring or relating to or setting forth meetings or conversations with any attorney for or employee of the U.S. Department of Justice or U.S. Nuclear Regulatory Commission.

3. All documents provided to or received from an attorney for or an employee of: (1) the Public Utilities Board of the City of Brownsville, Texas; (2) Tex-La Electric Cooperative, Inc.; (3) the Committee on Power for the Southwest; (4) Tex-La of Texas, Inc.; (5) C. H. Guernsey Corporation; (6) Central and Southwest Corporation and/or any of its subsidiaries including without limitation Central Power and Light Company, West Texas Utilities Company, Public Service Company of Oklahoma and Southwestern Electric Power Company; and any documents referring or relating to or setting forth meetings or conversations with any of the aforementioned entities.

4. All documents referring or relating to or setting forth consideration given to ownership, or any other form of participation, in any nuclear power electric generating plant.

5. All documents referring or relating to or setting forth the desirability or feasibility of interconnecting the electric systems in the Texas Interconnected Systems and the Electric Reliability Council of Texas and (1) the Southwest Power Pool, and/or (2) Western Systems Coordinating Council.

6. All documents referring or relating to or setting forth any adverse effects resulting from the present lack of interconnections between the Texas Interconnected Systems and/or the Electric Reliability Council of Texas with (1) the Southwest Power Pool and/or (2) the Western Systems Coordinating Council.

1551 246

7. All documents referring or relating to or setting forth each bulk power supply plan prepared by or for City of College Station since January 1, 1973.

8. All documents referring or relating to or setting forth each transmission study developed by or for the City of College Station in connection with any of the bulk power supply plans covered in item number 7 above.

9. All documents referring or relating to or setting forth correspondence or contracts between City of College Station and any electric utility or electric cooperative concerning the purchase and/or sale of electric power.

10. All documents referring or relating to or setting forth any correspondence or contracts between City of College Station and any electric utility or electric cooperative concerning the purchase and/or sale of fuel to be used for the generating of electric power.

11. All documents referring or relating to or setting forth any aspect of the decision of the City of College Station to change its wholesale supplier from the City of Bryan to Gulf States Utilities, including all engineering, economic, or other studies.

1551 247

### Instructions

The period of time for which documents are requested includes the entire period from January 1, 1970 to the date on which documents are made available for inspection and copying by Houston Lighting & Power Company or Texas Utilities Generating Company or their representatives.

Houston Lighting & Power Company and Texas Utilities Generating Company request that the Keeper of the Records identify the specific request or requests to which each document is responsive. Where possible, the Keeper of the Records is requested to maintain the integrity of its filing and recordkeeping systems by producing together documents responsive to this subpoena which are found together in the Keeper of the Records' files.

If you claim that any document requested hereunder is privileged, with respect to each such document, please provide the following:

- (a) date;
- (b) type of document;
- (c) identity of author and addresses;
- (d) present location and custodian;
- (e) any other description necessary to enable the custodian to locate the particular document;
- (f) the basis for the claimed privilege; and
- (g) a detailed description of the nature of any judicial protection alleged to be necessary to protect the privilege or confidential nature of any such document.

"Documents" means, without limiting the generality of its meaning, all or original (or copies where originals are unavailable) and non-identical copies (whether different from originals by reason of notation made on such copies or otherwise) of all written, recorded or graphic matter, however produced or reproduced, whether or not now in existence, of correspondence, telegrams, notes or sound recordings of any type of conversation, meeting or conference, minutes of directors' or committee meetings, memoranda, inter-office communications, studies, analyses, notes, books, records, reports, summaries and results of investigations and tests, reviews, contracts, agreement, pamphlets, diaries, calendar

or diary entries, maps, graphs, charts, statistical records, computer data or papers similar to any of the foregoing, however denominated, including preliminary versions, drafts or revisions of any of the foregoing and any supporting, underlying or preparatory material.

1551 249



RETURN ON SERVICE

Received this subpoena at . . . . . on  
. . . . . and on. . . . . at. . . . .  
. . . . . served it on the within named. . . .  
. . . . . by delivering a copy to h. . . and  
tendering to h. . . the fee for one day's attendance and  
the mileage allowed by law.

Dated . . . . . 19. . . . . By . . . . .

Service Fees

Travel. . . . . \$

Services. . . . . \$

Total. . . . . \$

Subscribed and sworn to before me, a . . . . .  
this. . . . . day of. . . . ., 19. . . . .

1551 250

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of  
HOUSTON LIGHTING & POWER COMPANY  
THE CITY OF SAN ANTONIO  
THE CITY OF AUSTIN and  
CENTRAL POWER AND LIGHT COMPANY  
  
(South Texas Project, Units Nos.  
1 and 2)

§  
§  
§ Docket Nos. 50-498A  
§ 50-499A  
§  
§  
§  
§  
§

SUBPOENA

TO: Lorence Bravenec  
Mayor  
City of College Station  
P. O. Box 9960  
1101 Texas Avenue  
College Station, Texas 77840

YOU ARE HEREBY COMMANDED, pursuant to the Atomic Energy Act of 1954, as amended, and 10 C.F.R. §2.720, to appear at the Ramada Inn, 410 South Texas Ave. in the City of College Station, TX on the 14th day of December, 1979 at 9:30 AM (and thereafter from day to day, if necessary) to testify by deposition on oral examination in the above-entitled action, and to bring with you the document(s) or object(s) described in the attached schedule. Your testimony will be required as to the testimony you may give in the trial of this action, all matters relating thereto, and all subject matters covered in the attached schedule.

1551 251

BY ORDER OF THE ATOMIC SAFETY  
AND LICENSING BOARD

By \_\_\_\_\_

\_\_\_\_\_

. . . . ., 19. .

J. Gregory Copeland  
Attorney for Houston Lighting  
& Power Company  
BAKER & BOTTS  
3000 One Shell Plaza  
Houston, Texas 77002  
(713) 229-1234

---

10 C.F.R. 2.720(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 was 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.

1551 252

SCHEDULE TO SUBPOENA

1. All documents referring or relating to or setting forth instances of competition with (1) Houston Lighting & Power Company and/or (2) Texas Power & Light Company and/or (3) Texas Electric Service Company, and/or (4) Dallas Power & Light Company; and any communications with any of the aforementioned entities.

2. All documents provided to or received from the U.S. Department of Justice or the U.S. Nuclear Regulatory Commission in connection with this action or the licensing of any nuclear powered electric generation plant. All documents referring or relating to or setting forth meetings or conversations with any attorney for or employee of the U.S. Department of Justice or U.S. Nuclear Regulatory Commission.

3. All documents provided to or received from an attorney for or an employee of: (1) the Public Utilities Board of the City of Brownsville, Texas; (2) Tex-La Electric Cooperative, Inc.; (3) the Committee on Power for the Southwest; (4) Tex-La of Texas, Inc.; (5) C. H. Guernsey Corporation; (6) Central and Southwest Corporation and/or any of its subsidiaries including without limitation Central Power and Light Company, West Texas Utilities Company, Public Service Company of Oklahoma and Southwestern Electric Power Company; and any documents referring or relating to or setting forth meetings or conversations with any of the aforementioned entities.

4. All documents referring or relating to or setting forth consideration given to ownership, or any other form of participation, in any nuclear power electric generating plant.

5. All documents referring or relating to or setting forth the desirability or feasibility of interconnecting the electric systems in the Texas Interconnected Systems and the Electric Reliability Council of Texas and (1) the Southwest Power Pool, and/or (2) Western Systems Coordinating Council.

6. All documents referring or relating to or setting forth any adverse effects resulting from the present lack of interconnections between the Texas Interconnected Systems and/or the Electric Reliability Council of Texas with (1) the Southwest Power Pool and/or (2) the Western Systems Coordinating Council.

1551 253

7. All documents referring or relating to or setting forth each bulk power supply plan prepared by or for City of College Station since January 1, 1973.

8. All documents referring or relating to or setting forth each transmission study developed by or for the City of College Station in connection with any of the bulk power supply plans covered in item number 7 above.

9. All documents referring or relating to or setting forth correspondence or contracts between City of College Station and any electric utility or electric cooperative concerning the purchase and/or sale of electric power.

10. All documents referring or relating to or setting forth any correspondence or contracts between City of College Station and any electric utility or electric cooperative concerning the purchase and/or sale of fuel to be used for the generating of electric power.

11. All documents referring or relating to or setting forth any aspect of the decision of the City of College Station to change its wholesale supplier from the City of Bryan to Gulf States Utilities, including all engineering, economic, or other studies.

1551 254

## Instructions

The period of time for which documents are requested includes the entire period from January 1, 1970 to the date on which documents are made available for inspection and copying by Houston Lighting & Power Company or Texas Utilities Generating Company or their representatives.

Houston Lighting & Power Company and Texas Utilities Generating Company request that the Keeper of the Records identify the specific request or requests to which each document is responsive. Where possible, the Keeper of the Records is requested to maintain the integrity of its filing and recordkeeping systems by producing together documents responsive to this subpoena which are found together in the Keeper of the Records' files.

If you claim that any document requested hereunder is privileged, with respect to each such document, please provide the following:

- (a) date;
- (b) type of document;
- (c) identity of author and addresses;
- (d) present location and custodian;
- (e) any other description necessary to enable the custodian to locate the particular document;
- (f) the basis for the claimed privilege; and
- (g) a detailed description of the nature of any judicial protection alleged to be necessary to protect the privilege or confidential nature of any such document.

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or diary entries, maps, graphs, charts, statistical records, computer data or papers similar to any of the foregoing, however denominated, including preliminary versions, drafts or revisions of any of the foregoing and any supporting, underlying or preparatory material.

1551 256

RETURN ON SERVICE

Received this subpoena at . . . . . on  
. . . . . and on . . . . . at . . . . .  
. . . . . served it on the within named . . . .  
. . . . . by delivering a copy to h. . . and  
tendering to h. . . the fee for one day's attendance and  
the mileage allowed by law.

Dated . . . . . 19. . . . . By . . . . .

Service Fees

Travel. . . . .	\$
Services. . . . .	\$
	. . . . .
Total. . . . .	\$

Subscribed and sworn to before me, a . . . . .  
this. . . . . day of. . . . ., 19. . . . .

1551 257



UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of

HOUSTON LIGHTING & POWER COMPANY  
THE CITY OF SAN ANTONIO  
THE CITY OF AUSTIN and  
CENTRAL POWER AND LIGHT COMPANY

(South Texas Project, Units Nos.  
1 and 2)

§  
§  
§ Docket Nos. 50-498A  
§ 50-499A  
§  
§  
§  
§

SUBPOENA

TO: North Bardell  
City Manager  
City of College Station  
P. O. Box 9960  
1101 Texas Avenue  
College Station, Texas 77840

YOU ARE HEREBY COMMANDED, pursuant to the Atomic Energy Act of 1954, as amended, and 10 C.F.R. §2.720, to appear at the Ramada Inn, 410 South Texas Ave. in the City of College Station, TX. on the . 13th. . day of December, 1979 at 9:30. AM (and thereafter from day to day, if necessary) to testify by deposition on oral examination in the above-entitled action, and to bring with you the document(s) or object(s) described in the attached schedule. Your testimony will be required as to the testimony you may give in the trial of this action, all matters relating thereto, and all subject matters covered in the attached schedule.

1551 258

BY ORDER OF THE ATOMIC SAFETY  
AND LICENSING BOARD

By \_\_\_\_\_

\_\_\_\_\_  
....., 19..

J. Gregory Copeland  
Attorney for Houston Lighting  
& Power Company  
BAKER & BOTTS  
3000 One Shell Plaza  
Houston, Texas 77002  
(713)229-1234

---

10 C.F.R. 2.720(f)

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1551 259

SCHEDULE TO SUBPOENA

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6. All documents referring or relating to or setting for any adverse effects resulting from the present lack of interconnections between the Texas Interconnected Systems and/or the Electric Reliability Council of Texas with (1) the Southwest Power Pool and/or (2) the Western Systems Coordinating Council.

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1551 261

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- (a) date;
- (b) type of document;
- (c) identity of author and addresses;
- (d) present location and custodian;
- (e) any other description necessary to enable the custodian to locate the particular document;
- (f) the basis for the claimed privilege; and
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or diary entries, maps, graphs, charts, statistical records, computer data or papers similar to any of the foregoing, however denominated, including preliminary versions, drafts or revisions of any of the foregoing and any supporting, underlying or preparatory material.

1551 263

RETURN ON SERVICE

Received this subpoena at . . . . . on  
. . . . . and on. . . . . at. . . . .  
. . . . . served it on the within named. . . .  
. . . . . by delivering a copy to h. . . and  
tendering to h. . . the fee for one day's attendance and  
the mileage allowed by law.

Dated . . . . . 19. . . . . By . . . . .

Service Fees

Travel. . . . . \$  
Services. . . . . \$  
. . . . .  
Total. . . . . \$

Subscribed and sworn to before me, a . . . . .  
this. . . . . day of. . . . ., 19. . . . .

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of	)	
	)	
HOUSTON LIGHTING & POWER COMPANY	)	Docket Nos. 50-498A
et al.	)	50-499A
	)	
(South Texas Project, Units 1	)	
and 2)	)	
	)	
TEXAS UTILITIES GENERATING COMPANY	)	Docket Nos. 50-445A
et al.	)	50-446A
	)	
(Comanche Peak Steam Electric	)	
Station, Units 1 and 2)	)	

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that copies of the foregoing:

Application of Issuance of Subpoenas to North Bardell, Lorence Bravenec, and Keeper of the Records of the City of College Station, were served upon the following persons, by hand \*, or by deposit in the United States Mail, first class postage prepaid, this 4th of December, 1979.

William J Franklin

1551 265



\* Marshall E. Miller, Esquire  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

\* Michael L. Glaser, Esquire  
1150 17th Street, N.W.  
Washington, D.C. 20555

\* Sheldon J. Wolfe, Esquire  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Atomic Safety and Licensing  
Appeal Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

\* Chase R. Stephens, Supervisor (20)  
Docketing and Service Branch  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Mr. Jerome D. Saltzman  
Chief, Antitrust and Idenmity  
Group  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

J. Irion Worsham, Esquire  
Merlyn D. Sampels, Esquire  
Spencer C. Relyea, Esquire  
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2001 Bryan Tower, Suite 2500  
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San Antonio, Texas 78205

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Theodore F. Weiss, Esquire  
J. Gregory Copeland, Esquire  
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Frederic D. Chanania, Esquire  
Roy P. Lessy, Jr., Esquire  
Michael B. Blume, Esquire  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Roff Hardy  
Chairman and Chief Executive  
Officer  
Central Power and Light Company  
Post Office Box 2121  
Corpus Christi, Texas 78403

G. K. Spruce, General Manager  
City Public Service Board  
Post Office Box 1771  
San Antonio, Texas 78203

Mr. Perry G. Brittain  
President  
Texas Utilities Generating Company  
2001 Bryan Tower  
Dallas, Texas 75201

R. L. Hancock, Director  
City of Austin Electric Utility  
Post Office Box 1086  
Austin, Texas 78767

G. W. Oprea, Jr.  
Executive Vice President  
Houston Lighting & Power Company  
Post Office Box 1700  
Houston, Texas 77001

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David M. Stahl, Esquire  
Martha E. Biggs, Esquire  
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1551 266

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Washington, D.C. 20036

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City Manager  
City of Austin  
P.O. Box 1088  
Austin, Texas 78767

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Looney, Nichols, Johnson & Hays  
219 Couch Drive  
Oklahoma City, Oklahoma 73102

Knoland J. Plucknett  
Executive Director  
Committee on Power for the South-  
west, Inc.  
5541 East Skelly Drive  
Tulsa, Oklahoma 74135

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Sawtell, Goode, Davidson & Tioilo  
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San Antonio, Texas 78205

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Akin, Gump, Hauer & Feld  
1333 New Hampshire Avenue, N.W.  
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Washington, D.C. 20036

David A. Dopsovic, Esquire  
Frederick H. Parmeter, Esquire  
Susan B. Cyphert, Esquire  
Nancy A. Luque, Esquire  
Energy Section Antitrust Division  
U.S. Department of Justice  
P.O. Box 14141  
Washington, D.C. 20044

Morgan Hunter, Esquire  
Bill D. St. Clair, Esquire  
McGinnis, Lockridge & Kilgore  
Fifth Floor  
Texas State Bank Building  
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Austin, Texas 78701

W.S. Robson  
General Manager  
South Texas Electric Cooperative, Inc.  
Route 6, Building 102  
Victoria Regional Airport  
Victoria, Texas 77901

Robert C. McDiarmid, Esquire  
Robert A. Jablon, Esquire  
Marc R. Poirier, Esquire  
Spiegel & McDiarmid  
2600 Virginia Avenue, N.W.  
Washington, D.C. 20037

Kevin B. Pratt  
Texas Attorney General's Office  
P.O. Box 12548  
Austin, Texas 78711

William H. Burchette, Esquire  
Frederick H. Ritts, Esquire  
Law Offices of Northcutt Ely  
Watergate 600 Building  
Washington, D.C. 20036

Tom W. Gregg, Esquire  
P.O. Box Drawer 1032  
San Angelo, Texas 76902

Leland F. Leatherman, Esquire  
McMath, Leatherman & Woods, P.A.  
711 West Third Street  
Little Rock, Arkansas 72201

Paul W. Eaton, Jr., Esquire  
Hinkle, Cox, Eaton, Coffield &  
Hensley  
600 Henkle Building  
P.O. Box 10  
Roswell, New Mexico 88201

Robert M. Rader, Esquire  
Conner, Moore & Corber  
1747 Pennsylvania Avenue, N.W.  
Washington, D.C. 20006

W.N. Woolsey, Esquire  
Dyer and Redford  
1030 Petroleum  
Corpus Christi, Texas 78474

1551 267

Donald M. Clements, Esquire  
Gulf States Utilities Company  
P.O. Box 2951  
Beaumont, Texas 77704

Dick Terrell Brown, Esquire  
800 Milam Building  
San Antonio, Texas 78205

Anne P. Hodgdon, Esquire  
Office of the Executive Legal  
Director  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

1551 268