

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of )  
)  
)

HOUSTON LIGHTING AND POWER )  
CO., et al. (South Texas )  
Project, Units 1 and 2) )  
)

Docket Nos. 50-498A  
50-499A

TEXAS UTILITIES GENERATING )  
COMPANY (Comanche Peak Steam )  
Electric Station, Units 1 )  
and 2) )  
)

Docket Nos. 50-445A  
50-446A

JOINT APPLICATION FOR ISSUANCE OF SUBPOENAS

The Department of Justice and the Staff of the Nuclear Regulatory Commission, pursuant to 10 CFR §2.720, hereby make a joint application for the issuance of subpoenas, identified hereinafter and attached to this application.

These subpoenas call for the giving of testimony and the production of documents which are relevant to the issue of competition in the electric utility industry in the State of Texas and surrounding states, the structure of the electric utility industry in and reasonably adjacent to the State of Texas, access to nuclear power plants, other sources of generation and transmission and the interstate

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versus intrastate operation of electric utilities in and around the State of Texas.

All of the depositions listed in this application are scheduled to take place before the present October 30, 1979 close of discovery.

Subpoenas for Deposition

1. J.B. Swinke, Tex-La Cooperative
2. William Marquardt, Texas Electric Service Company
3. R.L. Evans, Houston Lighting and Power Company
4. Donald D. Sykora, Houston Lighting and Power Company
5. D.E. Simmons, Houston Lighting and Power Company
6. Harold Arnold, City Public Service Board of San Antonio
7. W.F. Dreiss, City Public Service Board of San Antonio
8. Jesse B. Poston, City Public Service Board of San Antonio
9. E. Bendele, City Public Service Board of San Antonio
10. Art Wilson, City Public Service Board of San Antonio
11. J.K. Spruce, City Public Service Board of San Antonio
12. Robert Mecke, City Public Service Board of San Antonio
13. F.W. Payett, City Public Service Board of San Antonio

14. H.L. Peterson, City of Austin Electric Utility  
Department
15. E.L. Rummel, City of Austin Electric Utility  
Department
16. R.L. Hancock, City of Austin Electric Utility  
Department
17. Joel Fogers, Texas Municipal Power Authority
18. Edward Geer, Texas Municipal Power Authority  
Authority
19. Sim Gideon, Lower Colorado River Authority
20. Ralph Heyler, Lower Colorado River Authority

Subpoenas for the Production of Documents

1. R.D. Ledbetter, Texas Electric Service Company
2. William Marquardt, Texas Electric Service Company
3. D.E. Simmons, Houston Lighting and Power  
Company
4. Art Wilson, City Public Service Board of San  
Antonio
5. J.K. Spruce, City Public Service Board of San  
Antonio
6. Robert Mecke, City Public Service Board of  
San Antonio
7. F.W. Payett, City Public Service Board of San  
Antonio
8. H.L. Peterson, Houston Lighting and Power Company
9. R.L. Hancock, City of Austin Electric Utility  
Department

10. Sim Gideon, Lower Colorado River Authority
11. Ralph Heyler, Lower Colorado River Authority
12. Charles Herring, Lower Colorado River Authority

Respectfully submitted,

Roy P. Lessy (RF)  
Roy P. Lessy, Jr.  
Michael B. Blume  
Counsel for NRC Staff  
U.S. Nuclear Regulatory  
Commission  
Washington, D.C. 20555

Judith L. Harris  
Judith L. Harris  
Susan B. Cyphert  
Ronald H. Clark  
Frederick H. Parmenter  
Attorneys, U.S. Dept.  
of Justice  
Antitrust Division  
Washington, D.C. 20530

July 3, 1979

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of )  
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HOUSTON LIGHTING AND POWER )  
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Docket Nos. 50-498A  
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TEXAS UTILITIES GENERATING )  
COMPANY (Comanche Peak Steam )  
Electric Station, Units 1 )  
and 2) )  
)

Docket Nos. 50-445A  
50-446A

CERTIFICATE OF SERVICE

I hereby certify that service of the foregoing JOINT APPLICATION FOR ISSUANCE OF SUBPOENAS has been made on the following parties listed hereto this 3rd day of July, 1979, by depositing copies thereof in the United States mail, first class, postage prepaid, and where asterisks appear, service has been made by hand.

Marshall E. Miller, Esquire\*  
Chairman  
Atomic Safety & Licensing Board  
Panel  
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

Michael L. Glaser, Esquire \*  
1150 17th Street, N.W.  
Washington, D. C. 20036

Richard S. Salzman, Esquire  
U.S. Nuclear Regulatory  
Commission  
Washington, D. C. 20555

Sheldon J. Wolfe, Esquire\*  
Atomic Safety & Licensing Board  
Panel  
U.S. Nuclear Regulatory  
Commission  
Washington, D. C. 20555

Jerome E. Sharfman, Esquire  
U.S. Nuclear Regulatory  
Commission  
Washington, D. C. 20555

Samuel J. Chilk, Secretary  
Office of the Secretary of the  
Commission  
U.S. Nuclear Regulatory  
Commission  
Washington, D. C. 20555

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

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

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Roff Hardy  
Chairman and Chief Executive  
Officer  
Central Power and Light  
Company  
P. O. Box 2121  
Corpus Christi, Texas 78403

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

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

R.L. Hancock, Director  
City of Austin Electric  
Utility Department  
P. O. Box 1088  
Austin, Texas 78767

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

Jon C. Wood, Esquire  
W. Roger Wilson, Esquire  
Matthews, Nowlin, Macfarlane  
& Barrett  
1500 Alamo National Building  
San Antonio, Texas 78205

Joseph Gallo, Esquire  
Richard D. Cudahy, Esquire  
Robert H. Loeffler, Esquire  
Isham, Lincoln & Beale  
Suite 701  
1050 17th Street, N.W.  
Washington, D. C. 20036

Michael I. Miller, Esquire  
Richard E. Powell, Esquire  
David M. Stahl, Esquire  
Thomas G. Ryan, Esquire  
Martha E. Gibbs, Esquire  
Isham, Lincoln & Beale  
One First National Plaza  
Chicago, Illinois 60603

Roy P. Lessy, Esquire  
Michael Blume, Esquire  
U.S. Nuclear Regulatory  
Commission  
Washington, D. C. 20555

Jerry L. Harris, Esquire  
City Attorney,  
Richard C. Balough, Esquire  
Assistant City Attorney  
City of Austin  
P.O. Box 1088  
Austin, Texas 78767

Robert C. McDiarmid, Esquire  
Robert A. Jablon, Esquire  
Spiegel and McDiarmid  
2600 Virginia Avenue, N.W.  
Washington, D. C. 20036

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

Don R. Butler, Esquire  
1225 Southwest Tower  
Austin, Texas 78701

Joseph Irion Worsham, Esquire  
Merlyn D. Sampels, Esquire  
Spencer C. Relyea, Esquire  
Worsham, Forsythe & Sampels  
2001 Bryan Tower, Suite 2500  
Dallas, Texas 75201

Joseph Knotts, Esquire  
Nicholas S. Reynolds, Esquire  
Debevoise & Liberman  
1200 17 Street, N.W.  
Washington, D. C. 20036

Douglas F. John, Esquire  
Akin, Gump, Hauer & Feld  
1333 New Hampshire Avenue, N.W.  
Suite 400  
Washington, D. C. 20036

Morgan Hunter, Esquire  
McGinnis, Lochridge & Kilgore  
5th Floor, Texas State Bank  
Building  
900 Congress Avenue  
Austin, Texas 78701

Jay M. Galt, Esquire  
Looney, Nichols, Johnson  
& Hayes  
219 Couch Drive  
Oklahoma City, Oklahoma 73101

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

Sonn W. Davidson, Esquire  
Sawtelle, Goode, Davidson  
& Tioilo  
1100 San Antonio Savings  
Building  
San Antonio, Texas 78205

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

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

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

R. Gordon Gooch, Esquire  
John P. Mathis, Esquire  
Baker & Botts  
1701 Pennsylvania Avenue, N.W.  
Washington, D. C. 20006

Robert Lowenstein, Esquire  
J. A. Bouknight, Esquire  
William J. Franklin, Esquire  
Lowenstein, Newman, Reis,  
Axelrad & Toll  
1025 Connecticut Avenue, N.W.  
Washington, D. C. 20036

E. W. Barnett, Esquire  
Charles G. Thrash, Jr., Esquire  
J. Gregory Copeland, Esquire  
Theodore F. Weiss, Jr., Esquire  
Baker & Botts  
3000 One Shell Plaza  
Houston, Texas 77002

Kevin B. Pratt, Esquire  
Assistant Attorney General  
P.O. Box 12548  
Capital Station  
Austin, Texas 78711

Frederick H. Ritts, Esquire  
Law Offices of Northcutt Ely  
Watergate 600 Building  
Washington, D.C. 20037

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

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

*Judith L. Harris*  
Judith L. Harris Attorney  
Energy Division  
Antitrust Division  
Department of Justice

# 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)  
TO

DOCKET NOS. 50-498A  
50-499A

J. B. Swinke  
Tex-La Electric Cooperative  
P.O. Box 398  
Quitman, Texas

YOU ARE HEREBY COMMANDED to appear  
at Room 8C6, 1100 Commerce Street

in the city of Dallas, Texas  
on the 9th day of AUGUST 1979 at ONE o'clock P.M.  
to testify

in the above entitled action (and thereafter from day to day,  
if necessary).

## POOR ORIGINAL

BY ORDER OF THE ATOMIC SAFETY AND LICENSING BOARD

BY \_\_\_\_\_

Susan B. Cyphert  
Ronald H. Clark

Attorney for Antitrust Division  
United States Department of Justice  
Washington, D.C. 20530

Telephone (202) 724-6472/6 61  
(202) 724-6616

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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 sub-  
poena 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 sub-  
poena if it is unreasonable or requires evidence  
not relevant to any matter in issue, or (2) con-  
dition denial of the motion on just and reasonable  
terms.

# 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)  
To

DOCKET NOS. 50-498A  
50-499A

R. L. Evans  
Houston Lighting and Power Company  
P.O. Box 1700  
Houston, Texas 77001

YOU ARE HEREBY COMMANDED to appear

at Room .....12000, 515 Rusk.....

in the city of.....Houston, Texas.....

on the...10th...day of...September.....19.79...at...9:30...o'clock A.M.  
to testify

in the above entitled action (and thereafter from day to  
day, if necessary).

BY ORDER OF THE ATOMIC SAFETY AND LICENSING BOARD

BY \_\_\_\_\_

Susan B. Cyphert  
Ronald H. Clark

Attorney for Antitrust Division  
United States Department of Justice  
Washington, D.C. 20530  
Telephone... (202) 724-6472/6361  
(202) 724-6616

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10 C.F.R. 2.726 (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 sub-  
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# 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)  
To

DOCKET NOS. 50-498A  
50-499A

Donald D. Sykora  
Houston Lighting and Power Company  
P.O. Box 1700  
Houston, Texas 77001

YOU ARE HEREBY COMMANDED to appear

at Room 12000, 515 Rusk

in the city of Houston, Texas

on the 10th day of September, 1979 at 1:30 o'clock P.M.  
to testify

in the above entitled action (and thereafter from day to  
day, if necessary).

BY ORDER OF THE ATOMIC SAFETY AND LICENSING BOARD

BY \_\_\_\_\_  
\_\_\_\_\_

Susan B. Cypher+  
Ronald H. Clark

Attorney for Antitrust Division  
United States Department of Justice  
Washington, D.C. 20530  
Telephone (202) 724-6472/6361  
(202) 724-6616

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368 265

10 C.F.R. 2.720 (f)

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# 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)  
T()

DOCKET NOS. 50-498A  
50-499A

Harold Arnold  
City Public Service Board  
of San Antonio  
P.O. Box 4771  
145 Navarro Street  
San Antonio, Texas 78296

YOU ARE HEREBY COMMANDED to appear

at Room G-13, 665 E. Durango Blvd.

in the city of San Antonio, Texas

on the 24th day of September 1979 at 10:30 o'clock A.M.  
to testify

in the above entitled action (and thereafter from day to  
day, if necessary).

BY ORDER OF THE ATOMIC SAFETY AND LICENSING BOARD

BY

Susan B. Cyphert

Ronald H. Clark

Attorney for Antitrust Division  
United States Department of Justice  
Washington, D.C. 20530

Telephone (202) 724-6472/6361  
(202) 724-6616

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## 10 C.F.R. 2.720 (f)

On motion made promptly, and in any event  
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presiding officer or, if he is unavailable, the  
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terms.

Civil Subpoena To Testify

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

W. F. Dreiss  
City Public Service Board  
of San Antonio  
P.O. Box 1771  
145 Navarro Street  
San Antonio, Texas 78296

YOU ARE HEREBY COMMANDED to appear  
at Room ..... G-13, 665 E. Durango Blvd. ....

in the city of ..... San Antonio, Texas .....  
on the ... 24th ... day of ..... September ..... 1979 ..... at ..... 11:30 o'clock A. M.  
to testify

in the above entitled action (and thereafter from day to day,  
if necessary).

BY ORDER OF THE ATOMIC SAFETY AND LICENSING BOARD

BY \_\_\_\_\_

Susan B. Cyphert  
Ronald H. Clark

Attorney for Antitrust Division  
United States Department of Justice  
Washington, D.C. 20530  
Telephone... (202) ... 724-6472/6361  
(202) 724-6616

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10 C.F.R. 2.720 (f)

On motion made promptly, and in any event  
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not relevant to any matter in issue, or (2) con-  
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# 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)

To

DOCKET NOS. 50-498A  
50-499A

Jesse B. Poston  
City Public Service Board  
of San Antonio  
P.O. Box 1771  
145 Navarro Street  
San Antonio, Texas 78296

YOU ARE HEREBY COMMANDED to appear

at Room ..... G-13, 665 E. Durango Blvd.

in the city of San Antonio, Texas

on the 24th day of September 1979 at Two o'clock P.M.  
to testify

in the above entitled action (and thereafter from day to  
day, if necessary).

BY ORDER OF THE ATOMIC SAFETY AND LICENSING BOARD

BY \_\_\_\_\_  
\_\_\_\_\_

Susan B. Cyphert  
Ronald H. Clark

Attorney for Antitrust Division  
United States Department of Justice  
Washington, D.C. 20530  
Telephone (202) 724-6472/6361  
(202) 724-6616

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10 C.F.R. 2.720 (f)

On motion made promptly, and in any event  
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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)  
To

DOCKET NOS. 50-498A  
50-499A

E. BenJele  
City Public Service Board  
of San Antonio  
P.O. Box 1771  
145 Navarro Street  
San Antonio, Texas 78296

YOU ARE HEREBY COMMANDED to appear  
at Room G-13, 665 E. Durango Blvd.  
in the city of San Antonio, Texas  
on the 24th day of September 1979 at 3:30 o'clock P.M.  
to testify

in the above entitled action (and thereafter from day to  
day, if necessary).

BY ORDER OF THE ATOMIC SAFETY AND LICENSING BOARD

BY \_\_\_\_\_

Susan B. Cyphert  
Ronald H. Clark

Attorney for Antitrust Division  
United States Department of Justice  
Washington, D.C. 20530  
Telephone (202) 724-6472/6361  
(202) 724-6616

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10 C.F.R. 2.720 (f)

On motion made promptly, and in any event  
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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)  
To

DOCKET NOS. 50-498A  
50-499A

E. L. Rumel  
City of Austin  
Electric Utility Department  
P.O. Box 1088  
Austin, Texas 78767

YOU ARE HEREBY COMMANDED to appear

at Room .....752, 300 East 8th Street.....

in the city of.....Austin, Texas.....

on the.....9th.....day of.....October.....19.79.....at.....One.....o'clock P.M.  
to testify

in the above entitled action (and thereafter from day to day,  
if necessary).

BY ORDER OF THE ATOMIC SAFETY AND LICENSING BOARD

BY \_\_\_\_\_

Susan B. Cyphert  
Ronald H. Clark

Attorney for Antitrust Division  
United States Department of Justice  
Washington, D.C. 20530

Telephone..(202)....724-6472/6361  
(202) 724-6616

....., 19.....

368 270

10 C.F.R. 2.720 (f)

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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

Joel Rogers  
Texas Municipal Power Authority  
2225 E. Randol Mill Road  
Arlington, Texas 76011

YOU ARE HEREBY COMMANDED to appear  
at Room 8C6, 1100 Commerce Street

in the city of Dallas, Texas  
on the 25th day of October 1979 at Nine o'clock A.M.  
to testify

in the above entitled action (and thereafter from day to day,  
if necessary).

BY ORDER OF THE ATOMIC SAFETY AND LICENSING BOARD

BY \_\_\_\_\_

Susan B. Cyphert  
Ronald H. Clark

Attorney for Antitrust Division  
United States Department of Justice  
Washington, D.C. 20530  
Telephone (202) 724-6472/6361  
(202) 724-6616

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10 C.F.R. 2.720 (f)

On motion made promptly, and in any event  
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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)  
To

DOCKET NOS. 50-498A  
50-499A

Edward Geer  
Texas Municipal Power Authority  
2225 E. Randol Mill Road  
Arlington, Texas 76011

YOU ARE HEREBY COMMANDED to appear

at Room 9C6, 1100 Commerce Street

in the city of Dallas, Texas

on the 25th day of October 1979 at One o'clock P.M.  
to testify

in the above entitled action (and thereafter from day to day,  
if necessary).

BY ORDER OF THE ATOMIC SAFETY AND LICENSING BOARD

BY

Susan B. Cyphert  
Ronald H. Clark

Attorney for Antitrust Division  
United States Department of Justice  
Washington, D.C. 20530

Telephone (202) 724-6472/6361  
(202) 724-6616

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## 10 C.F.R. 2.720 (f)

On motion made promptly, and in any event  
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whose instance the subpoena was issued, the

presiding officer or, if he is unavailable, the  
Commission may (1) quash or modify the sub-  
poena if it is unreasonable or requires evidence  
not relevant to any matter in issue, or (2) con-  
dition denial of the motion on just and reasonable  
terms.

# 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 & LIGHT COMPANY

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

DOCKET NOS. 50-498A  
50-499A

R.D. Ledbetter  
Texas Electric Service Company  
P.O. Box 970  
Fort Worth, Texas 76101

YOU ARE HEREBY COMMANDED to appear  
at Room 8C6, 1400 Commerce Street

in the city of Dallas, Texas  
on the 27th day of August, 1979 at 9:30 o'clock A.M.  
to testify

in the above entitled action and bring with you the document(s) or object(s)  
described in the attached schedule. (and thereafter from day to  
day, if necessary).

BY ORDER OF THE ATOMIC SAFETY AND LICENSING BOARD

BY

Susan B. Cyphert  
Ronald H. Clark

Attorney for Antitrust Division  
United States Department of Justice  
Washington, D.C. 20530  
Telephone (202) 724-6472/6361  
(202) 724-6616

.....19.....

368 273

## 10 C.F.R. 2.720 (D)

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 sub-  
poena 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 sub-  
poena if it is unreasonable or requires evidence  
not relevant to any matter in issue, or (2) con-  
dition denial of the motion on just and reasonable  
terms.

## SCHEDULE

### I.

#### DEFINITIONS

1. "Document" means, without limiting the generality of its meaning, all 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, agreements, 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.
2. "Interconnection" means a transmission line joining two or more power systems through which power produced by one can be used by the other.
3. "Emergency Interconnection" means an interconnection established to meet an emergency need.
4. "GSU" means Gulf States Utilities Company.
5. "HLP" means Houston Lighting & Power Company.
6. "WTU" means West Texas Utilities Company.
7. "TESCO" means Texas Electric Service Company.
8. "CPL" means Central Power & Light Company.
9. "TU" means Texas Utilities Company.



## II.

### CLAIM OF PRIVILEGE

If any document is withheld under claim of privilege, furnish a list which identifies each document for which privilege is claimed and which includes the following information for each such document: date, subject matter, sender, recipient, persons to whom copies were furnished together with their job titles, the basis on which privilege is claimed, and the paragraph(s) of this subpoena to which such documents responds.

## III.

### INSTRUCTIONS REGARDING GROUPING AND NUMBERING DOCUMENTS

It is requested that the documents submitted be grouped according to the individual paragraph of the subpoena section to which they are responsive and, within each such group, the documents should be arranged, as much as possible, in chronological order.

In order to facilitate the handling of the documents which will be received it would be appreciated if each of the documents would be numbered consecutively. It is suggested that in numbering the documents each page be numbered, except in those instances where the documents are bound together, when numbering only the first page is appropriate. This procedure, if followed, will preserve the identity of all the documents coming from the company, and also insure the accurate and expeditious return of these documents to the company.

Should any questions arise concerning this subpoena, please contact Susan B. Cyphert (202-724-6472 or 724-6361) or Ronald H. Clark (202-724-6616) at the following address:

Department of Justice  
P.O. Box 14141  
Washington, D.C. 20044



DOCUMENTS TO BE PRODUCED

1. All documents which relate or refer, in any way,  
to:

- (a) the Huffman interconnection with GSU;
- (b) a memorandum from R.D. Ledbetter to the file, dated September 28, 1970, concerning an inquiry to HL&P about the Huffman interconnection with GSU;
- (c) two memoranda from R.D. Ledbetter to the file, dated January 6, 1971 and March 25, 1971 respectively, concerning telephone communication with Frank Austin of HL&P relating to information about the Huffman interconnection with GSU;
- (d) a memorandum from R.D. Ledbetter to the file, dated October 6, 1971 concerning a telephone communication to HL&P relating to information about the Huffman interconnection with GSU.

2. All documents which relate or refer, in any way,  
to:

- (a) existing or proposed interconnections between WTU and TESCO;
- (b) a memorandum from R.D. Ledbetter to the file, dated September 7, 1967 concerning a proposed WTU-TESCO interconnection.

3. All documents which relate or refer, in any way,  
to:

- (a) an interconnection between WTU and TESCO at Paint Creek;
- (b) a memorandum from Dale Scarth to R.D. Ledbetter, dated May 14, 1971, concerning interconnections made between WTU and TESCO at Paint Creek;

- (c) a letter from R.D. Ledbetter to P.G. Brittain, Dale Scarth, J.B. Robuck, and W.H. Harrison, dated June 24, 1971, concerning John Hume's draft of a letter to Harry A. Poth;
- (d) a draft of a letter from R.D. Ledbetter to Harry A. Poth, dated June 1, 1971, relating to the WTU-TESCO interconnections;
- (e) a letter from Harry A. Poth to R.D. Ledbetter, dated August 24, 1972;
- (f) a letter from Hayden N. Smith to Harry A. Poth, dated June 27, 1972.

4. All documents which relate or refer, in any way, to:

- (a) changes in TESCO's interconnections with WTU;
- (b) a letter from R.D. Ledbetter to Harry A. Poth, dated June 23, 1972, relating to the installation of the Quanah air switch and/or the disconnection of TESCO's SWPS 69 kv emergency interconnection.
- (c) inspection of lines of any Texas electric utility on or near the border of the State of Texas;
- (d) a memorandum from Dale Scarth to R.D. Ledbetter, dated June 30, 1974, concerning the inspection of lines on or near the border of the State of Texas;
- (e) a letter from Louis Fikar to R.D. Ledbetter, dated May 12, 1975, concerning the Childress air switch and/or an inspection of the controls at Vernon, Lake Pauline, Quanah, and Turkey, Texas.

5. All documents which relate or refer in any way,  
to:

- (a) any electric cooperative's system;
- (b) any electric cooperative's system to determine if the electric cooperative system was operating in interstate commerce.

6. All documents which relate or refer, in any way, to whether any Texas electric utility is or has operated in interstate commerce.

7. All documents which relate or refer to CP&L's interconnections into Mexico.

8. All documents which relate or refer, in any way to proposed or actual contracts and contract negotiations for wholesale power between Gate City Electric Cooperative, Gate City, Texas and WTU.

9. All documents which relate or refer, between TU and any other Texas electric utilities, in any way, to interconnections after the May 4, 1976 disconnection and prior to the Texas Public Utilities Commission's Docket 14 Order to reconnect.

368 278

Civil Subpoena To Testify

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)  
To

DOCKET NOS. 50-498A  
50-499A

William Marquardt  
Texas Electric Service Company  
P.O. Box 970  
Fort Worth, Texas 76101

YOU ARE HEREBY COMMANDED to appear

at Room 806, 1100 Commerce Street

in the city of Dallas, Texas

on the 28th day of August 1979 at Nine o'clock A. M.  
to testify

in the above entitled action (and thereafter from day to day,  
if necessary).

BY ORDER OF THE ATOMIC SAFETY AND LICENSING BOARD

By

Susan B. Cyphert

Ronald H. Clark

Attorney for Antitrust Division  
United States Department of Justice  
Washington, D.C. 20530

Telephone (202) 724-6472/6361

(202) 724-6616

....., 19.....

368 · 279

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 sub-  
poena 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 sub-  
poena if it is unreasonable or requires evidence  
not relevant to any matter in issue, or (2) con-  
dition denial of the motion on just and reasonable  
terms.

# 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 & LIGHT COMPANY

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

DOCKET NOS. 50-498A  
50-499A

William Marquardt  
Texas Electric Service Company  
P.O. Box 970  
Fort Worth, Texas 76101

YOU ARE HEREBY COMMANDED to appear  
at Room 8C6, 1100 Commerce Street

in the city of Dallas, Texas  
on the 27th day of August 1971 at 1:30 o'clock A.M.  
to testify

in the above entitled action and bring with you the document(s) or object(s)  
described in the attached schedule. (and thereafter from day to  
day, if necessary).

BY ORDER OF THE ATOMIC SAFETY AND LICENSING BOARD

BY \_\_\_\_\_

Susan B. Cyphert  
Ronald H. Clark

Attorney for Antitrust Division  
United States Department of Justice  
Washington, D.C. 20530

Telephone: (202) 724-6472/6361  
(202) 724-6616

.....19.....

368 280

10 C.F.R. 2.720 (D)

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 sub-  
poena 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 sub-  
poena if it is unreasonable or requires evidence  
not relevant to any matter in issue, or (2) con-  
dition denial of the motion on just and reasonable  
terms.

## SCHEDULE

### I.

#### DEFINITIONS

1. "Document" means, without limiting the generality of its meaning, all 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, agreements, 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.
2. "Wheeling" means the transportation of electricity by a utility over its lines for another utility; also includes the receipt from and delivery to another system of like amounts but not necessarily the same energy.
3. "Interconnection" means a transmission line joining two or more power systems through which power produced by one can be used by the other.
4. "WTU" means West Texas Utilities Company.
5. "TESCO" means Texas Electric Service Company.

## II.

### CLAIM OF PRIVILEGE

If any document is withheld under claim of privilege, furnish a list which identifies each document for which privilege is claimed and which includes the following information for each such document: date, subject matter, sender, recipient, persons to whom copies were furnished together with their job titles, the basis on which privilege is claimed, and the paragraph(s) of this subpoena to which such documents responds.

## III.

### INSTRUCTIONS REGARDING GROUPING AND NUMBERING DOCUMENTS

It is requested that the documents submitted be grouped according to the individual paragraph of the subpoena section to which they are responsive and, within each such group, the documents should be arranged, as much as possible, in chronological order.

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Should any questions arise concerning this subpoena, please contact Susan B. Cyphert (202-724-6472 or 724-6361) or Ronald H. Clark (202-724-6616) at the following address:

Department of Justice  
P.O. Box 14141  
Washington, D.C. 20044

DOCUMENTS TO BE PRODUCED

1. All documents which relate or refer, in any way,  
to:

- (a) proposed or actual contracts and contract negotiations for wholesale power between Gate City Electric Cooperative, Gate City, Texas and WTU;
- (b) a telephone communication between William Marquardt and Durwood Chalker on June 17, 1975;
- (c) the information William Marquardt received on June 12, 1975, concerning Articles 7 and 8 of the proposed November 21, 1974 Gate City Electric Cooperative, Gate City, Texas and WTU contract;
- (d) all communications concerning proposed or actual contracts and contract negotiations for wholesale power between Gate City Electric Cooperative, Gate City, Texas and WTU.

2. All documents which relate or refer, in any way,  
to:

- (a) Western Farmers Electric Cooperative;
- (b) proposed and actual interconnections between Western Farmers Electric Cooperative and Brazos Electric Power Cooperative, Incorporated.

3. All documents which relate or refer, in any way,  
to wheeling power to or for any Texas electric utility.

4. All documents which relate or refer, in any way,  
to:

- (a) the City of Seymour, Texas;



(b) requests for power made by the City of Seymour, Texas to TESCO.

5. All documents which relate or refer, in any way, to the inspection of lines of any Texas electric utility on or near the border of Texas.

6. All documents which relate or refer, in any way, to interconnections between TU and any other Texas electric utility after the May 4, 1976 disconnection and prior to the Texas Public Utilities Commission's Docket 14 Order to reconnect.

# 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)  
to

DOCKET NOS. 50-498A  
50-499A

D. E. Simmons  
Houston Lighting and Power Company  
P.O. Box 1700  
Houston, Texas 77001

YOU ARE HEREBY COMMANDED to appear

at Room 12000, 515 Rusk

in the city of Houston, Texas

on the 12th day of September 1979 at Nine o'clock A.  
to testify

in the above entitled action (and thereafter from day to day,  
if necessary).

BY ORDER OF THE ATOMIC SAFETY AND LICENSING BOARD

BY

Susan B. Cyphert  
Ronald H. Clark

Attorney for Antitrust Division  
United States Department of Justice  
Washington, D.C. 20530  
Telephone (202) 724-6472/6361  
(202) 724-6616

.....19.....

368 285

### 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, the person to whom the sub-  
poena is issued 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 sub-  
poena if it is unreasonable or requires evidence  
not relevant to any matter in issue, or (2) con-  
dition denial of the motion on just and reasonable  
terms.

# 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 & LIGHT COMPANY

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

DOCKET NOS. 50-498A  
50-499A

D. E. Simmons  
Houston Lighting and Power Company  
P.O. Box 1700  
Houston, Texas 77001

YOU ARE HEREBY COMMANDED to appear  
at Room 12000, 515 Rusk  
in the city of Houston, Texas  
on the 10th day of September 1979 at Nine o'clock A.M.  
to testify

in the above entitled action and bring with you the document(s) or object(s)  
described in the attached schedule. (and thereafter from day to  
day, if necessary).

BY ORDER OF THE ATOMIC SAFETY AND LICENSING BOARD

BY \_\_\_\_\_

Susan B. Cyphert

Ronald H. Clark

Attorney for Antitrust Division  
United States Department of Justice  
Washington, D.C. 20530

Telephone (202) 724-6472/6361

(202) 724-6616

.....19.....

368 286

10 C.F.R. 2.720 (f)

On motion made promptly, and in any event  
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poena if it is unreasonable or requires evidence  
not relevant to any matter in issue, or (2) con-  
dition denial of the motion on just and reasonable  
terms.

## SCHEDULE

### I.

#### DEFINITIONS

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2. "Interconnection" means a transmission line joining two or more power systems through which power produced by one can be used by the other.
3. "Economy energy" means energy produced and supplied from a more economical source, substituted for energy that could have been produced by a less economical source.
4. "Wheeling" means transportation of electricity by a utility over its lines for another utility; also includes the receipt from and delivery to another system of like amounts but not necessarily the same energy.
5. "HL&P" means Houston Lighting & Power Company.
6. "GSU" means Gulf States Utilities Company.
7. "FPC" means Federal Power Commission.
8. "Austin" means City of Austin.
9. "TU" means Texas Utilities Company.
10. "CPS" means City Public Service Board of San Antonio.

11. "TMPA" means Texas Municipal Power Agency.
12. "Brazos" means Brazos Electric Power Cooperative, Inc.
13. "STEC" means South Texas Electric Cooperative, Inc.
14. "DP&L" means Dallas Power & Light Company.
15. "TESCO" means Texas Electric Service Company.
16. "LCRA" means Lower Colorado River Authority.
17. "CP&L" means Central Power & Light Company.
18. "TP&L" means Texas Power and Light Company.
19. "WTU" means West Texas Utilities Company.

## II.

### CLAIM OF PRIVILEGE

If any document is withheld under claim of privilege, furnish a list which identifies each document for which privilege is claimed and which includes the following information for each such document: date, subject matter, sender, recipient, persons to whom copies were furnished together with their job titles, the basis on which privilege is claimed, and the paragraph(s) of this subpoena to which such documents responds.

## III.

### INSTRUCTIONS REGARDING GROUPING AND NUMBERING DOCUMENTS

It is requested that the documents submitted be grouped according to the individual paragraph of the subpoena section to which they are responsive and, within each such group, the documents should be arranged, as much as possible, in chronological order.

368 288

In order to facilitate the handling of the documents which will be received it would be appreciated if each of the documents would be numbered consecutively. It is suggested that in numbering the documents each page be numbered, except in those instances where the documents are bound together, when numbering only the first page is appropriate. This procedure, if followed, will preserve the identity of all the documents coming from the company, and also insure the accurate and expeditious return of these documents to the company.

Should any questions arise concerning this subpoena, please contact Susan B. Cyphert (202-724-6472 or 724-6361) or Ronald H. Clark (202-724-6616) at the following address:

Department of Justice  
P.O. Box 14141  
Washington, D.C. 20044

#### DOCUMENTS TO BE PRODUCED

1. All documents which relate or refer, in any way, to proposed or actual contracts and contract negotiations for wholesale power between Gate City Electric Cooperative, Gate City, Texas, and WTU.

2. All documents which relate or refer, in any way, to:

- (a) GSU interconnections, and communications concerning interconnections, with HL&P;
- (b) the Huffman interconnection between GSU and HL&P;
- (c) a letter from T.H. Wharton to the FPC dated May 1, 1958, concerning a report on the operation of the Huffman interconnection;
- (d) the FPC report on "Power Interruption, Gulf States Utility Company System, May 11, 1967";
- (e) the upgrading of the Huffman interconnection.

3. All documents which relate or refer, in any way, to:

- (a) all requests by any electric utility to participate in any generation project with HL&P;

368 289

- (b) all requests by GSU to participate in a lignite or coal generation unit with HL&P;
  - (c) participation by GSU in the Allens Creek nuclear project.
4. All documents which relate or refer, in any way, to:
- (a) HL&P's projected load growth from 1980 through 1988;
  - (b) HL&P's projected generation capacity for the years 1980 through 1988;
  - (c) HL&P's projected reserves for the years 1980 through 1988;
5. All documents which relate or refer, in any way, to:
- (a) HL&P's contracts and contract negotiations pertaining to the purchase of any type of power from any other electric utility;
  - (b) HL&P's contracts and contract negotiations with Austin pertaining to the purchase of power from Austin;
  - (c) any communication with R.L. Hancock or Richard Balough of Austin concerning the intrastate only restrictions contained in its contracts with HL&P and TU;
  - (d) any communication with CPS regarding the purchase of any type of power by HL&P from CPS;
  - (e) any communication with TMPA or its representatives regarding the purchase of any type of power from the TMPA Gibbons Creek project once it is completed;
  - (f) any communication with Brazos or STEC regarding the purchase of power from the San Miguel project by HL&P.
6. All documents which relate or refer, in any way, to economy power transactions.

368 290



7. All documents which relate or refer, in any way, to the Florida power brokerage arrangement which HL&P is or has been investigating.

8. All documents which relate or refer, in any way, to the wheeling of electric power.

9. All documents which relate or refer, in any way, to HL&P's fuel contracts.

10. All documents which relate or refer, in any way, to:

- (a) the May 4, 1976 disconnection by HL&P from all other electric utilities within the state of Texas;
- (b) the closing of ties between HL&P and TU, TP&L, DP&L, and TESCO;
- (c) a letter from J.G. Reese to Charles Herring of LCRA, Hulsey of TU, Wayne Siegelin of CP&L, J.K. Spruce of CPS, and Dan Davidson of Austin concerning the May 4, 1976 opening of interconnections by HL&P with other electric utilities in Texas;
- (d) a letter from D.E. Simmons dated May 5, 1976 to Soderberg of LCRA, Dan Davidson of Austin, G.R. Coffman of TP&L, Wayne Siegelin of CP&L, and Jesse Poston of CPS concerning emergency interconnections;
- (e) requests by CP&L, WTU, LCRA, Austin, and CPS, made to HL&P and TU, after the May 4, 1976 opening of interconnections by HL&P and TU, to have HL&P and TU close their interconnections.

11. All documents which relate or refer, in any way, to inspections made by TU, TP&L, TESCO, DP&L, and HL&P to determine if an electric utility in the state of Texas is or had been in interstate commerce.

12. All documents which relate or refer, in any way, to actual or contemplated negotiations between the City of Houston, Texas, acting through and by its Department of Public Service and Utilities Coordinator, and GSU pertaining to the granting of a franchise, or other contractual agreement, to GSU for the furnishing of electrical service within the boundaries of the City of Houston.

13. All documents which relate or refer, in any way, to the Public Utility Regulatory Policies Act of 1978.



# 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)  
To

DOCKET NOS. 50-498A  
50-499A

Art Wilson  
City Public Service Board  
of San Antonio  
P.O. Box 1771  
145 Navarro Street  
San Antonio, Texas 78296

YOU ARE HEREBY COMMANDED to appear  
at Room G-13, 665 E. Durango Blvd.  
in the city of San Antonio, Texas  
on the 25th day of September 1979 at Nine o'clock A.M.  
to testify

in the above entitled action (and thereafter from day to  
day, if necessary).

BY ORDER OF THE ATOMIC SAFETY AND LICENSING BOARD

BY \_\_\_\_\_  
\_\_\_\_\_

Susan B. Cyphert  
Ronald H. Clark

Attorney for Antitrust Division  
United States Department of Justice  
Washington, D.C. 20530  
Telephone (202) 724-6472/6361  
(202) 724-6616

.....19.....

368 292

10 C.F.R. 2.720 (i)

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 sub-  
poena 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 sub-  
poena if it is unreasonable or requires evidence  
not relevant to any matter in issue, or (2) con-  
dition denial of the motion on just and reasonable  
terms.

# 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 & LIGHT COMPANY

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

DOCKET NOS. 50-498A  
50-499A

Art Wilson  
City Public Service Board  
of San Antonio  
P.O. Box 1771  
145 Navarro Street  
San Antonio, Texas 78296

YOU ARE HEREBY COMMANDED to appear  
at Room ..... G-13, 665 E. Durango Blvd. ....

.....  
in the city of..... San Antonio, Texas .....  
on the 24th..... day of..... September..... 19...79... at..... Nine...o'clock A.M.  
to testify

in the above ..... entitled action and bring with you the document(s) or object(s)  
described in the attached schedule. (and thereafter from day to  
day, if necessary).

BY ORDER OF THE ATOMIC SAFETY AND LICENSING BOARD

BY .....

Susan B. Cyphert  
Ronald H. Clark

Attorney for Antitrust Division  
United States Department of Justice  
Washington, D.C. 20530  
Telephone: (202) ... 724-6472/6361  
(202) 724-6616

....., 19.....

368 293

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 sub-  
poena 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 sub-  
poena if it is unreasonable or requires evidence  
not relevant to any matter in issue, or (2) con-  
dition denial of the motion on just and reasonable  
terms.

## SCHEDULE

### I.

#### DEFINITIONS

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2. "Interconnection" means a transmission line joining two or more power systems through which power produced by one can be used by the other.
3. "TU" means Texas Utilities Company.
4. "TP&L" means Texas Power and Light Company.
5. "DP&L" means Dallas Power & Light Company.
6. "TESCO" means Texas Electric Service Company.
7. "HL&P" means Houston Lighting & Power Company.
8. "CPS" means the City Public Service Board of San Antonio.
9. "WTU" means West Texas Utilities Company.

10. "Austin" means City of Austin.
11. "LCRA" means Lower Colorado River Authority.
12. "STEC" means South Texas Electric Cooperative, Inc.
13. "Medina" means Medina Electric Cooperative, Inc.
14. "Brazos" means Brazos Electric Power Cooperative, Inc.
15. "PTI Study" means the Power Technologies, Inc. study entitled, "Multi-Area Reliability Study of ERCOT and SWPP for the Central and Southwest Corporation".
16. "CSW" means Central and Southwest Corporation.

## II.

### CLAIM OF PRIVILEGE

If any document is withheld under claim of privilege, furnish a list which identifies each document for which privilege is claimed and which includes the following information for each such document: date, subject matter, sender, recipient, persons to whom copies were furnished together with their job titles, the basis on which privilege is claimed, and the paragraph(s) of this subpoena to which such documents responds.

## III.

### INSTRUCTIONS REGARDING GROUPING AND NUMBERING DOCUMENTS

It is requested that the documents submitted be grouped according to the individual paragraph of the subpoena section to which they are responsive and, within each such group, the documents should be arranged, as much as possible, in chronological order.

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Should any questions arise concerning this subpoena, please contact Susan B. Cyphert (202-724-6472 or 724-6361) or Ronald H. Clark (202-724-6616) at the following address:

Department of Justice  
P.O. Box 14141  
Washington, D.C. 20044

DOCUMENTS TO BE PRODUCED

1. All documents which relate or refer, in any way, to the May 4, 1976 opening of interconnections by TU, TP&L, DP&L, TESCO, and HL&P with CPS, CP&L, WTU, Austin, and LCRA.
2. All documents which relate or refer, in any way, to:
  - (a) efforts by CPS to have TU, TP&L, DP&L, TESCO and HL&P close their interconnections with CPS;
  - (b) the effect of the closing of these ties upon the City of Hondo, STEC, Medina, CP&L, WTU, and any other utility system in Texas if CPS would have had to open its ties with these systems to obtain reconnections.
3. All documents which relate or refer, in any way, to:
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- (b) CPS's projected generation capacity for 1980-1985;
  - (c) CPS's projected reserves for the 1980-1985;
  - (d) any requests by or contracts with an electric power system to purchase power from CPS.
4. All documents which relate or refer, in any way, to CPS's fuel contracts or any fuel contracts that are presently being negotiated.
5. All documents which relate or refer, in any way, to any rate comparison studies that have been done.
6. All documents which relate or refer, in any way, to Texas Public Utilities Commission Docket 14.
7. All documents which relate or refer, in any way, to the San Miguel plant and the transmission system Brazos is building to transmit power from San Miguel to the Brazos load centers.
8. All documents which relate or refer, in any way, to the 1976 San Antonio Blackout.
9. All documents which relate or refer, in any way, to:
- (a) the PTI Study that was done for CSW;
  - (b) a memorandum entitled "Effect on CPS of Recent Central & Southwest Corporation Activities" dated March 1, 1976.

368 297

# 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)  
TO

DOCKET NOS. 50-498A  
50-499A

J. K. Spruce  
City Public Service Board  
of San Antonio  
P.O. Box 1771  
145 Navarro Street  
San Antonio, Texas 78296

YOU ARE HEREBY COMMANDED to appear  
at Room G-13, 665 E. Durango Blvd.

in the city of San Antonio, Texas  
on the 25th day of September 1979 at One o'clock P.M.  
to testify

in the above entitled action (and thereafter from day to day,  
if necessary).

BY ORDER OF THE ATOMIC SAFETY AND LICENSING BOARD

BY \_\_\_\_\_

Susan B. Cyphert  
Ronald H. Clark

Attorney for Antitrust Division  
United States Department of Justice  
Washington, D.C. 20530  
Telephone (202) 724-6472/6361  
(202) 724-6616

.....19.....

368 298

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 sub-  
poena is directed, and on notice to the party at  
whose instance the subpoena was issued, the

presiding officer or, if he is unavailable, the  
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poena if it is unreasonable or requires evidence  
not relevant to any matter in issue, or (2) con-  
dition denial of the motion on just and reasonable  
terms.



# 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 & LIGHT COMPANY

DOCKET NOS. 50-498A  
50-499A

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

J. K. Spruce  
City Public Service Board  
of San Antonio  
P.O. Box 1771  
145 Navarro Street  
San Antonio, Texas 78296

YOU ARE HEREBY COMMANDED to appear  
at Room G-13, 665 E. Durango Blvd.

in the city of San Antonio, Texas  
on the 24th day of September 1979 at 9:15 o'clock A. M.  
to testify

in the above entitled action and bring with you the document(s) or object(s)  
described in the attached schedule. (and thereafter from day to  
day, if necessary).

BY ORDER OF THE ATOMIC SAFETY AND LICENSING BOARD

BY \_\_\_\_\_

Susan B. Cyphert

Ronald H. Clark

Attorney for Antitrust Division  
United States Department of Justice  
Washington, D.C. 20530  
Telephone (202) 724-6472/6361  
(202) 724-6616

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368 299

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Department of Justice  
P.O. Box 14141  
Washington, D.C. 20044

DOCUMENTS TO BE PRODUCED

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  - (b) the effect of the closing of these ties upon the City of Hondo, STEC, Medina, CP&L, WTU, and any other utility system in Texas if CPS would have had to open its ties with these systems to obtain reconnections.
3. All documents which relate or refer, in any way, to:
  - (a) CPS's projected loads for 1980-1985;
  - (b) CPS's projected generation capacity for 1980-1985;
  - (c) CPS's projected reserves for 1980-1985;
  - (d) any requests by or contracts with an electric power system to purchase power from CPS.
4. All documents which relate or refer, in any way, to CPS's fuel contracts or any fuel contracts that are presently being negotiated.

5. All documents which relate or refer, in any way, to any rate comparison studies that have been done.

6. All documents which relate or refer, in any way, to Texas Public Utilities Commission Docket 14.

7. All documents which relate or refer, in any way, to the San Miguel plant and the transmission system Brazos is building to transmit power from San Miguel to the Brazos load centers.

8. All documents which relate or refer, in any way, to the 1976 San Antonio Blackout.

9. All documents which relate or refer, in any way, to instances of competition with any other Texas electric utility.

368 303

# 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)  
To

DOCKET NOS. 50-498A  
50-499A

Robert Mecke  
City Public Service Board  
of San Antonio  
P.O. Box 1771  
145 Navarro Street  
San Antonio, Texas 78296

YOU ARE HEREBY COMMANDED to appear  
at Room G-13, 665 E. Durango Blvd.  
in the city of San Antonio, Texas  
on the 26th day of September 1979 at Nine o'clock A. M.  
to testify

in the above entitled action (and thereafter from day to  
day, if necessary).

BY ORDER OF THE ATOMIC SAFETY AND LICENSING BOARD

BY \_\_\_\_\_

Susan B. Cyphert  
Ronald H. Clark

Attorney for Antitrust Division  
United States Department of Justice  
Washington, D.C. 20530  
Telephone (202) 724-6472/6361  
(202) 724-6616

.....19.....

368 304

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 sub-  
poena 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 sub-  
poena if it is unreasonable or requires evidence  
not relevant to any matter in issue, or (2) con-  
dition denial of the motion on just and reasonable  
terms.

# 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 & LIGHT COMPANY

DOCKET NOS. 50-498A  
50-499A

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

To  
Robert Mecke  
City Public Service Board  
of San Antonio  
P.O. Box 1771  
145 Navarro Street  
San Antonio, Texas 78296

YOU ARE HEREBY COMMANDED to appear  
at Room ..... G-13, 665 E. Durango Blvd.

.....  
in the city of..... San Antonio, Texas .....  
on the....24th....day of.....September.....19...79...at.....9:30...o'clock A.M.  
to testify

in the above ..... entitled action and bring with you the document(s) or object(s)  
described in the attached schedule. (and thereafter from day to  
day, if necessary).

BY ORDER OF THE ATOMIC SAFETY AND LICENSING BOARD

BY \_\_\_\_\_  
\_\_\_\_\_

Susan B. Cyphert

Ronald H. Clark

Attorney for Antitrust Division  
United States Department of Justice  
Washington, D.C. 20530  
Telephone: (202) 724-6472/6361  
(202) 724-6616

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368 305

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terms.



## SCHEDULE

### I.

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14. "Brazos" means Brazos Electric Power Cooperative, Inc.

## II.

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Department of Justice  
P.O. Box 14141  
Washington, D.C. 20044

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  - (a) efforts by CPS to have TU, TP&L, DP&L, TESCO and HL&P close their interconnections with CPS;
  - (b) the effect of the closing of these ties upon the City of Hondo, STEC, Medina, CP&L, WTU, and any other utility system in Texas if CPS would have had to open its ties with these systems to obtain reconnections.
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  - (a) CPS's projected loads for 1980-1985;
  - (b) CPS's projected generation capacity for 1980-1985;
  - (c) CPS's projected reserves for 1980-1985;
  - (d) any requests by or contracts with an electric power system to purchase power from CPS.
4. All documents which relate or refer, in any way, to CPS's fuel contracts or any fuel contracts that are presently being negotiated.

368 308

5. All documents which relate or refer, in any way, to any rate comparison studies that have been done.

6. All documents which relate or refer, in any way, to Texas Public Utilities Commission Docket 14.

7. All documents which relate or refer, in any way, to the San Miguel plant and the transmission system Brazos is building to transmit power from San Miguel to the Brazos load centers.

8. All documents which relate or refer, in any way, to the 1976 San Antonio Blackout.

368 309

# 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

F. W. Payett  
City Public Service Board  
of San Antonio  
P.O. Box 1771  
145 Navarro Street  
San Antonio, Texas 78296

YOU ARE HEREBY COMMANDED to appear  
at Room G-13, 665 E. Durango Blvd.

in the city of San Antonio, Texas  
on the 27th day of September 1979 at Nine o'clock A.M.  
to testify

in the above entitled action (and thereafter from day to  
day, if necessary).

BY ORDER OF THE ATOMIC SAFETY AND LICENSING BOARD

BY \_\_\_\_\_

Susan B. Cyphert  
Ronald H. Clark

Attorney for Antitrust Division  
United States Department of Justice  
Washington, D.C. 20530

Telephone (202) 724-6472/6361  
(202) 724-6616

.....19.....

368 310

### 10 C.F.R. 2.720 (f)

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dition denial of the motion on just and reasonable  
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# 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  
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(South Texas Project, Units Nos.  
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DOCKET NOS. 50-498A  
50-499A

F. W. Payett  
City Public Service Board  
of San Antonio  
P.O. Box 1771  
145 Navarro Street  
San Antonio, Texas 78296

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at Room G-13, 665 E. Durango Blvd.

in the city of San Antonio, Texas  
on the 24th day of September 1979 at 9:45 o'clock A.M.  
to testify

in the above entitled action and bring with you the document(s) or object(s)  
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BY ORDER OF THE ATOMIC SAFETY AND LICENSING BOARD

BY \_\_\_\_\_

Susan B. Cyphert

Ronald H. Clark

Attorney for Antitrust Division  
United States Department of Justice  
Washington, D.C. 20530

Telephone (202) 724-6472/6361

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5. All documents which relate or refer, in any way, to any rate comparison studies that have been done.

6. All documents which relate or refer, in any way, to Texas Public Utilities Commission Pocket 14.

7. All documents which relate or refer, in any way, to the San Miguel plant and the transmission system Brazos is building to transmit power from San Miguel to the Brazos load centers.

8. All documents which relate or refer, in any way, to the 1976 San Antonio Blackout.

368 315

# 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 & LIGHT COMPANY

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

DOCKET NOS. 50-498A  
50-499A

Charles Herring  
Lower Colorado River Authority  
P.O. Box 220  
Austin, Texas 78767

YOU ARE HEREBY COMMANDED to appear

at Room 752, 300 East 8th Street

in the city of Austin, Texas

on the 5th day of October 1979 at Eleven o'clock A.M.  
to testify

in the above entitled action and bring with you the document(s) or object(s)  
described in the attached schedule. (and thereafter from day to  
day, if necessary).

BY ORDER OF THE ATOMIC SAFETY AND LICENSING BOARD

BY

Susan B. Cyphert

Ronald H. Clark

Attorney for Antitrust Division  
United States Department of Justice  
Washington, D.C. 20530

Telephone (202) 724-6472/6361

(202) 724-6616

.....19.....

368 316

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 sub-  
poena 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 sub-  
poena if it is unreasonable or requires evidence  
not relevant to any matter in issue, or (2) con-  
dition denial of the motion on just and reasonable  
terms.

## SCHEDULE

### I.

#### DEFINITIONS

1. "Document" means, without limiting the generality of its meaning, all 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, agreements, 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.
2. "Interconnection" means a transmission line joining two or more power systems through which power produced by one can be used by the other.
3. "TU" means Texas Utilities Company.
4. "TP&L" means Texas Power and Light Company.
5. "DP&L" means Dallas Power & Light Company.
6. "TESCO" means Texas Electric Service Company.
7. "HL&P" means Houston Lighting & Power Company.
8. "CPS" means the City Public Service Board of San Antonio.
9. "CP&L" means Central Power and Light Company.

10. "WTU" means West Texas Utilities Company.
11. "Austin" means City of Austin.
12. "LCRA" means Lower Colorado River Authority.
13. "TPUC" means The Public Utility Commission of Texas.

## II.

### CLAIM OF PRIVILEGE

If any document is withheld under claim of privilege, furnish a list which identifies each document for which privilege is claimed and which includes the following information for each such document: date, subject matter, sender, recipient, persons to whom copies were furnished together with their job titles, the basis on which privilege is claimed, and the paragraph(s) of this subpoena to which such documents responds.

## III.

### INSTRUCTIONS REGARDING GROUPING AND NUMBERING DOCUMENTS

It is requested that the documents submitted be grouped according to the individual paragraph of the subpoena section to which they are responsive and, within each such group, the documents should be arranged, as much as possible, in chronological order.

In order to facilitate the handling of the documents which will be received it would be appreciated if each of the documents would be numbered consecutively. It is suggested that in numbering the documents each page be numbered, except in those instances where the documents are bound together, when numbering only the first page is appropriate. This procedure, if followed, will preserve the identity of all the documents coming from the company, and also insure the accurate and expeditious return of these documents to the company.

368 318

Should any questions arise concerning this subpoena, please contact Susan B. Cyphert (202-724-6472 or 724-6361) or Ronald H. Clark (202-724-6616) at the following address:

Department of Justice  
P.O. Box 14141  
Washington, D.C. 20044

DOCUMENTS TO BE PRODUCED

1. All documents which relate or refer, in any way, to the May 4, 1976 opening of interconnections by TU, TP&L, DP&L, TESCO, and HL&P with CPS, CP&L, WTU, Austin, and LCRA.
2. All documents which relate or refer, in any way, to efforts by LCRA to have TU, TP&L, DP&L, TESCO, and HL&P close their interconnections with LCRA.
3. All documents which relate or refer, in any way, to TU, TP&L, DP&L, TESCO, and HL&P's response to LCRA regarding LCRA's request for the closing of interconnections before May 2, 1977.
4. All documents which relate or refer, in any way, to:
  - (a) LCRA's projected loads for 1980-1985;
  - (b) LCRA's projected generation capacity for 1980-1985;
  - (c) LCRA's projected load for 1980-1985;
  - (d) any requests by or contracts with an electric power system to purchase any type of power from LCRA.
5. All documents which relate or refer, in any way, to LCRA's fuel contracts or any fuel contracts that are presently being negotiated.
6. All documents which relate or refer, in any way, to any electric rate comparison studies.



7. All documents which relate or refer, in any way, to transmittal of power from Austin to HL&P.

8. All documents which relate or refer, in any way, to Docket 14 of The Public Utility Commission of Texas.

9. All documents which relate or refer, in any way, to the receipt or sale of electric power in interstate commerce by LCRA.

10. All documents which relate or refer, in any way, to LCRA's service of potential or existing customers in the TPUC multiple certified areas.

368 320

# 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

Ralph Heyler  
Lower Colorado River Authority  
P.O. Box 220  
Austin, Texas 78767

YOU ARE HEREBY COMMANDED to appear

at Room 752, 300 East 8th Street

in the city of Austin, Texas

on the 30th day of October, 1979 at One o'clock P.M.  
to testify

in the above entitled action (and thereafter from day to day,  
if necessary).

BY ORDER OF THE ATOMIC SAFETY AND LICENSING BOARD

BY \_\_\_\_\_

Susan B. Cyphert  
Ronald H. Clark

Attorney for Antitrust Division  
United States Department of Justice  
Washington, D.C. 20530  
Telephone (202) 724-6472/6361  
(202) 724-6616

....., 19.....

368 321

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 sub-  
poena 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 sub-  
poena if it is unreasonable or requires evidence  
not relevant to any matter in issue, or (2) con-  
dition denial of the motion on just and reasonable  
terms.

# 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 & LIGHT COMPANY

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

DOCKET NOS. 50-498A  
50-499A

Ralph Heyler  
Lower Colorado River Authority  
P.O. Box 220  
Austin, Texas 78767

YOU ARE HEREBY COMMANDED to appear  
at Room 752, 300 East 8th Street

in the city of Austin, Texas  
on the 5th day of October 1979 at 10:30 o'clock A. M.  
to testify

in the above entitled action and bring with you the document(s) or object(s)  
described in the attached schedule. (and thereafter from day to  
day, if necessary).

BY ORDER OF THE ATOMIC SAFETY AND LICENSING BOARD

BY \_\_\_\_\_  
\_\_\_\_\_

Susan B. Cyphert  
Ronald H. Clark

Attorney for Antitrust Division  
United States Department of Justice  
Washington, D.C. 20530  
Telephone (202) 724-6472/6361  
(202) 724-6616

.....19.....

368 322

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 sub-  
poena is directed, and on notice to the party at  
who instance the subpoena was issued, the

presiding officer or, if he is unavailable, the  
Commission may (1) quash or modify the sub-  
poena if it is unreasonable or requires evidence  
not relevant to any matter in issue, or (2) con-  
dition denial of the motion on just and reasonable  
terms.

## SCHEDULE

### I.

#### DEFINITIONS

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2. "Interconnection" means a transmission line joining two or more power systems through which power produced by one can be used by the other.
3. "TU" means Texas Utilities Company.
4. "TP&L" means Texas Power and Light Company.
5. "DP&L" means Dallas Power & Light Company.
6. "TESCO" means Texas Electric Service Company.
7. "HLP" means Houston Lighting & Power Company.
8. "CPS" means the City Public Service Board of San Antonio.
9. "CP&L" means Central Power and Light Company.

10. "WTU" means West Texas Utilities Company.
11. "Austin" means City of Austin.
12. "LCRA" means Lower Colorado River Authority.
13. "TPUC" means The Public Utility Commission of Texas.

## II.

### CLAIM OF PRIVILEGE

If any document is withheld under claim of privilege, furnish a list which identifies each document for which privilege is claimed and which includes the following information for each such document: date, subject matter, sender, recipient, persons to whom copies were furnished together with their job titles, the basis on which privilege is claimed, and the paragraph(s) of this subpoena to which such documents responds.

## III.

### INSTRUCTIONS REGARDING GROUPING AND NUMBERING DOCUMENTS

It is requested that the documents submitted be grouped according to the individual paragraph of the subpoena section to which they are responsive and, within each such group, the documents should be arranged, as much as possible, in chronological order.

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Should any questions arise concerning this subpoena, please contact Susan B. Cyphert (202-724-6472 or 724-6361) or Ronald H. Clark (202-724-6616) at the following address:

Department of Justice  
P.O. Box 14141  
Washington, D.C. 20044

DOCUMENTS TO BE PRODUCED

1. All documents which relate or refer, in any way, to the May 4, 1976 opening of interconnections by TU, TP&L, DP&L, TESCO, and HL&P with CPS, CP&L, WTU, Austin, and LCRA.

2. All documents which relate or refer, in any way, to efforts by LCRA to have TU, TP&L, DP&L, TESCO, and HL&P close their interconnections with LCRA.

3. All documents which relate or refer, in any way, to TU, TP&L, DP&L, TESCO, and HL&P's response to LCRA regarding LCRA's request for the closing of interconnections before May 2, 1977.

4. All documents which relate or refer, in any way, to:

(a) LCRA's projected loads for 1980-1985;

(b) LCRA's projected generation capacity for 1980-1985;

(c) LCRA's projected load for 1980-1985;

(d) any requests by or contracts with an electric power system to purchase any type of power from LCRA.

5. All documents which relate or refer, in any way, to LCRA's fuel contracts or any fuel contracts that are presently being negotiated.

6. All documents which relate or refer, in any way, to any electric rate comparison studies.

7. All documents which relate or refer, in any way, to transmittal of power from Austin to HL&P.

8. All documents which relate or refer, in any way, to Docket 14 of The Public Utility Commission of Texas.

9. All documents which relate or refer, in any way, to the receipt or sale of electric power in interstate commerce by LCRA.

10. All documents which relate or refer, in any way, to LCRA's service of potential or existing customers in the PUC multiple certified areas.

368 326



# United States of America

ATOMIC ENERGY 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

Sim Gideon  
Lower Colorado River Authority  
P.O. Box 220  
Austin, Texas 78767

YOU ARE HEREBY COMMANDED to appear  
at Room 752, 300 East 8th Street

in the city of Austin, Texas  
on the 30th day of October 1979 at Nine o'clock A.M.  
to testify

in the above entitled action (and thereafter from day to day,  
if necessary).

BY ORDER OF THE ATOMIC SAFETY AND LICENSING BOARD

BY \_\_\_\_\_

Susan B. Cyphert

Ronald H. Clark

Attorney for Antitrust Division  
United States Department of Justice  
Washington, D.C. 20530  
Telephone (202) 724-6472/6361  
(202) 724-6616

.....19.....

368 - 327

10 C.F.R. 2.720 (D)

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 sub-  
poena 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 sub-  
poena if it is unreasonable or requires evidence  
not relevant to any matter in issue, or (2) con-  
dition denial of the motion on just and reasonable  
terms.

# 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 & LIGHT COMPANY

DOCKET NOS. 50-498A  
50-499A

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

To  
Sim Gideon  
Lower Colorado River Authority  
P.O. Box 220  
Austin, Texas 78767

YOU ARE HEREBY COMMANDED to appear

at Room 7524, 100 East 8th Street

in the city of Austin, Texas

on the 5th day of October 1979 at Ten o'clock A.M.  
to testify

in the above entitled action and bring with you the document(s) or object(s)  
described in the attached schedule. (and thereafter from day to  
day, if necessary).

BY ORDER OF THE ATOMIC SAFETY AND LICENSING BOARD

BY \_\_\_\_\_

Susan B. Cyphert

Ronald H. Clark

Attorney for Antitrust Division  
United States Department of Justice  
Washington, D.C. 20530

Telephone (202) 724-6472/6361

(202) 724-6616

.....19.....

368 728

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 sub-  
poena 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 sub-  
poena if it is unreasonable or requires evidence  
not relevant to any matter in issue, or (2) con-  
dition denial of the motion on just and reasonable  
terms.

## SCHEDULE

### I.

#### DEFINITIONS

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2. "Interconnection" means a transmission line joining two or more power systems through which power produced by one can be used by the other.
3. "TU" means Texas Utilities Company.
4. "TP&L" means Texas Power and Light Company.
5. "DP&L" means Dallas Power & Light Company.
6. "TESCO" means Texas Electric Service Company.
7. "HL&P" means Houston Lighting & Power Company.
8. "CPS" means the City Public Service Board of San Antonio.
9. "CP&L" means Central Power and Light Company.

10. "WTU" means West Texas Utilities Company.
11. "Austin" means City of Austin.
12. "LCRA" means Lower Colorado River Authority.
13. "TPUC" means The Public Utility Commission of Texas.

## II.

### CLAIM OF PRIVILEGE

If any document is withheld under claim of privilege, furnish a list which identifies each document for which privilege is claimed and which includes the following information for each such document: date, subject matter, sender, recipient, persons to whom copies were furnished together with their job titles, the basis on which privilege is claimed, and the paragraph(s) of this subpoena to which such documents responds.

## III.

### INSTRUCTIONS REGARDING GROUPING AND NUMBERING DOCUMENTS

It is requested that the documents submitted be grouped according to the individual paragraph of the subpoena section to which they are responsive and, within each such group, the documents should be arranged, as much as possible, in chronological order.

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Should any questions arise concerning this subpoena, please contact Susan B. Cyphert (202-724-6472 or 724-6361) or Ronald H. Clark (202-724-6616) at the following address:

Department of Justice  
P.O. Box 14141  
Washington, D.C. 20044

DOCUMENTS TO BE PRODUCED

1. All documents which relate or refer, in any way, to the May 4, 1976 opening of interconnections by TU, TP&L, DP&L, TESCO, and HL&P with CPS, CP&L, WTU, Austin, and LCRA.
2. All documents which relate or refer, in any way, to efforts by LCRA to have TU, TP&L, DP&L, TESCO, and HL&P close their interconnections with LCRA.
3. All documents which relate or refer, in any way, to TU, TP&L, DP&L, TESCO, and HL&P's response to LCRA regarding LCRA's request for the closing of interconnections before Ma. 2, 1977.
4. All documents which relate or refer, in any way, to:
  - (a) LCRA's projected loads for 1980-1985;
  - (b) LCRA's projected generation capacity for 1980-1985;
  - (c) LCRA's projected load for 1980-1985;
  - (d) any requests by or contracts with an electric power system to purchase any type of power from LCRA.
5. All documents which relate or refer, in any way, to LCRA's fuel contracts or any fuel contracts that are presently being negotiated.
6. All documents which relate or refer, in any way, to any electric rate comparison studies.

7. All documents which relate or refer, in any way, to transmittal of power from Austin to HL&P.

8. All documents which relate or refer, in any way, to Docket 14 of The Public Utility Commission of Texas.

9. All documents which relate or refer, in any way, to the receipt or sale of electric power in interstate commerce by LCRA.

10. All documents which relate or refer, in any way, to LCRA's service of potential or existing customers in the TPUC multiple certified areas.

368 332

# 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)

To

DOCKET NOS. 50-498A  
50-499A

H. L. Peterson  
City of Austin  
Electric Utility Department  
P.O. Box 1088  
Austin, Texas 78767

YOU ARE HEREBY COMMANDED to appear

at Room 752, 300 East 8th Street

in the city of Austin, Texas

on the 9th day of October 1979 at Nine o'clock A. M.  
to testify

in the above entitled action (and thereafter from day to day,  
if necessary).

BY ORDER OF THE ATOMIC SAFETY AND LICENSING BOARD

BY

Susan B. Cyphert

Ronald H. Clark

Attorney for Antitrust Division  
United States Department of Justice  
Washington, D.C. 20530

Telephone (202) 724-6472/6361

(202) 724-6616

.....19.....

368 333

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 sub-  
poena 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 sub-  
poena if it is unreasonable or requires evidence  
not relevant to any matter in issue, or (2) con-  
dition denial of the motion on just and reasonable  
terms.



# 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 & LIGHT COMPANY

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

DOCKET NOS. 50-498A  
50-499A

H. L. Peterson  
City of Austin  
Electric Utility Department  
P.O. Box 1088  
Austin, Texas 78767

YOU ARE HEREBY COMMANDED to appear

at Room 752, 300 East 8th Street

in the city of Austin, Texas  
on the 5th day of October, 1979, at Nine o'clock A.M.  
to testify

in the above entitled action and bring with you the document(s) or object(s)  
described in the attached schedule. (and thereafter from day to  
day, if necessary).

BY ORDER OF THE ATOMIC SAFETY AND LICENSING BOARD

BY \_\_\_\_\_

Susan B. Cyphert

Ronald H. Clark

Attorney for Antitrust Division  
United States Department of Justice  
Washington, D.C. 20530  
Telephone (202) 724-6472/6361

(202) 724-6615

.....19.....

368 334

10 C.F.R. 2.720 (f)

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for compliance by the person to whom the sub-  
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whose instance the subpoena was issued, the

presiding officer or, if he is unavailable, the  
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poena if it is unreasonable or requires evidence  
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## SCHEDULE

### I.

#### DEFINITIONS

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2. "Interconnection" means a transmission line joining two or more power systems through which power produced by one can be used by the other.

3. "TU" means Texas Utilities Company.

4. "TP&L" means Texas Power and Light Company.

5. "DP&L" means Dallas Power & Light Company.

6. "TESCO" means Texas Electric Service Company.

7. "HL&P" means Houston Lighting & Power Company.

8. "CPS" means the City Public Service Board of San Antonio.

9. "CP&L" means Central Power and Light Company.

10. "WTU" means West Texas Utilities Company.
11. "Austin" means City of Austin.
12. "LCRA" means Lower Colorado River Authority.
13. "Brazos" means Brazos Electric Power Cooperative, Inc.
14. "Wheeling" means the transportation of electricity by a utility over its lines for another utility; also includes the receipt from and delivery to another system of like amounts but not necessarily the same energy.
15. "Economy Energy" means energy produced and supplied from a more economical source, substituted for energy that could have been produced by a less economical source.

## II.

### CLAIM OF PRIVILEGE

If any document is withheld under claim of privilege, furnish a list which identifies each document for which privilege is claimed and which includes the following information for each such document: date, subject matter, sender, recipient, persons to whom copies were furnished together with their job titles, the basis on which privilege is claimed, and the paragraph(s) of this subpoena to which such documents responds.

## III.

### INSTRUCTIONS REGARDING GROUPING AND NUMBERING DOCUMENTS

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Department of Justice  
P.O. Box 14141  
Washington, D.C. 20044

DOCUMENTS TO BE PRODUCED

1. All documents which relate or refer, in any way, to the May 4, 1976 opening of interconnections by TU, TP&L, DP&L, TESCO, and HL&P with CPS, CP&L, WTU, Austin, and LCRA.
2. All documents which relate or refer, in any way, to efforts by Austin to have TU, TP&L, DP&L, TESCO, and HL&P close their interconnections with Austin.
3. All documents which relate or refer, in any way, to TU, TP&L, DP&L, TESCO, and HL&P's response to Austin regarding Austin's request for the closing of interconnections before May 2, 1977.
4. All documents which relate or refer, in any way, to:
  - (a) Austin's projected loads for 1980-1985;
  - (b) Austin's projected generation capacity for 1980-1985;
  - (c) Austin's projected load for 1980-1985;
  - (d) any requests by or contracts with an electric power system to purchase power from Austin.

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5. All documents which relate or refer, in any way, to Austin's fuel contracts or any fuel contracts that are presently being negotiated.

6. All documents which relate or refer, in any way, to any rate comparison studies that have been done.

7. All documents which relate or refer, in any way, to the San Miguel plant and the transmission system Brazos is building from San Miguel to transmit power from San Miguel to the Brazos load centers.

8. All documents which relate or refer, in any way, to the receipt or sale of electric power in interstate commerce by Austin.

9. All documents which relate or refer, in any way, to the wheeling of power for or to a Texas electric utility.

10. All documents which relate or refer, in any way, to economy energy transactions.

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# 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)  
To

DOCKET NOS. 50-498A  
50-499A

R. L. Hancock  
City of Austin  
Electric Utility Department  
P.O. Box 1088  
Austin, Texas 78767

YOU ARE HEREBY COMMANDED to appear  
at Room 752, 300 East 8th Street

in the city of Austin, Texas  
on the 10th day of October 1979 at Nine o'clock A. M.  
to testify

in the above entitled action (and thereafter from day to day,  
if necessary).

BY ORDER OF THE ATOMIC SAFETY AND LICENSING BOARD

BY \_\_\_\_\_

Susan B. Cyphert  
Ronald H. Clark

Attorney for Antitrust Division  
United States Department of Justice  
Washington, D.C. 20530  
Telephone (202) 724-6472/6361  
(202) 724-6616

....., 19.....

368 339

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 sub-  
poena 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 sub-  
poena if it is unreasonable or requires evidence  
not relevant to any matter in issue, or (2) con-  
dition denial of the motion on just and reasonable  
terms.

# 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 & LIGHT COMPANY

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

DOCKET NOS. 50-498A  
50-499A

R. L. Hancock  
City of Austin  
Electric Utility Department  
P.O. Box 1088  
Austin, Texas 78767

YOU ARE HEREBY COMMANDED to appear

at Room .....752, 300 East 8th Street .....

in the city of.....Austin, Texas .....

on the 5th .....day of.....October.....19 79 at 9:30 .....o'clock A.M.  
to testify

in the above .....entitled action and bring with you the document(s) or object(s)  
described in the attached schedule. (and thereafter from day to  
day, if necessary).

BY ORDER OF THE ATOMIC SAFETY AND LICENSING BOARD

BY .....

Susan B. Cyphert

Ronald H. Clark

Attorney for Antitrust Division  
United States Department of Justice  
Washington, D.C. 20530

Telephone (202) 724-6472/6361  
(202) 724-6616

....., 19.....

368. 340

10 C.F.R. 2.720 (f)

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not relevant to any matter in issue, or (2) con-  
dition denial of the motion on just and reasonable  
terms.



## SCHEDULE

### I.

#### DEFINITIONS

1. "Document" means, without limiting the generality of its meaning, all 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, agreements, 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.

2. "Interconnection" means a transmission line joining two or more power systems through which power produced by one can be used by the other.

3. "TU" means Texas Utilities Company.

4. "TP&L" means Texas Power and Light Company.

5. "DP&L" means Dallas Power & Light Company.

6. "TESCO" means Texas Electric Service Company.

7. "HL&P" means Houston Lighting & Power Company.

8. "CPS" means the City Public Service Board of San Antonio.

9. "CP&L" means Central Power and Light Company.

10. "WTU" means West Texas Utilities Company.
11. "Austin" means City of Austin.
12. "LCRA" means Lower Colorado River Authority.
13. "Brazos" means Brazos Electric Power Cooperative, Inc.
14. "Wheeling" means the transportation of electricity by a utility over its lines for another utility; also includes the receipt from and delivery to another system of like amounts but not necessarily the same energy.
15. "Economy Energy" means energy produced and supplied from a more economical source, substituted for energy that could have been produced by a less economical source.

## II.

### CLAIM OF PRIVILEGE

If any document is withheld under claim of privilege, furnish a list which identifies each document for which privilege is claimed and which includes the following information for each such document: date, subject matter, sender, recipient, persons to whom copies were furnished together with their job titles, the basis on which privilege is claimed, and the paragraph(s) of this subpoena to which such documents responds.

## III.

### INSTRUCTIONS REGARDING GROUPING AND NUMBERING DOCUMENTS

It is requested that the documents submitted be grouped according to the individual paragraph of the subpoena section to which they are responsive and, within each such group, the documents should be arranged, as much as possible, in chronological order.

In order to facilitate the handling of the documents which will be received it would be appreciated if each of the documents would be numbered consecutively. It is suggested that in numbering the documents each page be numbered, except in those instances where the documents are bound together, when numbering only the first page is appropriate. This procedure, if followed, will preserve the identity of all the documents coming from the company, and also insure the accurate and expeditious return of these documents to the company.

Should any questions arise concerning this subpoena, please contact Susan B. Cyphert (202-724-6472 or 724-6361) or Ronald H. Clark (202-724-6616) at the following address:

Department of Justice  
P.O. Box 14141  
Washington, D.C. 20044

DOCUMENTS TO BE PRODUCED

1. All documents which relate or refer, in any way, to the May 4, 1976 opening of interconnections by TU, TP&L, DP&L, TESCO, and HL&P with CPS, CP&L, WTU, Austin, and LCRA.
2. All documents which relate or refer, in any way, to efforts by Austin to have TU, TP&L, DP&L, TESCO, and HL&P close their interconnections with Austin.
3. All documents which relate or refer, in any way, to TU, TP&L, DP&L, TESCO, and HL&P's response to Austin regarding Austin's request for the closing of interconnections before May 2, 1977.
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  - b) Austin's projected generation capacity for 1980-1985
  - Austin's projected load for 1980-1985;
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8. All documents which relate or refer, in any way, to the receipt or sale of electric power in interstate commerce by Austin.

9. All documents which relate or refer, in any way, to the wheeling of power for or to a Texas electric utility.

10. All documents which relate or refer, in any way, to economy energy transactions.

11. All documents which relate or refer, in any way, to Austin's service of potential or existing customers in the TPUC multiple certified areas.

12. All documents which relate or refer, in any way, to:

- (a) the intrastate only restrictions found in the contracts Austin has with HL&P and the TU companies;
- (b) a memorandum from Richard Balough to R.L. Hancock, dated March 13, 1979, pertaining to the sale of power to Houston;
- (c) a letter from Dumas, Huguenin, Boothman and Morrow to Richard Balough, dated February 19, 1979, pertaining to the intrastate only restrictions in existing contracts and in contracts recently being negotiated.

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