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)

TEXAS UTILITIES GENERATING COMPANY (Comanche Peak Steam Electric Station, Units 1 and 2) Docket Nos. 50-498A

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

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
- Donald D. Sykora, Houston Lighting and Power Company
- D.E. Simmons, Houston Lighting and Power Company
- Harold Arnold, City Public Service Board of San Antonio
- 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 Auchority 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
- Art Wilson, City Public Service Board of San Antonio
- J.K. Spruce, City Public Service Board of San Antonio
- Robert Mecke, City Public Service Board of San Antonio
- 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, Jr.

Michael B. Blume
Counsel for NRC Staff
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

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

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)

TEXAS UTILITIES GENERATING COMPANY (Comanche Peak Steam Electric Station, Units 1 and 2) Docket Nos. 50-498A 50-499A

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

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

Sheldon J. Wolfe, Esquire*
Atomic Safety & Licensing Board
Panel
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

368 260

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

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

Jerome E. Sharfmar, Esquire 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

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 N. 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

Energy . n Antitrus: ivision Department of Justice

. 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)

YOU ARE HEREBY COMMANDED to appear

DOCKET NOS. 50-498A 50-499A

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

at Ro	om8C6, 110	O Commerce	Street			
in the city ofDallas on the9±hduy of to testify	s, Texas August	19.Z9at	.Qneo'cin	ck P.M.		
in the above contitled if necessary).	daction (and th	hereafter i	rom day	to day,		
		POO	IR O	RIG	IN	AL
	BY ORDER OF THE	8 000	Dan a			
	IN					
Susan B. Cyphert Ronald H. Clark	_					
Attorney for Antitrust Division United States Expartment of Justice Washington, D.C. 20530 Telephone(202)724-6472/6 (202) 724-6616	61	*****		.,19	368	263
		7	79072	6		

10 C.F.R. 2.720 (f)

On motion made promptly, and in any event at or before the time specified in the subpoena for compliance by the person to whom the subpoena is directed, and on notice to the party at whose instance the subpoena was issued, the presiding officer or, if he is unavailable, the Commission may (1) quash or modify the subpoena if it is unreasonable or require evidence
not relevant to any matter in issue, or the dition denial of the motion on just and reasonable
terms.

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

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 R	usk
	on the 10th day of September 19.79.	.at9:30o'clock A.M.
	in the above entitled action (and therea day, if necessary).	fter from day to
	BY ORDER OF THE ATOMIC S.	AFETY AND LICENSING BOARD
	HY	
Ronal	B. Cyphert	
'nited S	for Antitrust Division states Department of Justice Ston, D.C. 20530 no. (202)724-6472/6361	19
	(202) 724-6616	368 264

10 C.F.R. 2.720 (f)

On motion made promptly, and in any event at or before the time specified in the subporta for compliance by the person to whom the subporta is directed, and on notice to the party at whose instance the subporta was issued, the presiding officer or, if he is unavailable, the Commission may (1) quash or modify the subpoena if it is unreasonable or requires evidence not relevant to any matter in issue, or (2) condition denial of the motion on just and reasonable terms.

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.

DOCKET NOS. 50-498A 50-499A

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

in the city of on the		nber 19.79 at 1:	3.Co'clock P.M.
in de above cay, if	entitled action necessary).	(and thereafter fro	om day to
	BY ORDER	R OF THE ATOMIC SAFETY AND	LICENSING BOARD
Susan B. Cyphe	BY	R OF THE ATOMIC SAFETY AND	LICENSING BOARD
Susan B. Cyphe Ronald H. Clar ttorney for Antitrust Div nited States Department askington, D.C. 20530 elephone. (202)72	r+ k vision		LICENSING BOARD

10 C.F.R. 2.720 (f)

On motion made promptly, and in any event at or before the time specified in the subporna for compliance by the person to whom the subporna is directed, and on notice to the party at whose instance the subpoena was issued, the presiding officer or, if he is unavailable, and Commission may (1) quash or modify the sub-poena if it is unreasonable or requires evidence not relevant to any natter in issue, or (2) condition denial of the motion on just and reasonable terms.

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)

Harold Irnold
City Public Service Board
of San Intonio
P.O. Box 171
145 Navarro Street
San Antonio, Texas 78296

DOCKET NOS. 50-498A 50-499A

YOU ARE HEREBY COMMANDED to appear at RoomG-13/	ear 665 E. Durango Blvd.
in the city of San Antonio, Temon the 24th .day of September to testify	xas19.79at10:30o'clock A.M.
in the above entitled action (and day, if necessary).	thereafter from day to

BY ORDER OF THE ATOMIC SAFETY AND LICENSING BOARD
BY

Ronald H. Clark

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

Susan B. Cyphert

368 266

10 C.F.R. 2.720 (f)

On motion made promptly, and a any event at or before the time specified—the subporna for compliance by the person to whom the subpoena is directed, and on name to the party at whose instance the subpoent car would, 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) condition denial of the motion on just and reasonable terms.

. 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)

YOU ARE HEREBY COMMANDED to appear

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

	at RoomG-13	, 665 E. Dui	ango Plyd.	
in the city orinini	San Antonio, Temper.	*****************	.11.;30.o'clock A	М.
in the above if necessar	entitled action (and y).	thereafter .	from day to d	lay,
	BY ORDER OF TH	E ATOMIC SAFETY	AND LICENSING BOA	.RD
	DA.			-
Susan B. Cyphert tonald H. Clark	_		10	
nited States Department of Ju- ashington, D.C. 20530 elephone(202)724-66 (202) 724-66	172/6361	****	19	
(202) /24-00	,10		368	} .

10 C.F.R. 2.720 (f)

On motion made promptly, and in any event at or before the time specified in the subpoena for compliance by the person to whom the subpoena is directed, and on notice to the party at whose instance the subpoena was issued, the presiding officer or, if he is unavailable, the Commission may (1) quash or modify the subpoena if it is unreasonable or requires evidence not relevant to any matter in issue, or (2) condition denial of the motion on just and reasonable terms.

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

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

	and the second s	THE MANIER CONTRACTOR				***********	
	in the city ofSat on the24thdi	n Antonio,	Texa	5	Two 1		
	to testify	iy 01	·M·n	19.23at	+.₩₩0`(clock P.I	м.
	in the above day, if nece	entitled action	(and	thereafter	from da	y to	
		BY ORDE	R OF TH	E ATOMIC SAFET	Y AND LICEN	SING BOAR	()
		IIV.					-
	B. Cyphert				-		_
ittorne v	d H. Clark for Antitrust Division ates Department of Jus on, D.C. 20530	tice				,19	
Celephon	00, D.C. 20530 c. (202)724-64 (202) 724-66					368	26

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

10 C.F.R. 2.720 (f)

On motion made promptly, and in any event at or before the time specified in the subpoena for compliance by the person to whom the subpoena is directed, and on notice to the party at whose instance the subpoena was issued, the presiding officer or, if he is unavailable, the Commission may (1) quash or modify the sub-poena if it is unreasonable or requires evidence not relevant to any matter in issue, or (2) condition denial of the motion on just and reasonable terms.

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 Torice Project Weite No.

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

YOU ARE HEREBY COMMANDED to appear

DOCKET NOS. 50-498A 50-499A

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

in the city ofSar	at Room G-13, 665 E. Durango Blvd. Antonio, Texas of September 19.79 at 3:30 o clock P.M.
in the above enday, if neces	ntitled action (and thereafter from day to sary).
	BY ORDER OF THE ATOMIC SAFETY AND LICENSING BOARD
Susam B. Cyphert Ronald H. Clark Attorney for Antitrust Division United States Department of Justic Washington, D.C. 20530 Telephone(202)724-647.	

10 C.F.R. 2.720 (f)

On motion made promptly, and in any event at or before the time specified in the subporna for compliance by the person to whom the subporna 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) condition denial of the motion on just and reasonable terms.

NUCLEAR REGULATORY COMMISSION

In the matter of:

To and 2)

HOUSTON LIGHTING & POWER COMPANY
THE CITY OF SAN ANTONIO
THE CITY OF AUSTIN and
CENTRAL POWER AND LICHT COMPANY
(South Texas Project, Units Nos.

YOU ARE HEREBY COMMANDED to appear

DOCKET NOS. 50-498A 50-499A

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

at Room	m 752, 300 East 8th Street		
in the city of Austi	n, Texas	*********	
on the9thday of	October 19.79 at One o'clock	k P.M.	
in the above entitled if necessary).	action (and thereafter from day to	o day,	
	COUNCE OF THE ATOMIC CAPETY AND LICENSING	DOADD	
	Y ORDER OF THE ATOMIC SAFETY AND LICENSING	BOARD	
10	,		
Ronald H. Clark			
ttorney for Antitrust Division		10	
nited States Department of Justice	***************************************	,10	
ashington, D.C. 20536 elephone(202)724-6472/636	51	. 368	270
(202) 724-6616		. 200	210

10 C.F.R. 2.720 (f)

On motion made promptly, and in any event at or before the time specified in the subpoend for compliance by the person to whom the subpar a is directed, and on notice to the party at whose instance the subpoend 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) condition denial of the motion on just and reasonable terms.

. 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 Prwer Authority
2225 E. Randol Mill Road
Arlington, Texas 76011

YOU ARE HEREBY COMMANDED to appear

		at Room	100 Commerce St	reet
	in the city of on the25th day to testify	Dallas, Tex	as19. 79 atNine	o'clock A.M.
	in the above or if necessary).	ntitled action (and	thereafter from	m day to day,
		BY ORDER OF TH	E ATOMIC SAFETY AND I	JCENSING BOARD
		10.		
Ronald	B. Cyphert d H. Clark	_		
nited Sta	or Antitrust Division atcs Department of Justice n, D.C. 20530(202)724-64.72	2/6361	************	19
	(202) 724-6616			368.

10 C.F.R. 2.720 (f)

On motion made promptly, and in any event at or before the time specified in the subporna for compliance by the person to whom the subporna is directed, and on notice to the party at whose instance the subpoena was issued, the presiding officer or, if he is unavailable, the Commission may (1) quash or modify the subpoena if it is unreasonable or requires evidence not relevant to any matter in issue, or (2) condition denial of the motion on just and reasonable terms.

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.
10 and 2)

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

	me 14.00m 3113111111111111111			******	
in the city officer	Dallas, Texas duy ofOctober	19.29at	.Oneo'clock	P.M.	
in the above if necessar	entitled action (and y).	thereafter	from day to	day,	
	BY ORDER OF TH	HE ATOMIC SAFET	Y AND LICENSING	BOARD	
	BY				
Susan B. Cyphert Conald H. Clark					
ttorney for Antitrust Division nited States Department of Ju ashington, D.C. 20530	*tice	***	1!	9	
(202) 724-6				368.	2

at Room 8C6, 1100 Commerce Street

10 C.F.R. 2.720 (f)

On motion made promptly, and in any event at or before the time specified in the subporna for compliance by the person to whom the subporna 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) condition denial of the motion on just and reasonable terms.

NUCLEAR REGULATORY COMMISSION

In the matter of:

HC"JTON LIGHTING & POWER COMPANY THE CITY OF SAN ANTONIO THE CITY OF AUSTIN and CENT. POWER & LIGHT COMPANY

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

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

YOU ARE HEREBY COMMANDED to appear

DOCKET NOS. 50-498A 50-499A

in the city officer	ofAugust
described in the atta day, if neces	entitled action and bring with you the document(s) or object(s) ched schedule. (and thereafter from day to sary).
	BY ORDER OF THE ATOMIC SAFETY AND LICENSING BOARD
	ISY
Susan B. Cyphert	
Ronald H. Clark Attorney for Antitrust Division Inited States Department of Justi	19
Vashington, D.C. 20530 Telephone. (202)724=6.47	
(202) 724-661	

at Room . 8C6, 1100 Commerce Street

10 C.F.R. 2.720 (f)

On motion made promptly, and in any event at or before the time specified in the subpoena for compliance by the person to whom the subpoena is directed, and on notice to the party at whose instance the subpoena was issued, the presiding officer or, if he is unavailable, the Commission may (1) quash or modify the sub-poena if it is unreasonable or requires evidence not relevant to any matter in issue, or (2) condition denial of the motion on just and reasonable terms.

SCHEDULE

I.

DEFINITIONS

- 1. "Document" means, without limiting the generality of its meaning, all original (or copies where originals are unavailable) and non-identical (pies (whether different from originals by reason of nota ion 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. "Eme ;ency 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.

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.
- 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.
- 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 drart of a letter to Harry A. Poth;
- (d) a draft of a letter from R.D. L. dbetter 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.

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

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

	***************************************	t Room8561100		rest
	on the28thday of to testify	llas, Texas ofAugust	19.22atNin	9o'clock A M.
	in the above end if necessary).	titled action (and th	ereafter from	m day to day,
		BY ORDER OF THE A	TOMIC SAFETY AND	LICENSING HOARD
		BY		
	B. Cyphert			
niced Ste	for Antitrist Division accs Department of Justice in, D.C. 20530	/6361	***********	19
	(202) 724-6616			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 subporna for compliance by the person to whom the subporna 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) condition denial of the motion on just and reasonable terms.

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.

William Marquardt Texas Electric Service Company P.O. Box 970 Fort Worth, Texas 76101 DOCKET NOS. 50-498A 50-499A

YOU ARE HEREBY COMMANDED to appear at Room 8C6, 1100 Commerce Street
in the city of
in the above entitled action and bring with you the document(s) or objects) described in the attached schedule. (and thereafter from day to day, if necessary).

BY ORDER OF THE ATOMIC SAFETY AND LICENSING BOARD

Susan B. Cyphert Ronald H. Clark

Attorney for Antitrust Division United States Department of Justice Washington, D.C. 20530 Telephone. (202)...724n6472/6361 (202) 724-6616

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

368 280

10 C.F.R. 2.720 (f)

On motion made promptly, and in any event at or before the time specified in the subpoend for compliance by the person to whom the subpoend is directed, and on notice to the party at whose instance the subpoend was issued, the presiding officer or, if he is unavailable, the Commission may (1) quash or modify the subpoena if it is unreasonable or requires evidence not relevant to any matter in issue, or (2) condition denial of the motion on just and reasonable terms.

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.

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) 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 Marquarit 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.
- All documents which relate or refer, in any way,
 - (a) Western Farmers Electric Cooperative;
 - (b) proposed and actual interconnections between Western Farmers Electric Cooperative and Brazos Electric Power Cooperative, Incorporated.
- 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.

NUCLEAR REGULATORY COMMISSION

In the matter of:

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

Houston, Texas ay of September	19.29atNineo'clock A.	
entitled action (and	d thereafter from day to day	,
BY ORDER OF T	HE ATOMIC SAFETY AND LICENSING BOARD	
BY		
	entitled action (and	

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 compliant the person to whom the subpoena is:

'd on notice to the party at whose in... before a was issued, the

presiding officer or, if he is unavailable, the Commission may (1) quash or modify the subpoena if it is unreasonable or requires evidence not relevant to any matter in issue, or (2) condition denial of 14 motion on just and reasonable terms.

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 anyone

	at	Room12000, 515 Rusk
	in the city of Hous on the10th day of.	ton, Texas September 19.79.at. Nineo'clock A.M.
	in the above entit described in the attached day, if necessar	ded action and bring with you the document(s) or object(s) deschedule. (and thereafter from day to ry).
		BY ORDER OF THE ATOMIC SAFETY AND LICENSING BOARD
		BY
Ronald Attorney (United Sta Washington	B. Cyphert H. Clark or Antitrust Devision ates Department of Justice n, D.C. 20530 1(202)724-6472/6 (202) 724-6616	6361
		368 28

10 C.F.R. 2.720 (n)

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

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

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 paper 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. "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.

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 by 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 PPC 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;

- (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
- (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) LL&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.

- 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.

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)

YOU ARE HEREBY COMMANDED to appear

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

	ntonio, Texas September19.79. at Nineo'clock A.M.
in the above entited day, if necessar	eledaction (and thereafter from day to ry).
	BY ORDER OF THE ATOMIC SAFETY AND LICENSING BOARD
	BY ORDER OF THE ATOMIC SAFETY AND LICENSING BOARD
isan B. Cyphert nald H. Clark orney for Antitrust Division ied States Department of Justice	

10 C.F.R. 2.720 (1)

On motion made promptly, and in any event at or before the time specified in the subporna for compliance by the person to whom the subporna 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) condition denial of the motion on just and reasonable terms.

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)

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

DOCKET NOS. 50-498A 50-499A

YOU ARE HEREBY COMMANDED to appear G-13, 665 E. Durango Blvd.
in the city of San Antonio, Texas
on the 24th 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

Susan B. Cyphert

Ronald H. Clark

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

368 293

10 C.F.R. 2.720 (f)

(202) 724-6616

On motion made promptly, and in any event at or before the time specified in the subpoend for compliance by the person to whom the subpoend is directed, and on notice to the party at whose instance the subpoend was issued, the presiding officer or, if he is unavailable, the Commission may (1) quash or modify the subpoena if it is unreasonable or requires evidence not relevant to any matter in issue, or (2) condition denial of the motion on just and reasonable terms.

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. "WTU" means West Texas Utilities Company.

- 10. "Austin" means City of Austin.
- 11. "LCRA" means Lower Cc ado 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

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

- (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.

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. In and 2)

J. K. Spruce City Public Service Board of San Antonio P.O. Box 1771 145 Navarro Street San Antonio, Texas 78296 DOCKET NOS. 50-498A 50-499A

in the city	of San Antonio 5th day of Septe	, Texas mber 19.79 at 0	Oneo'clock P.M.
to testify			
	ve entitled action essary).	(and thereafter	from day to day,
12 1100	cosary,.		
	BY ORDE	R OF THE ATOMIC SAFETY	AND LICENSING BOARD
	10.		
Susan B. Cypl Ronald H. Cla			
Attorney for Antitrust United States Departm	Division	****	19

10 C.F.R. 2.720 (f)

Washington, D.C. 20530 Telephone..(202)...724-.6472/6361 (202) 724-6616

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

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

368 -298

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)

J. K. Spruce City Public Service Board of San Antonio P.O. Box 1771 145 Navarro Street San Antonio, Texas 78296 DOCKET NOS. 50-498A 50-499A

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 September19.79.at. 9:15o'clock A.M to testify	
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)...724n6472/6361 (202) 724-6616

360

368 299

10 C.F.R. 2.720 (f)

On motion made promptly, and in any event at or before the time specified in the subpoena for compliance by the person to whom the subpoena is directed, and on notice to the party at whose instance the subpoena was issued, the presiding officer or, if he is unavailable, the Commission may (1) quash or modify the subpoena if it is unreasonable or requires evidence not relevant to any matter in issue, or (2) condition denial of the motion on just and reasonable

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 criginals 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. "FL&P" means Houston Lighting & Power Company.
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- 9. "WTU" means West Texas Utilities Company.

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- 12. "STEC" means South Texas Electric Cooperative, Inc.
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- 14. "Brazos" means Brazos Electric Power Cooperative, Inc.

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.

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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:
 - (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 relace 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 wa 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.

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)

YOU ARE HEREBY COMMANDED to appear

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

	at		E. Durango Blvd.	
	The same world present the same	Antonio, Texas September 19	1.79atNingo'clock	A. M.
	in the above enti- day, if necessar	tled action (and the ary).	reafter from day to	
		BY ORDER OF THE ATO	OMIC SAFETY AND LICENSING B	OARD
		BA.		_
Susan	B. Cyphert H. Clark			
United Sta	tex Department of Justice	6361	19.	
	(202) 724-6616		368	30
Attorney for	H. Clark Or Antitrust Division tes Department of Justice D.C. 20530	6361	368	3(

10 C.F.R. 2.720 (f)

On motion made promptly, and in any event at or before the time specified in the subpoena for compliance by the person to whom the subpoena is directed, and on notice to the party at whose instance the subpoena was issued, the presiding officer or, if he is unavailable, the Commission may '1) quash or modify the subpoena if it is unreasonable or requires evidence not relevant to any matter in issue, or (2) condition denial of the motion on just and reasonable terms.

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)

YOU ARE HEREBY COMMANDED to appear

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

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 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 CONSING BOARD Susan B. Cyphert Ronald H. Clark Attorney for Antitrust Division United States Department of Justice19..... Washington, D.C. 20530 Telephone. 42.02) ... 72.4 = 6.472/6361 368 305 (202) 724-6616

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SCHEDULE

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

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- 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.

NUCLEAR REGULATORY COMMISSION

In the matter of:

HOUSTON LIGHTING & POWER COMPANY
THE CITY OF SAN A ITONIO
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 COM at F	MANDED to appear com .G-13, 665 E. Durango Blvd.
ter term to the first transfer and the term	tonio, Texas September 19.79 at Nine o'clock A.M.
in the above entitle day, if necessar	ed action (and thereafter from day to
	BY ORDER OF THE ATOMIC SAFETY AND LICENSING BOARD
	BA.
Susan B. Cyphert Ronald H. Clark	
Attorney for Antitrus: Division United States Department of Justice Washington, D.C. 20530 Telephone. (202)724-6472/6	,19
(202) 724-6616	368 310

10 C.F.R. 2.720 (D

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

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BY ORDER OF THE ATOMIC SAFETY AND LICENSING BOARD.

Susan B. Cyphert Ronald H. Clark

Attorney for Antitrust Division United State* Department of Justice Washington, D.C. 20530 Telephone. 12021...724-6472/6361

(202) 724-6616

.....19......

368 311

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NUCLEAR RECULATORY 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)

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

YOU ARE HEREBY COMMANDED to appear

DOCKET NOS. 50-498A 50-499A

	at Room752, 300 East 8th Street
• on	he city of Austin, Texas he5thduy ofOctober1979.at. Eleven.o'clock A.M. estify
de	the above entitled action and bring with you the document(s) or object(s) cribed in the attached schedule. (and thereafter from day to by, if necessary).
	BY ORDER OF THE ATOMIC SAFETY AND LICENSING BOARD
	BY
onald H themey for A nited States ashington, D	titrust Division Department of Justice

10 C.F.R. 2.720 (f)

(202) 724-6616

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368 316

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- 6. "TESCO" means Texas Electric Service Company.
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- 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.

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- 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;
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 - (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.
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- 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 TPJC multiple certified areas.

368 320

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.
10 and 2)

DOCKET NOS. 50-498A 50-499A

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

	OMMANDED to appear at Room752, 300 East 8th S	Street
in the englation	stin, Texas ofOctober 19.79 at Or	Leo'clock P.M.
in the above end if necessary).	titled action (and thereafter fr	om day to day,
	BY ORDER OF THE ATOMIC SAFETY AS	ND 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	2/6361	19
(202) 724-6616		368 32

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DOCKET NOS. 50-498A 50-499A

at	Room ./52, 300 East 8th Street
	ustin, Texas f. October1979.at10:30 o'clock A. M.
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Susan B. Cyphert Ronald H. Clark Attorney for Antitrust Division United States Department of Justice	19
Washington, D.C. 20530 Telephone. (202) 724-6472/ (202) 724-6616	76361 368 32

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368 326

" JCLEAR 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

	in the city of Austion the 30th day of	Room752 n. Texas October			A .M.
	to testify				
	in the above enti if necessary).	tled action (and	thereafter .	from day to	o day,
		BY ORDER OF T	HE ATOMIC SAFET	Y AND LICENSING	BOAiso
		BY ORDER OF T	HE ATOMIC SAFET	Y AND LICENSING	BOARD
	B. Cyphert		HE ATOMIC SAFET	Y AND LICENSING	BOAGO
Ronal	B. Cyphert d. H. Clark or Antitrust Division sics Department of Justice n. D.C. 20530(202)724-6472/	157		Y AND LICENSING	

10 C.F.A. 2.720 (f)

On motion made promptly, and in any event at or before the time specified in the subporna for compliance by the person to whom the subporna is directed, and on notice to the party at whose instance the subpoena was issued, the presiding officer or, if he is unavailable, the Commission may (1) quash or modify the subpoena if it is unreasonable or requires evidence not relevant to any matter in issue, or (2) condition denial of the motion on just and reasonable terms.

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DOCKET NOS. 50-498A 50-499A

		t Room752 1.0. East .8th. S.	treet
		in, Texas October 19.79.at. T	eno'clock A.M.
	in the above ent described in the attach day, if necessary	citled action and bring with you the docume and schedule. (and thereafter fr ary).	nt(s) or object(s) rom day to
		BY ORDER OF THE ATOMIC SAFETY AN	D LICENSING BOARD
		IIV	
Ronald Attorney for	B. Cyphert H. Clark or Antitrust Division	_	19
Washington	tes Department of Justice 1, D.C. 20536 (202)724-6472 (202) 724-6616		360 72

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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

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

YOU ARE HEREBY COMMANDED to appear

	ustin, Texas	************************	Ningo'clock A	. м.
in the above if necessar	entitled action	(and thereafter	from day to	day,
	BY ORDER O	OF THE ATOMIC SAFETY	AND LICENSING BO	ARD
		OF THE ATOMIC SAFETY	AND LICENSING BO.	ARD
Susan B. Cyphert Ronald H. Clark Attorney for Antitrust Division United States Department of July Vashington, D.C. 20530 Telephone. (202)724-6	stice IIV	OF THE ATOMIC SAFETY	AND LICENSING BO	

10 C.F.R. 2.720 (f)

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l'nited States	. Clark ditrust Biriston Department of dusti	ce				1	9,	-
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- 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.
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368 338

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1 and 2)

DOCKET NOS. 50-498A 50-499A

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

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at F	Coom752, 300 Fast 8th Street
	in, Texas .October19.79atNineo'clock A. M.
in the above entitle if necessary).	edaction (and thereafter from day to day,
	BY ORDER OF THE ATOMIC SAFETY AND LICENSING BOARD
	BY
Susan B. Cyphert Ronald H. Clark	
Attorney for Antitrust Division Inited States Department of Justice Vashington, D.C. 20530 Telephone. (202)724-6472/	6361
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		OMMANDED to appear at Room75.2300 Ea	ast 8th Street	
	til tile city Oliverinini	stin, Texas of October 19.	79at9:30o'clock A	 . M.
		hed schedule. (and ther	you the document(s) or object(s) reafter from day to	
		BY ORDER OF THE ATOM	TIC SAFETY AND LICENSING BOA	ARD
Ronald Momey for Inited Sta	B. Cyphert H. Clark Or Antitrust Division tes Department of Justice 1, D.C. 20530	/6361	,19	34(

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 - 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 contacts recently being negotiated.