

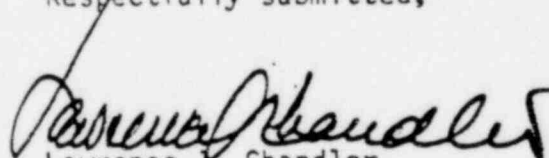


would compromise its presentation or the completeness of the record on this issue. To assure that, the Staff proposes to call Captain Clark Billie, also a TWA employee and elicit his testimony.

Accordingly, the Staff respectfully moves (1) to have the Appeal Board formally excuse Captain Mangold from appearing on the date in question and (2) to withdraw its subpoena of Captain Thomas C. Mangold. The Staff will, under separate cover, ask that the Chairman of the Appeal Board issue a subpoena directing the attendance of Captain Billie.<sup>1/</sup>

Staff counsel has discussed this matter with counsel for Licensee and the Commonwealth of Pennsylvania and Intervenor's representative, and is authorized to represent to the Appeal Board that they have no objection to the Staff's motion.

Respectfully submitted,

  
Lawrence J. Chandler  
Counsel for NRC Staff

Dated at Bethesda, Maryland  
this 22nd day of January, 1980

<sup>1/</sup> Captain Billie was notified of the date and general location of the hearing by phone on January 18, 1980.