



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

April 10, 1980

Mr. Doug Gillman
532 Probasco Street
Cincinnati, Ohio 45220

In the Matter of
Cincinnati Gas and Electric Company, et al.
(Wm. H. Zimmer Nuclear Power Station, Unit No. 1)
Docket No. 50-358

Dear Mr. Gillman:

This replies to your letter of March 21, 1980 addressed to Dr. Hanauer of the NRC Staff on behalf of the Miami Valley Power Project inquiring as to costs of subpoenaing Dr. Hanauer to appear and testify at the Zimmer operating license proceedings in Cincinnati.

The Commission's regulations do not permit NRC personnel to be subpoenaed for NRC proceedings. (10 C.F.R. §2.720(h)). Where a particular employee has personal knowledge of particular facts a presiding officer may require his testimony. A copy of 10 C.F.R. §2.720(h) is enclosed for your information.

The remaining issues in this proceeding involve emergency planning, radiation monitoring, and financial qualifications. The NRC plans to present knowledgeable witnesses on each of these matters who may be cross-examined by attorneys for your organization at that time. There is no contention on the G.E. Mark II containment.

Under established procedures direct inquiries pertaining to NRC proceedings are addressed to the attorney for the staff, rather than to individual NRC staff members. In the future, it would be best if you have one of your counsel make requests on behalf of the Miami Valley Power Project so that these matters can be coordinated for each party.

Sincerely,

Charles A. Barth

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Counsel for NRC Staff

Enclosure: As Stated

cc: See Page 2

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cc: (w/incoming 3/21/80 ltr to S. Hanauer)
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