

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

|                                     |   |                     |
|-------------------------------------|---|---------------------|
| In the Matter of                    | ) |                     |
|                                     | ) |                     |
| The Toledo Edison Company and       | ) | Docket Nos. 50-346A |
| The Cleveland Electric Illuminating | ) | 50-500A             |
| Company                             | ) | 50-501A             |
| (Davis-Besse Nuclear Power Station  | ) |                     |
| Units 1, 2 and 3)                   | ) |                     |
|                                     | ) |                     |
| The Cleveland Electric Illuminating | ) | Docket Nos. 50-440A |
| Company, et al.                     | ) | 50-441A             |
| (Perry Nuclear Power Plant          | ) |                     |
| Units 1 and 2)                      | ) |                     |

SUBPOENA DUCES TECUM

The Nuclear Regulatory Commission to:

Mr. Howard J. Holton  
308 Virginia Avenue  
Alexandria, Virginia 22302

YOU ARE HEREBY COMMANDED, pursuant to the Atomic Energy Act of 1954, as amended, Section 2.720 of the Rules of the Nuclear Regulatory Commission, 10 CFR Part 2, to produce the documents described below at the time of your appearance to give testimony at a hearing in the above captioned matter to be taken before the Atomic Safety and Licensing Board on February 3, 1976, commencing at 9:30 a.m. at the First Floor Hearing Room in the Willste Building at 7915 Eastern Avenue, Silver Spring, Maryland.

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SCHEDULE OF DOCUMENTS TO BE PRODUCED

1. All drafts of your Affidavit of December 9, 1975, filed in these proceedings.
2. Copies of all documents referred to or relied upon in preparing your Affidavit of December 9, 1975, or in preparing to testify in these proceedings.

Documents prepared prior to January 1, 1965 need not be produced.

In accordance with Section 2.720(f) of the Rules of Practice of the Nuclear Regulatory Commission, 10 CFR Part 2, you may, by motion promptly made, and in any event at or before the time specified herein for compliance and upon notice to James B. Davis, Counsel for Cleveland, Director of Law, Department of Law, 213 City Hall, Cleveland, Ohio 44114, request that this subpoena be quashed or modified if it is unreasonable or requires evidence not relevant to any matter at issue in these proceedings. The Nuclear Regulatory Commission may condition its denial of such a motion to quash or modify this subpoena on just and reasonable terms.

Further, pursuant to Section 2.720(c), you are entitled upon service of this subpoena to a tender of fees and mileage payable to witnesses in District Courts of the United States.

Atomic Safety and Licensing Board  
Nuclear Regulatory Commission

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Elizabeth S. Bowers  
Chairman

Issued:

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