

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:

John Lansdale, Jr., Esq.  
Cox, Langford & Brown  
21 Dupont Circle, N. W.  
Washington, D. C. 20036

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.

8002 270 883

SCHEDULE OF DOCUMENTS TO BE PRODUCED

1. Copies of all drafts of the Affidavits attached to Squire, Sanders & Dempsey's brief filed in these proceedings.
2. Copies of all documents, notes, memoranda, recordings or minutes of meetings or telephone conversations between yourself and other members or employees of Squire, Sanders & Dempsey relating in any way to Cleveland's Municipal Electric Light Plant (MELP).
3. Copies of all memoranda, briefs, reports, research notes or routing slips sent to you by members or employees of Squire, Sanders & Dempsey relating in any way to MELP.
4. Copies of all documents originating from City of Cleveland (Cleveland) to which you have referred, relied or examined other than those obtained from Cleveland during discovery in these proceedings.
5. Copies of all memoranda, reports, analyses of minutes, notes or recordings prepared by you relating in any way to MELP.
6. Copies of all materials found in the file or files to which the memorandum attached as Exhibit E to Cleveland's brief in support of its motion to disqualify Squire, Sanders & Dempsey filed in these proceedings was addressed.
7. Copies of all materials reviewed or relied upon in preparing your Affidavit filed as an attachment to the brief of Squire, Sanders & Dempsey in these proceedings or reviewed and relied upon in preparing the testimony which you intend to give in these proceedings.

8. Copies of all memoranda prepared by Squire, Sanders & Dempsey for The Cleveland Electric Illuminating Company (CEI) relating in any way to MELP.
9. Copies of all memoranda, notes, minutes or recordings or letters referring to or memorializing meetings or telephone conversations between yourself and other members or employees of Squire, Sanders & Dempsey with employees, officers or directors of CEI relating in any way to MELP.
10. Copies of daily diaries, logs or appointment calendars showing meetings or appointments with members or employees of Squire, Sanders & Dempsey who have at any time performed or supervised the performance of work being done for MELP.
11. Copies of the files of Squire, Sanders & Dempsey referred to on page 3 of your Affidavit of December 10, 1975, filed herein.

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

---

Elizabeth S. Bowers  
Chairman

Issued:

---

1976