

UNITED STATES OF AMERICA  
BEFORE THE ATOMIC ENERGY COMMISSION

In the Matter of	)	
	)	
The Toledo Edison Company and	)	
The Cleveland Electric Illuminating	)	Docket No. 50-346A
Company	)	
(Davis-Besse Nuclear Power Station)	)	
	)	
The Cleveland Electric Illuminating	)	Docket Nos. 50-440A
Company, et al.	)	50-441A
(Perry Plant, Units 1 and 2)	)	
	)	
Duquesne Light Company, et al.	)	Docket No. 50-412A
(Beaver Valley, Unit 2)	)	

SUBPOENA

To: Lee C. Howley  
Vice President and General Counsel  
The Cleveland Electric Illuminating Company  
Illuminating Building  
55 Public Square  
Cleveland, Ohio 44113

By authority of Section 161c of the Atomic Energy Act of 1954, as amended, 42 USC §2201c, and 10 CFR §2.720 of the Rules of Practice of the United States Atomic Energy Commission, you are hereby commanded to appear at the Office of the Law Director, City of Cleveland, City Hall, Cleveland, Ohio, on the 4th day of April, 1974, at 10:00 a. m. to testify on oral examination by counsel for the City of Cleveland in the above-captioned proceedings with respect to your knowledge of the matters discussed at the March 4, 1974, public meeting of the Public Utilities Committee of the Council of the City of Cleveland and the

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March 5, 1974, public meeting of the Finance Committee of the Council of the City of Cleveland and with respect to all contacts before and after such meetings, made by representatives of CEI or on behalf of CEI with members of those committees with respect to the matters discussed at the aforesaid meetings.

You are directed to bring with you all documents of every kind in the possession, custody, or control of the Cleveland Electric Illuminating Company, including all drafts of correspondence, memoranda, reports, notes, letters, messages, minutes, inter-and intra-office communications, and recordings and transcripts pertaining to the alleged statements of Mr. Kudukis, reports received of the alleged statements, contacts with Mr. Francis E. Gaul and Mr. Michael Zone or any other persons either before or after the public hearings pertaining to matters discussed at those hearings or in any way connected with the allegations contained in Mr. Howley's affidavit or Applicants' application for subpoenas.

Pursuant to 10 CFR §2.720(d) of the Commission's Rules of Practice, you are entitled to be paid by the City of Cleveland the fees and mileage paid to witnesses in the district courts of the United States.

You are advised that, pursuant to Section 2.720(f) of the Commission's Rules of Practice, on motion made promptly, and in any event at or before the time specified above for your appearance, and on notice to the City of Cleveland, I, or if I am unavailable, the Atomic Safety and Licensing Appeal

Board may (1) quash or modify the subpoena if it is unreasonable or irrelevant to any matter in issue, or (2) condition denial of the motion on just and reasonable terms.

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Atomic Safety and Licensing Board

Dated April \_\_\_\_, 1974

Received and Accepted:

Dated April \_\_\_\_, 1974

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The Cleveland Electric Illuminating	)	
Company,	)	Docket No. 50-346A
(Davis-Besse Nuclear Power Station,	)	
Unit 1)	)	
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Company, et al.	)	50-441A
(Perry Plant, Units 1 and 2)	)	
	)	
Duquesne Light Company, et al.	)	Docket No. 50-412A
(Beaver Valley, Unit 2)	)	

Certificate of Service

I hereby certify that service of the foregoing Motion Of The City Of Cleveland To Quash Subpoenas And Application For Subpoena In The Event Motion To Quash Is Denied and Subpoena to Lee C. Howley, has been made upon the following parties listed on the attachments hereto this 29th day of March, 1974, by depositing copies thereof in the United States mail, first class or air mail, postage prepaid.

  
\_\_\_\_\_  
Reuben Goldberg

Attachments

ATTACHMENT

Atomic Safety and Licensing Board  
U.S. Atomic Energy Commission  
Washington, D.C. 20545

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