

10/31/75

POOR ORIGINAL

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of	)	
	)	
The Toledo Edison Company and	)	
The Cleveland Electric Illuminating	)	Docket Nos. 50-346A
Company	)	50-500A
(Davis-Besse Nuclear Power Station,	)	50-501A
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

THE NUCLEAR REGULATORY COMMISSION TO:

The Cleveland Electric Illuminating Company  
55 Public Square  
Cleveland, Ohio 44101

YOU ARE HEREBY COMMANDED, pursuant to the Atomic Energy Act of 1954, as amended, and Section 2.720 of the Rules of the Nuclear Regulatory Commission (10 C.F.R. §2.720), to produce the evidentiary materials identified on the schedules attached hereto at 9:00 a.m. on November 6, 1975, in Room 8110, 1101 Pennsylvania Avenue, N.W., Washington, D.C. 20004.

In accordance with Section 2.720(f) of the Rules of Practice of the Nuclear Regulatory Commission, you may, by motion promptly made, and in any event at or before the time specified herein for

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compliance and upon notice to Steven M. Charno, Counsel for the Department of Justice, Washington, D.C. 20530, request that this subpoena be quashed or modified if it is unreasonable or requires evidence not relevant to any matter in issue in this proceeding. 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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Douglas V. Rigler, Esquire  
Chairman

Issued:

October 31, 1975  
Bethesda, Maryland

SCHEDULE A

<u>CEI #</u>	<u>Type of Document</u>	<u>Author, Title, Docket No., etc.</u>	<u>Date</u>	<u>No. of pages</u>
3-105	Report	Eastern Sales Department 1965 Budget Planning Report - Barbara Hill	1965	173
3-110	Memo	From C. T. Loshing to F. W. Brooks	8/3/73	12
1-5	Memo	From Lee C. Howley to E. L. Lindseth, R. M. Besse, K. H. Rudolph and Vice Presidents	6/22/66	15
1-6	Memo	W. J. Pugh, Jr. to R. L. DeChant	9/13/61	2
1-7	Memo	K. H. Rudolph to E. L. Lindseth and R. M. Besse	7/12/61	3
1-14	Letter	Karl H. Rudolph to Charles Cannon	4/24/61	6
1-15	Plan	Recommended Plan for George Thomas In Dealing With the City of Painesville		4
1-17	Letter	Letter to members of Painesville City Council	2/27/61	3
1-19	Memo	From R. C. Hienton to K. H. Rudolph	2/10/61	4
1-22	Plan	Plan of Organization for Purchase of Painesville Municipal Light Plan by RCH	11/15/60	2
1-25	Memo	From V. F. Greenslade, Jr. to R.C. Hienton	9/7/60	2
1-26	Memo	From W.H. Johnson to R.C. Hienton	8/31/60	4
1-28	Memo	From R.C. Hienton to K.H. Rudolph	7/13/60	1
1-29		Information on Painesville Municipal Light Plant (Outside Lines) by RCH:AM	6/30/60	3
1-31		Document entitled "A CEI-Painesville Interconnection--"Insurance Plus Dividends" For The Citizens of Painesville	6/60	3

<u>CEI #</u>	<u>Type of Document</u>	<u>Author, Title, Docket No., etc.</u>	<u>Date</u>	<u>of pages</u>
1-32	Memo	From R. C. Hienton to K.H. Rudolph	5/31/60	8
1-35	Memo	From R. C. Hienton to K.H. Rudolph	4/20/60	5
1-37	Memo	From R.C. Hienton to E.L. Lindseth	3/15/60	7
1-48		Information relating to Painesville	3/20/61	39
1-50		Document entitled "Objective Ultimate total CEI acquisition of the entire Painesville Muny system"	3/3 /61	31
1-51		Document entitled "Plan #1"		4
1-52		Document entitled "Alternate Plan #1A"		2
1-55		Document entitled "Painesville Municipal Light Plant"		32
1-58		Document entitled "Painesville Municipal Light Plant Supplemental Material by Robert C. Hienton	9/8/60	24
1-59		Document entitled "Painesville Municipal Light Plant. Proposal A by Robert C. Hienton	8/4/60	27
1-60		Document entitled "Painesville Municipal Light Plant -- Proposal B by Robert C. Hienton	8/6/60	28
1-142	Memo	From G. E. Thomas to R.L. DeChant	12/13/61	3
1-145		Document entitled "Recapitulation of Discussions with the Painesville City Council regarding problems of Area Development, Electric Customers and the Interconnection of our Electric Systems"	11/10/61	17
1-160	Memo	From G.E. Thomas to E.E. Gayman	2/17/61	2

<u>CEI #</u>	<u>Type of Document</u>	<u>Author, Title, Docket No., etc.</u>	<u>Date</u>	<u>No. of pages</u>
1-62		Document entitled "Plan B-Alternate III by RLD:AM	2/17/61	6
1-170	Memo	From H.H. Brooksieker to H.L. Williams	12/10/62	1
1-216	Memo	From F.C. Prasse to W.K. McClung	7/26/60	2
1-286	Memo	From W.H. Johnson to R.C. Hienton	7/29/60	2
1-288	Memo	From W.H. Johnson to F.W. Brooks	5/6/60	6
1-310		Document entitled "Painesville Presentation - Presidents Council - Friday, June 10, 1966	6/7/66	2
1-314		Document entitled "Painesville Municipal Light Plant" - proposal by CEI to purchase prepared by Robert C. Hienton	9/7/60	9
1-315		Document entitled "Painesville Municipal Light Plant - Proposal B Sale of the Generating Plant and Distribution System to The CEI" prepared by Robert C. Hienton	8/6/60	31
1-316	Memo	Documents including a Memo from R.C. Hienton to E.L. Lindseth	3/15/60	7
1-322	Memo	From V. F. Greenslade, Jr. to W.H. Johnson	8/8/60	1
1-322	Memo	From V. F. Greenslade, Jr. to Jack Fant	2/23/60	3
1-345		Document entitled "Painesville Light Plant" with handwritten notation stating, in part "Return to W. Johnson"		7
1-416	Memo	From D. G. Shockey to R.W. Stoltz	2/14/73	19

<u>CEI #</u>	<u>Type of Document</u>	<u>Author, Title, Docket No., etc.</u>	<u>Date</u>	<u>No of pages</u>
1-417	Memo	From J.C. Vendel to G.G. Anderson	8/9/68	10
3-186	Memo	From R. W. Stoltz to J. M. Sackl	7/12/72	3

SCHEDULE B

<u>CEI #</u>	<u>Type of Document</u>	<u>Author, Title, Docket No., etc.</u>	<u>Date</u>	<u>No. of pages</u>
3-1	Memo	From G. G. Anderson to J.R. Bruch	1/25/63	2
3-4	Memo	From R.G. Schuerger to H.L. Williams	11/16/62	2
3-19	Memo	From R.H. Bridges to L.C. Howley	12/12/60	9
3-99	Letter	From Charles E. Butler to Robert H. Bridges	9/24/62	2
3-112		Document entitled "CEI Efforts Toward Elimination or Curtailment of MELP"	2/24/64	4
3-113		Document containing a lot of dates		6
3-114		Document entitled "CEI Efforts Toward Elimination or Curtailment of MELP From Legal Department Files - 1962"		7
3-118	Project	Marketing Group Planning Project	4/13/60	4
3-119	Project	Commercial Sales Department Planning Project	1/14/64	3
3-120	Memo	From L.G. Davis to L.H. Durr	12/15/64	5
3-120		Document entitled "Market Group, Planning Project"	6/24/65 6/7/66	9
1-1	Memo	From R. M. Ginn to E. L. Lindseth and R. M. Besse	4/13/196-	5
1-66	Memo	From L. O. Beck to J.A. Bostic	12/15/67	2
1-69	Memo	From H.J. Lester and C.C. Chopp to C. T. Loshing	2/1/68	7
1-90		Document entitled "Outline of Program to take Advantage of the MELP Philosophy of Independent Operation by D. Hauser"	1968	19

<u>CS17</u>	<u>Type of Document</u>	<u>Author, Title, Docket No., etc.</u>	<u>Date</u>	<u>No. of pages</u>
1-93	Memo	Document entitled " In re Company Mortgage Considerations Involved in the Purchase of MWLP by a Wholly-owned Subsidiary		3
1-95	Memo	From H.H. Brooksieker to H.L. Williams	12/22/67	3
1-117	Memo	Document entitled Re Legal Procedures for the Sale of The Cleveland Municipal Electric Light Plant by D. Hauser		11
1-126	Memo	From F. C. Prasse to R. W. Coan	2/5/71	4
1-127	Report	Entitled "Cleveland's Thinking on the Munny Light Issue"	Jan. 1970	55
1-206	Memo	From AOK to RMB	8/28	1
1-213	Memo	From F. C. Prasse to R. C. Hinton	8/19/60	10
1-253	Memo (with attachments )	From R. H. Bridges to Lee C. Howley	11/16/65	11
1-273	Note (with attachments)	From D to RHH	3/26/65	9
1-278	Note (with attachments)	From R.S. Croy to L.C. Howley	2/16/65	13
1-291	Memo	From W. J. Kerner to D.H. Hauser	8/31/70	2
1-292	Memo	From R.L. Rainone to C.T. Loshing	6/22/70	4
1-302	Memo	From W. N. Bingham to F. Warren Brooks	1/5/62	40
1-342	Memo	From D.R. Davidsen to H.L. Williams	1/4/68	3
1-343	Memo	From L. G. Davis to L.H. Durr	3/12/65	3
1-392	Survey	Document entitled " Voter Thinking on Possible Sale of Munny Light	1972	30



<u>CEI #</u>	<u>Type of Document</u>	<u>Author, Title, Docket No., etc.</u>	<u>Date</u>	<u>No. of pages</u>
1-393	Survey	Cleveland Profiles	May 1974	65
1-430	Memo	From H.J. Lester and C.C. Chopp to C. T. Loshing	1/29/68	5
1-452	Survey	Document entitled "Voter Thinking on the Muncy Light Issue	Feb. 1968	34
1-488	Memo	From L.G. Davis to L.H. Durr	3/12/65	4
1-492	Survey	Customer Opinion Report	1972	70
1-493	Survey	Customer Opinion Report	1970	90
1-494	Memo	From R.W. Coan to E.L. Lindseth, R.M. Besse, K.H. Rudolph, F.W. Brooks, R.M. Ginn, L.C. Howley, H.T. Sealy, H.L. Williams, R.W. Wyman, C.T. Loshing, R.H. Bridges	12/6/66	23
1-128	Letter	From Ralph M. Besse to Hon. Carl B. Stokes	12/30/69	3

<u>Case #</u>	<u>Type of Document</u>	<u>Author, Title, Docket No., etc.</u>	<u>Date</u>	<u>No. of pages</u>
1-75	Memo	From J.W. Heath to H.L. Williams	2/26/62	8
1-80	Memo	From E. H. Maugans and H. J. Lester to R. W. Wymann	2/8/72	2
1-107	Memo	From H.J. Lester and W.H. Brewer to R. A. Miller	4/14/72	6
1-307	Memo	From G.G. Anderson to J. R. Bruch	1/30/61	2
1-332	Memo	From T. L. Jones to G.G. Anderson	5/13/66	9
1-333	Memo	From G. L. Moore to W. H. Bingham	6/15/66	1
1-406	Memo	From W. N. Bingham to General File	1/25/73	35
1-527	Memo	From J. M. Sackl to R.W. Wyman	2/16/73	1
1-528	Memo	From R. W. Stoltz to J. M. Sackl	5/15/73	2
3-3	Memo	From J. W. Heath to R. C. Hienton	4/13/61	2
3-51	Memo	From J. J. Prizzi to R.W. Wyman	6/28/65	3
3-62		Document entitled "Purchased Power, etc"	March 1971	19
3-63		MIS-88-D Planning Project Marketing Group Planning Project	9/13/63	4
3-65	Memo	From F. R. Frisina to W.R. Kanda	12/18/64	2
3-67	Memo	From F.R. Frisina to W.R. Kanda	6/16/65	2
3-72	Memo	From B. M. Lyons to F.A. Kender	12/16/64	1
3-73	Memo	From B. M. Lyons to F. A. Kender	1/11/65	2
3-75	Memo	From B. M. Lyons to F. A. Kender	4/16/65	2
3-77	Memo	From B.M. Lyons to F.A. Kender	2/16/66	3

<u>CEI #</u>	<u>Type of Document</u>	<u>Author, Title, Pocket No., etc.</u>	<u>Date</u>	<u>NO. of pages</u>
3-79	Letter	From Karl H. Rudolph to American Steel & Wire Division, Attn. James MacKay, Chief Engineer	2/13/63	1
3-89	Letter	From K. H. Rudolph to the Jones & Laughlin Steel Corporation	6/14/61	2
3-95		Marketing Group Planning Project	4/13/67	14
3-96	Memo	From S.E. Biro and J. C. Vendel to G.G. Anderson	3/10/66	11
3- 6	Memo	From R. W. Stoltz to J. M. Sackl	9/3/79	2
3-107	Chart	Comparison of the Background on Take Over of Isolated Generation Facilities by JCV		2
3-127	Memo	From E. H. Maugans to R.W. Wyman	4/11/69	11
3-160		Draft #3 - Marketing Group Planning Project (Interim Report)	4/22/66	11
3-177		Planning Project Log		1
3-178	Memo	From G.G. Anderson to E.H. Maugans	4/10/69	7
3-193	Report	Marketing Group Planning Project M-67-A Final Report	4/10/67	13
3-195	Memo	From J.C. Vendel to G.C. Anderson	8/9/68	10
3-231	Report	Marketing Group Planning Project Interim Report M-67-A	5/9/66	11
3-247		1969 Planning Report for Industrial Sales Department	1969	25