

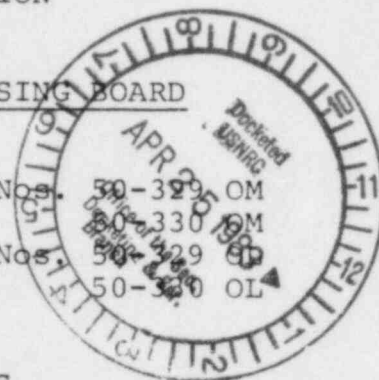
UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of: )  
 )  
CONSUMERS POWER COMPANY )  
(Midland Plant, Units 1 & 2) )

Docket Nos.

Docket Nos.



CONSUMERS POWER COMPANY'S  
APPLICATION FOR DEPOSITION SUBPOENAS

Consumers Power Company ("Consumers Power"), pursuant to 10 C.F.R. §§2.720(a) and 2.740a(a), applies to the Atomic Safety and Licensing Board (the "Board") to issue the attached deposition subpoenas to Dean Dartey, Ronald Perry and Albert T. Howard, commanding them to appear for depositions at the times and places indicated. In support of its Application Consumers states:

1. Dean Dartey, Ronald Perry and Albert T. Howard were formerly employed by Zack Company in various positions performing quality control/quality assurance functions.
2. Each of these persons submitted Affidavits to the Government Accountability Project ("GAP"). In these affidavits, each of these persons made allegations of problems and failures in the quality control/quality assurance procedures and practices at Zack Company.
3. Sinclair Contentions 8, 10, 11, 15, 16 and 17 all allege that, in various ways, the quality control/quality assurance program for the Midland Plant was not in compliance

DSOB


with NRC regulations because of the allegedly improper and deficient quality control/quality assurance practices and procedures of Zack Company. The affidavits provided to GAP were submitted to both the NRC Staff and the Board in support of and as the basis for these Contentions.

4. Without the ability to depose the affiants and examine any documents relied upon by them, Consumers will be unable to address these contentions.

5. Appropriate fees, in accordance with 10 C.F.R. §2.740a(1), will be tendered to each witness and service accomplished in accordance with 10 C.F.R. §2.720(c). The deposition sites have been selected in reasonable proximity to the witnesses' residences.

WHEREFORE, Consumers Power Company respectfully requests that its Application be granted and that the attached deposition subpoenas be issued.

CONSUMERS POWER COMPANY

By   
One of its Attorneys

David M. Stahl, Esq.  
Susan D. Proctor, Esq.  
ISHAM, LINCOLN & BEALE  
Suite 5200  
Chicago, Illinois 60602  
(312) 558-7500

# United States of America

## NUCLEAR REGULATORY COMMISSION

In the matter of:

CONSUMERS POWER COMPANY  
(Midland Plant, Units 1 and 2)

TO

Dean Dartey  
1823 Branard  
Houston, TX 77098

DOCKET NO. 50-329-OM  
50-330-OM  
50-329-OL  
50-330-OL

YOU ARE HEREBY COMMANDED to appear at Mariott Houston International  
18700 Kennedy Blvd., Houston Intercontinental Airport  
in the city of Houston, TX  
on the 2nd day of June 19 83 at 9:30 o'clock A. M.  
to ~~appear~~ on behalf of .....  
be deposited

in the above entitled action and bring with you the document(s) or object(s) described  
in the attached schedule.

BY ORDER OF THE ATOMIC SAFETY AND LICENSING BOARD

BY \_\_\_\_\_  
\_\_\_\_\_

ATTORNEY FOR CONSUMERS  
POWER COMPANY  
David M. Stahl  
Isham, Lincoln & Beale  
TELEPHONE (312) 558-7500

.....19.....

10 C.F.R. 2.720 (f)

On motion made promptly, and in any event  
at or before the time specified in the subpoena  
for compliance by the person to whom the sub-  
poena is directed, and on notice to the party at  
whose instance the subpoena was issued, the

pending officer or, if he is unavailable, the  
Commission may (1) quash or modify the sub-  
poena if it is unreasonable or requires evidence  
not relevant to any matter in issue, or (2) con-  
dition denial of the motion on just and reasonable  
terms.

---

RETURN ON SERVICE

Received this subpoena at.....on  
.....and on.....at.....  
served it on the within named.....  
by delivering a copy to h..... and tendering to h..... the fee for one day's  
attendance and the mileage allowed by law.<sup>1</sup>

Dated.....19..... BY.....

Service Fees

Travel..... \$  
Services..... \$

.....  
Total..... \$

Subscribed and sworn to before me, a .....this.....  
day of.....,19.....

---

NOTE - Affidavit required only if service is made by a person other than a United States  
Marshal or his deputy.

---

<sup>1</sup> Fees and mileage need not be tendered to the witness upon service of a subpoena issued in behalf of the  
United States or an officer or agency thereof.

# United States of America

## NUCLEAR REGULATORY COMMISSION

In the matter of:

CONSUMERS POWER COMPANY  
(Midland Plant, Units 1 and 2)

TO

Mr. Albert T. Howard  
41 Inman Street  
Hopedale, MA 01747

DOCKET NO.

50-329-OM  
50-330-OM  
50-329-OL  
50-330-OL

YOU ARE HEREBY COMMANDED to appear at Copley Plaza, Hotel, 138 St. James Ave., Copley Square

in the city of Boston, MA 02116

on the 14, 15, 16 day of June 1983 at 9:30 o'clock A.M.

to testify on behalf of \_\_\_\_\_  
be deposed

in the above entitled action and bring with you the document(s) or object(s) described in the attached schedule.

BY ORDER OF THE ATOMIC SAFETY AND LICENSING BOARD

BY \_\_\_\_\_

ATTORNEY FOR CONSUMERS  
POWER COMPANY  
David M. Stahl  
Isham, Lincoln & Beale  
TELEPHONE (312) 558-7500

.....19.....

10 C.F.R. 2.720 (f)

On motion made promptly, and in any event at or before the time specified in the subpoena for compliance by the person to whom the sub-

pending officer or, if he is unavailable, the Commission may (1) quash or modify the subpoena if it is unreasonable or requires evidence not relevant to any matter

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RETURN ON SERVICE

Received this subpoena at.....on  
.....and on.....at.....  
served it on the within named.....  
by delivering a copy to h..... and tendering to h..... the fee for one day's  
attendance and the mileage allowed by law.<sup>1</sup>

Dated.....19..... BY.....

Service Fees

Travel..... \$  
Services..... \$

.....  
Total..... \$

Subscribed and sworn to before me, a .....this.....  
day of.....19.....

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NOTE - Affidavit required only if service is made by a person other than a United States  
Marshal or his deputy.

---

<sup>1</sup> Fees and mileage need not be tendered to the witness upon service of a subpoena issued in behalf of the  
United States or an officer or agency thereof. 28 USC 1825

# United States of America

## NUCLEAR REGULATORY COMMISSION

In the matter of:

CONSUMERS POWER COMPANY  
(Midland Plant, Units 1 and 2)

TO

Mr. Ronald Perry  
3944 Singleleaf Lane  
Fort Worth, TX 76133

DOCKET NO. 50-329-OM  
50-330-OM  
50-329-OL  
50-330-OL

YOU ARE HEREBY COMMANDED to appear at AMFAC Hotel  
Dallas - Fort Worth Airport  
in the city of Dallas  
on the 1st day of June 19 83 at 9:30 o'clock A. M.  
to ~~XXXX~~ testify on behalf of \_\_\_\_\_  
be deposed  
in the above entitled action and bring with you the document(s) or object(s) described  
in the attached schedule.

BY ORDER OF THE ATOMIC SAFETY AND LICENSING BOARD

BY \_\_\_\_\_  
\_\_\_\_\_

ATTORNEY FOR CONSUMERS  
POWER COMPANY  
David M. Stahl  
Isham, Lincoln & Beale  
TELEPHONE 9312) 558-7500

....., 19.....

10 C.F.R. 2.720 (f)

On motion made promptly, and in any event  
at or before the time specified in the subpoena  
for compliance by the person to whom the sub-  
poena is directed, and on notice to the party at

pending officer or, if he is unavailable, the  
Commission may (1) quash or modify the sub-  
poena if it is unreasonable or requires evidence  
not relevant to any matter in issue, or (2) con-  
dition denial of the motion on just and reasonable

RETURN ON SERVICE

Received this subpoena at.....on  
.....and on.....at.....  
served it on the within named.....  
by delivering a copy to h..... and tendering to h..... the fee for one day's  
attendance and the mileage allowed by law.<sup>1</sup>

Dated..... 19..... BY.....

Service Fees

Travel..... \$  
Services..... \$

Total..... \$

Subscribed and sworn to before me, a .....this.....  
day of.....19.....

NOTE - Affidavit required only if service is made by a person other than a United States  
Marshal or his deputy.

<sup>1</sup> Fees and mileage need not be tendered to the witness upon service of a subpoena issued in behalf of the  
United States or an officer or agency thereof.



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U. S. Nuclear Regulatory Comm.  
Washington, D.C. 20555

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Chief, Docketing & Services  
U.S. Nuclear Regulatory Comm.  
Office of the Secretary  
Washington, D.C. 20555

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Counsel for the NRC Staff  
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Board Panel  
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Jerry Harbour  
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Washington, D.C. 20555

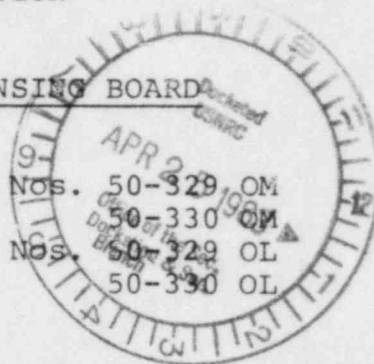
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Mr. Thomas Devine  
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Project of the Institute  
for Policy Studies  
1901 Q Street, N.W.  
Washington, DC 20009

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of: ) Docket Nos. 50-329 OM  
) )  
CONSUMERS POWER COMPANY ) Docket Nos. 50-330 OM  
(Midland Plant, Units 1 & 2) ) 50-329 OL  
50-330 OL



CERTIFICATE OF SERVICE

I, Susan D. Proctor, one of the attorneys for Consumers Power Company, hereby certify that a copy of Consumers Power Company's Application For Deposition Subpoenas was served upon all persons shown in the attached service list by deposit in the United States mail, first class, this 20th day of April, 1983.

Susan D. Proctor

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(312) 558-7500

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