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TMIA 9/10/84

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

In the Matter of)	
)	
METROPOLITAN EDISION COMPANY)	Docket No. 50-289
)	(Restart-Management
(Three Mile Island Nuclear)	Phase)
Station, Unit 1))	

APPLICATION FOR ISSUANCE OF SUBPOENA

Pursuant to Section 2.720 of the Commission's regulations, Intervenor Three Mile Island Alert applies to the Atomic Safety and Licensing Board for the issuance of a Civil Subpoena, to:

John Flint
c/o Herb M. Winegard, Esq.
Babcock and Wilcox
3315 Old Forest Rd.
P.O. Box 1260
Lynchburg, Virginia 24505-1260

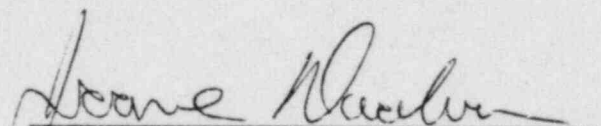
for the purpose of requiring the above-named individual to appear at a deposition to commence in this proceeding on September 24, 1984. A copy of the proposed Subpoena is attached.

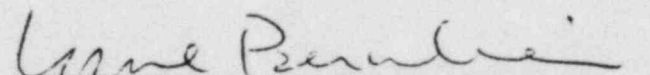
Mr. Flint can testify to matters concerning the "Dieckamp" mailgram and related events.

WHEREFORE Intervenor TMIA respectfully requests that the Chairman of the Licensing Board

issue a Civil Subpoena in the form attached hereto directing Mr. Flint to produce the requested documents, at his September 24, 1984 deposition.

Respectfully submitted,


Joanne Doroshov
1324 North Capitol Street
Washington, D.C. 20002
(202)-797-8106


Lynne Bernabei
Government Accountability Project
1555 Connecticut Ave. N.W.
Washington, D.C. 20036
(202) 232-8550

Dated: September 10, 1984

Attorneys for Three Mile Island
Alert

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NUCLEAR REGULATORY COMMISSION

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In the Matter of)	
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SUBPOENA

THE NUCLEAR REGULATORY COMMISSION AND IVAN W. SMITH, CHAIRMAN, ATOMIC SAFETY AND LICENSING BOARD, TO: John Flint, c/o Herb M. Winegard, Esq., Babcock and Wilcox, 3315 Old Forest Rd., P.O. Box 1260, Lynchburg, Virginia, 24505-1260.

YOU ARE HEREBY COMMANDED to appear at a deposition to begin Monday, September 24, 1984, at the Friends Meeting House, 6th and Herr Streets (1100 6th St.), Harrisburg, PA, 17102, at 2:30 p.m., to continue thereafter until completed. The subject matter concerns events related to the first three days of the March, 1979 TMI-2 accident.

You have been subpoenaed by Intervenor Three Mile Island Alert, Inc.

Pursuant to the Commission's regulations at 10 CFR 2.720 (f), on motion made by you promptly, and in any event before 2:30 p.m., on September 24, 1984, and on notice to attorney for Intervenor, the Chairman of the Atomic Safety and Licensing Board, 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 in issue, or (2) condition denial of the motion on just and reasonable grounds.

YOU ARE HEREBY NOTIFIED THAT ANY FAILURE TO OBEY THIS SUBPOENA MAY BE DEEMED A CONTEMPT AND APPROPRIATE SANCTIONS MAY BE ORDERED.

DATED THIS _____ day of _____, 1984.

ATOMIC SAFETY AND LICENSING BOARD

By _____

Ivan W. Smith, Chairman