

August 3, 2006

Michael C. Farrar, Chairman
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

E. Roy Hawkens
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Nicholas G. Trikouros
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

In the Matter of
DALE L MILLER
Docket No. IA 05-053, ASLBP No. 06-846-02

Dear Administrative Judges:

On Monday, July 31, 2006, the NRC staff filed "NRC Staff's Application for Issuance of a Subpoena" requesting a subpoena for Rebecca Slyker. The subpoena attached to that application mistakenly scheduled Ms. Slyker's deposition for August 8, 2006. However, the agreed upon date with Ms. Slyker and her counsel is August 7, 2006 at 4:00 PM. Please find attached a modified subpoena reflecting the correct date of the deposition.

Sincerely,

/RA by Mary C. Baty/

Sara E. Brock
Mary C. Baty
Michael A. Spencer
Counsel for the NRC Staff

Attachment: As stated.

cc: Jane G. Penny
Thomas W. Scott
James R. Wooley
Stephen J. Schlegelmilch

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matters of:

DALE L. MILLER

Docket No. IA-05-053

ASLBP No. 06-846-02-EA

TO: Rebecca Slyker
c/o James R. Wooley
Stephen J. Sclegelmilch
Baker & Hostetler, LLP
3200 National City Center
1900 E. 9th Street
Cleveland, OH 44114-3486

YOU ARE HEREBY COMMANDED to appear to testify at a deposition in the
the above captioned proceeding.
to be conducted at Davis-Besse Nuclear Power Station
5501 North State Route 2, Oak Harbor, OH 43449
on the 7th day of August, 20 06 at 4:00 PM.

BY ORDER OF THE ATOMIC SAFETY AND LICENSING BOARD

BY: _____
Michael Farrar, Chairman ASLB

Date

ATTORNEY FOR THE NRC STAFF:

Sara E. Brock/Mary C. Baty/Michael A. Spencer

TELEPHONE: 301-415-8393/301-415-1324/301-415-4073

10 C.F.R. 2.702(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 subpoena is directed, and on notice to the party at whose instance the subpoena is issued, the presiding 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 in issue, or (2) Condition denial of the motion on just and reasonable terms.