

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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Docket No. IA-05-054
ASLBP No. 06-847-03-EA

¹The Staff recognizes that these proceedings have not been consolidated. However, for administrative convenience the Staff desires a subpoena covering both proceedings since Mr. Goyal has been identified as a person with information relevant to both proceedings.

CONCLUSION

For the above stated reasons, the Staff requests the Board to issue the attached subpoena to Mr. Goyal.

Respectfully submitted,

/RA by Michael A. Spencer/

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

Dated at Rockville, Maryland
this 14th day of August, 2006

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matters of:

DALE L. MILLER

and

STEVEN P. MOFFITT

TO: Prasoon Goyal

[Address withheld pursuant to
10 C.F.R. § 2.390]

Docket No. IA-05-053

ASLBP No. 06-846-02-EA

Docket No. IA-05-054

ASLBP No. 06-847-03-EA

YOU ARE HEREBY COMMANDED to appear to testify at a deposition in the
above-captioned proceeding
to be conducted at the Hampton Inn Cleveland Downtown, Ontario Room,
1460 East 9th Street, Cleveland, OH 44114
on the 7th day of September, 20 06 at 10:00 AM.

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.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matters of)

DALE L. MILLER)

Docket No. IA-05-053

ASLBP No. 06-846-02-EA

STEVEN P. MOFFITT)

Docket No. IA-05-054

ASLBP No. 06-847-03-EA

CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF'S APPLICATION FOR THE ISSUANCE OF A SUBPOENA" in the above captioned proceeding have been served on the following persons by deposit in the United States mail; through deposit in the Nuclear Regulatory Commission internal mail system as indicated by an asterisk (*); and by electronic mail as indicated by a double asterisk (**) on this 14th day of August, 2006.

Michael C. Farrar * **

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Nicholas G. Trikouros * **

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E. Roy Hawken * **

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Office of Commission Appellate Adjudication *
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Office of the Secretary * **

Attn: Rulemaking and Adjudications Staff
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Adjudicatory File *

Atomic Safety and Licensing Board
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/RA by Michael A. Spencer/

Michael A. Spencer
Counsel for the NRC Staff