

July 11, 2006

Howard Bergendahl

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

Dear Mr. Bergendahl:

This letter is to follow-up on the telephone message I left you this morning. As you may know, in connection with the reactor vessel head corrosion incident at Davis-Besse, the NRC issued five individual Orders banning former FENOC employees from licensed activities. Several of those individuals, including Steven P. Moffitt, have requested hearings on the Orders. Mr. Moffitt has identified you as likely to have discoverable information relative to disputed issues in his proceeding. We would like to depose you on July 27, 2006 at 9 A.M. in Cleveland, Ohio. Please let me know no later than July 18, 2006 if this date is not acceptable. I can be reached at (301) 415-1324. Unless I hear from you by July 18, 2006, I will request a subpoena from the Atomic Safety and Licensing Board for July 27, 2006. You will be entitled to a witness fee and travel costs. I will be in touch about making travel arrangements.

Sincerely,

/RA Mary C. Baty/

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