

July 24, 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
STEVEN P. MOFFITT
IA 05-054, ASLBP No. 06-847-03

Dear Administrative Judges:

On July 17, 2006, the Board issued a Subpoena to Mr. Scott A. Coakley to appear for deposition on July 26, 2006. In cooperation with counsel for Mr. Coakley, and with the consent of counsel for Mr. Moffitt, Mr. Coakley's deposition has been postponed to August 10, 2006. Please find attached a modified subpoena to Mr. Coakley to appear for deposition on August 10, 2006.

Sincerely,

/RA by Mary C. Baty/

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

Attachment: Modified Subpoena for Mr. Coakley to appear for deposition on August 10, 2006.

cc: Jane G. Penny
Thomas W. Scott
Jay M. Gutierrez
Timothy P. Matthews

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matters of:

STEVEN P. MOFFITT

Docket No. IA-05-054
ASLBP No. 05-8457-03-EA

TO: Scott A. Coakley
[Address withheld pursuant to
10 C.F.R. § 2.390]

YOU ARE HEREBY COMMANDED to appear to testify at to testify at a
deposition in the above captioned proceeding
to be conducted at the Offices of McLaughlin & McCaffrey, LLP
Easton Center, Suite 1350, 1111 Easton Ave,
Cleveland, OH 4114-2500
on the 10th day of August, 2006 at 6:00 P.M. .

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

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

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.