



UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of

HOUSTON LIGHTING & POWER COMPANY
THE CITY OF SAN ANTONIO
THE CITY OF AUSTIN and
CENTRAL POWER AND LIGHT COMPANY

(South Texas Project, Units Nos.
1 and 2)

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Docket Nos. 50-498A
50-499A

APPLICATION FOR ISSUANCE OF SUBPOENAS

Houston Lighting and Power Company, pursuant to 10 C.F.R. §§2.740, and 2.741, applies for the issuance of the attached Subpoenas, which call for a deposition requiring the attendance of the party listed, and for production of documents. The testimony and document production sought encompasses, but is not limited to, the testimony to be given in the instant proceeding, interest in and awareness of nuclear power projects, interconnections and operations involving interstate systems and the Texas Interconnected Systems, bulk electric power supply, transmission planning, and fuel supply for electrical generation of electricity.

Subpoenas

(1) Jack Gambrell, Cajun Electric Power Coop, Inc.

1509 274

(2) Keeper of the Records, Cajun Electric Power Coop, Inc.

7912060 040

Respectfully submitted,

Dated: November 21, 1979

William J. Franklin

Attorney for Houston Lighting
& Power Company

Baker & Botts
3000 One Shell Plaza
Houston, Texas 77002

Lowenstein, Newman, Reis, Axelrad
& Toll
1025 Connecticut Avenue, N.W.
Washington, D.C. 20036

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Docket Nos. 50-498A
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SUBPOENA

TO: Jack Gambrell
Cajun Electric Power Coop, Inc.
P. O. Box 578
New Roads, Louisiana 70760

YOU ARE HEREBY COMMANDED, pursuant to the Atomic Energy Act of 1954, as amended, and 10 C.F.R. §2.720, to appear at the Hilton Inn, Corporate Square, 5500 Hilton Avenue in the City of Baton Rouge, Louisiana on the 6th day of December, 1979 at 9:30 o'clock A.M. (and thereafter from day to day, if necessary) to testify by deposition on oral examination in the above-entitled action, and to bring with you the document(s) or object(s) described in the attached schedule. Your testimony will be required as to the testimony you may give in the trial of this action, all matters relating thereto, and all subject matters covered in the attached schedule.

1509 276

BY ORDER OF THE ATOMIC SAFETY
AND LICENSING BOARD

By _____

....., 19....

J. Gregory Copeland
Attorney for Houston Lighting
& Power Company
BAKER & BOTTS
3000 One Shell Plaza
Houston, Texas 77002
(713) 229-1234

10 C.F.R. 2.720(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 was 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.

1509 277

SCHEDULE TO SUBPOENA

1. All documents referring or relating to or setting forth instances of competition with Houston Lighting & Power Company and/or (2) Texas Power & Light Company and/or (3) Texas Electric Service Company, and/or (4) Dallas Power & Light Company; and any communications with any of the aforementioned entities.

2. All documents provided to or received from the U.S. Department of Justice or the U.S. Nuclear Regulatory Commission in connection with this action or the licensing of any nuclear powered electric generation plant. All documents referring or relating to or setting forth meetings or conversations with any attorney for or employee of the U.S. Department of Justice or U.S. Nuclear Regulatory Commission.

3. All documents provided to or received from an attorney for or an employee of: (1) the Public Utilities Board of the City of Brownsville, Texas; (2) Tex-La Electric Cooperative, Inc.; (3) the Committee on Power for the Southwest; (4) Tex-La of Texas, Inc.; (5) C. H. Guernsey Corporation; (6) Central and Southwest Corporation and/or any of its subsidiaries including without limitation Central Power and Light Company, West Texas Utilities Company, Public Service Company of Oklahoma and Southwestern Electric Power Company; and any documents referring or relating to or setting forth meetings or conversations with any of the aforementioned entities.

4. All documents referring or relating to or setting forth consideration given to ownership, or any other form of participation, in any nuclear powered electric generating plant.

5. All documents referring or relating to or setting forth the desirability or feasibility of interconnecting the electric systems in the Texas Interconnected Systems and/or the Electric Reliability Council of Texas with (1) the Southwest Power Pool, and/or (2) Western Systems Coordinating Council.

6. All documents referring or relating to or setting forth any adverse effects resulting from the present lack of interconnections between the Texas Interconnected Systems and/or the Electric Reliability Council of Texas with (1) the Southwest Power Pool and/or (2) the Western Systems Coordinating Council.

7. All documents referring or relating to or setting forth each bulk power supply plan prepared by or for Cajun Electric Power Coop, Inc. since January 1, 1973.

8. All documents referring or relating to or setting forth each transmission study developed by or for the Cajun Electric Power Coop, Inc. in connection with any of the bulk power supply plans covered in item number 7 above.

9. All documents referring or relating to or setting forth correspondence or contracts between Cajun Electric Power Coop, Inc. and any electric utility or electric cooperative concerning the purchase and/or sale of electric power.

10. All documents referring or relating to or setting forth any correspondence or contracts between Cajun Electric Power Coop, Inc. and any electric utility or electric cooperative concerning the purchase and/or sale of fuel to be used for the generation of electric power.

Instructions

The period of time for which documents are requested includes the entire period from January 1, 1970 to the date on which documents are made available for inspection and copying by Houston Lighting & Power Company or Texas Utilities Generating Company or their representatives.

Houston Lighting & Power Company and Texas Utilities Generating Company request that the Keeper of the Records identify the specific request or requests to which each document is responsive. Where possible, the Keeper of the Records is requested to maintain the integrity of its filing and recordkeeping systems by producing together documents responsive to this Subpoena, which are found together in the Keeper of the Records' files.

If you claim that any document requested hereunder is privileged, with respect to each such document, please provide the following:

- (a) date;
- (b) type of document;
- (c) identity of author and addressees;
- (d) present location and custodian;
- (e) any other description necessary to enable the custodian to locate the particular document;
- (f) the basis for the claimed privilege; and
- (g) a detailed description of the nature of any judicial protection alleged to be necessary to protect the privilege or confidential nature of any such document.

"Documents" means, without limiting the generality of its meaning, all or original (or copies where originals are unavailable) and non-identical copies (whether different from originals by reason of notation made on such copies or otherwise) of all written, recorded or graphic matter, however produced or reproduced, whether or not now in existence, of correspondence, telegrams, notes or sound recordings of any type of conversation, meeting or conference, minutes of directors' or committee meetings, memoranda, inter-office communications, studies, analyses, notes, books, records, reports, summaries and results of investigations and tests, reviews, contracts, agreements,

pamphlets, diaries, calendar or diary entries, maps, graphs, charts, statistical records, computer data or papers similar to any of the foregoing, however denominated, including preliminary versions, drafts or revisions of any of the foregoing and any supporting, underlying or preparatory material.

RETURN ON SERVICE

Received this subpoena at on
..... and on at
..... served it on the within named
..... by delivering a copy to h.... and
tendering to h.... the fee for one day's attendance and the
mileage allowed by law.

Dated19.... By.....

Service Fees

Travel\$

Services.....\$

.....

Total.....\$

Subscribed and sworn to before me, a
this day of, 19....

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of

HOUSTON LIGHTING & POWER COMPANY
THE CITY OF SAN ANTONIO
THE CITY OF AUSTIN and
CENTRAL POWER AND LIGHT COMPANY

(South Texas Project, Units Nos.
1 and 2)

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Docket Nos. 50-498A
50-499A

SUBPOENA

TO: Keeper of the Records

Cajun Electric Power Coop, Inc.
P.O. Box 578
New Roads, Louisiana 70760

YOU ARE HEREBY COMMANDED, pursuant to the Atomic Energy Act, as amended, and 10 C.F.R. §2.720, to make available for inspection and copying at the Hilton Inn, Corporate Square, 5500 Hilton Avenue in the City of Baton Rouge, Louisiana on the 5th day of December, 1979 at 1:30 o'clock P.M. the document(s) or object(s) described in the attached schedule, and to appear at such time to testify by deposition on oral examination in the above-entitled action as to the records of the Cajun Electric Power Coop, Inc., and the manner of production of documents under this Subpoena.

BY ORDER OF THE ATOMIC SAFETY
AND LICENSING BOARD

By _____

....., 19....

J. Gregory Copeland
Attorney for Houston Lighting
& Power Company
BAKER & BOTTS
3000 One Shell Plaza
Houston, Texas 77002
(713) 229-1234

10 C.F.R. 2.720(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 was 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.

SCHEDULE TO SUBPOENA

1. All documents referring or relating to or setting forth instances of competition with Houston Lighting & Power Company and/or (2) Texas Power & Light Company and/or (3) Texas Electric Service Company, and/or (4) Dallas Power & Light Company; and any communications with any of the aforementioned entities.

2. All documents provided to or received from the U.S. Department of Justice or the U.S. Nuclear Regulatory Commission in connection with this action or the licensing of any nuclear powered electric generation plant. All documents referring or relating to or setting forth meetings or conversations with any attorney for or employee of the U.S. Department of Justice or U.S. Nuclear Regulatory Commission.

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If you claim that any document requested hereunder is privileged, with respect to each such document, please provide the following:

- (a) date;
- (b) type of document;
- (c) identity of author and addresses;
- (d) present location and custodian;
- (e) any other description necessary to enable the custodian to locate the particular document;
- (f) the basis for the claimed privilege; and
- (g) a detailed description of the nature of any judicial protection alleged to be necessary to protect the privilege or confidential nature of any such document.

"Documents" means, without limiting the generality of its meaning, all or original (or copies where originals are unavailable) and non-identical copies (whether different from originals by reason of notation made on such copies or otherwise) of all written, recorded or graphic matter, however produced or reproduced, whether or not now in existence, of correspondence, telegrams, notes or sound recordings of any type of conversation, meeting or conference, minutes of directors' or committee meetings, memoranda, inter-office communications, studies, analyses, notes, books, records, reports, summaries and results of investigations and tests, reviews, contracts, agreements,

pamphlets, diaries, calendar or diary entries, maps, graphs, charts, statistical records, computer data or papers similar to any of the foregoing, however denominated, including preliminary versions, drafts or revisions of any of the foregoing and any supporting, underlying or preparatory material.

RETURN ON SERVICE

Received this subpcena at on
..... and on at
..... served it on the within named
..... by delivering a copy to h.... and
tendering to h.... the fee for one day's attendance and the
mileage allowed by law.

Dated19.... By.....

Service Fees

Travel\$

Services.....\$

.....

Total.....\$

Subscribed and sworn to before me, a
this day of, 19....

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	
HOUSTON LIGHTING & POWER COMPANY,)	Docket Nos. 50-498A
et al.)	50-499A
)	
(South Texas Project, Units 1)	
and 2))	
)	
TEXAS UTILITIES GENERATING COMPANY)	Docket Nos. 50-445A
et al.)	50-446A
)	
(Comanche Peak Steam Electric)	
Station, Units 1 and 2))	

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that copies of the foregoing:

Application of Issuance of Subpoenas to Jack Gambrell and
the Keeper of the Records - Cajan Electric Power Coop.,
Inc.

were served upon the following persons, by hand *, or by deposit
in the United States Mail, first class postage prepaid, this 21st
day of November, 1979.

William J. Franklin

Marshall E. Miller, Esquire
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Washington, D.C. 20555

Michael L. Glaser, Esquire
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Washington, D.C. 20555

Sheldon J. Wolfe, Esquire
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Atomic Safety and Licensing
Appeal Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

- * Chase R. Stephens, Supervisor (20)
Docketing and Service Branch
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Mr. Jerome D. Saltzman
Chief, Antitrust and Idemnity
Group
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

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Washington, D.C. 20555

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Officer
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Houston Lighting & Power Company
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Hensley
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