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MARK J. WETTERHANN  
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ROBERT M. RADEN  
KEITH M. ELLIS  
NOT ADMITTED IN D.C.

September 10, 1979

(202) 433-3500

CABLE ADDRESS: ATOMLAW



Leah S. Kosik, Esq.  
3454 Cornell Place  
Cincinnati, Ohio 45220

In the Matter of  
The Cincinnati Gas & Electric Company, et al.  
(Wm. H. Zimmer Nuclear Power Station)  
Docket No. 50-358

Dear Miss Kosik:

This morning I received a telephone call from Robert Hofstadter, who stated that he had notified the Miami Valley Power Project that he would not appear in the captioned proceeding.

As shown in the attached letter, I advised him that accordingly we would not require taking of his deposition as presently scheduled. I understand that you told Staff counsel the same last week with regard to the Staff's proposed deposition.

Sincerely,

*Troy B. Conner, Jr.*  
Troy B. Conner, Jr.

TBC/mwm

Attachment

cc: Service List

124 310

7910910 468

RELATED CORRESPONDENCE

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September 10, 1979

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CABLE ADDRESS: ATOMLAW



Mr. Robert Hofstadter  
312 Lee Street  
Evanston, Illinois 60202

In the Matter of  
The Cincinnati Gas & Electric Company, et al.  
(Wm. H. Zimmer Nuclear Power Station)  
Docket No. 50-358

Dear Mr. Hofstadter:

Today you telephoned me to state that you had advised the Miami Valley Power Project, an intervenor in the captioned proceeding, that you would not appear as a witness for it.

Accordingly, we hereby confirm that it will not be necessary that you respond to the subpoena for taking your deposition presently scheduled for Thursday, September 13, 1979 at the Federal Court House in Chicago. In the event there is any change in your position, we, of course, reserve the right to take such steps as may be appropriate.

Sincerely,

*Troy B. Conner, Jr.*  
Troy B. Conner, Jr.  
Counsel for the Applicant

TBC/mwm

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