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TMIA 9/10/84

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

In the Matter of)	
)	
METROPOLITAN EDISION COMPANY)	Docket No. 50-289
)	(Restart-Management
(Three Mile Island Nuclear)	Phase)
Station, Unit 1))	

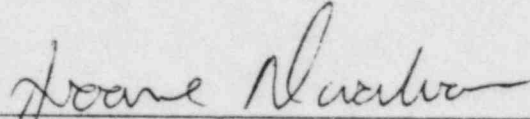
APPLICATION FOR ISSUANCE OF SUBPOENA DUCES TECUM

Pursuant to Section 2.720 of the Commission's regulations, Intervenor Three Mile Island Alert applies to the Atomic Safety and Licensing Board for the issuance of a Subpoena Duces Tecum to Ivan Porter, employee of Licensee, for the purpose of requiring the above-named individual to produce documents at the deposition scheduled to commence in this matter on September 21, 1984 at 9:30 a.m. A copy of the proposed Subpoena is attached.

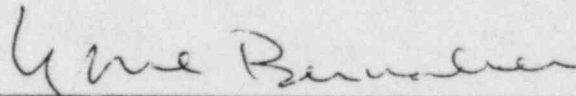
The documents of Mr. Porter are relevant to the issue of the "Dieckamp mailgram" and related events which are the subject of this hearing.

WHEREFORE Intervenor TMIA respectfully requests that the Chairman of the Licensing Board issue a Subpoena Duces Tecum in the form attached hereto directing Mr. Porter to produce the requested documents, at his September 21, 1984 deposition.

Respectfully submitted,



Joanne Doroshow
1324 North Capitol Street
Washington, D.C. 20002
(202)-797-8106



Lynne Bernabei
Government Accountability Project
1555 Connecticut Ave. N.W.
Washington, D.C. 20036
(202) 232-8550

Dated: September 10, 1984

Attorneys for Three Mile Island
Alert

GOVERNMENT ACCOUNTABILITY PROJECT

Institute for Policy Studies

1901 Que Street, N.W., Washington, D.C. 20009

(202) 234-9382

HAND DELIVERED

September 10, 1984

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OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

Ernest Blake, Esquire
Shaw, Pittman, Potts & Trowbridge
1800 M Street, N.W.
Washington, D.C. 20036

Dear Ernie:

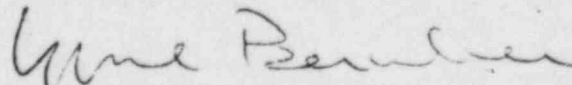
In accordance with our conversation early this afternoon I am putting you on notice that TMIA wishes to have access to the documents GPU has produced pursuant to TMIA's First Set of Interrogatories and First Request for Production and TMIA's Second Set of Interrogatories and Second Request for Production during the evenings of September 11 to 14 and the weekend of September 15 to 16.

You informed me that the first set of documents would not be made available until tomorrow in Washington, D.C., and that the second set of documents on training would not be made available until Wednesday. This is a very short period for review given the noticing of depositions for the week of September 17, 1984. In addition Ms. Bradford will be making a trip to Washington specifically to review these GPU discovery responses. Therefore, it will seriously disrupt our preparation for the depositions if you fail to honor your oral commitment to me today to attempt to make the documents available for review in the evenings and weekends at your law firm.

Further, I am repeating my request to you, which apparently was not clear to you from my letter of September 7, 1984, that during the discovery phase of this litigation two sets of discovery documents be made available to the intervenors, one in Washington, D.C. and another in Harrisburg.

As I informed you, Louise Bradford, as well as Ms. Doroshow and I who currently reside in Washington, will wish to review the documents prior to the depositions scheduled by TMIA and UCS. Please inform me immediately in writing of your final position on this matter.

Sincerely yours,



Lynne Bernabei
Attorney for Three Mile
Island Alert

cc: Service List

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

In the Matter of)
)
METROPOLITAN EDISON COMPANY) Docket No. 50-289 SP
)
(Three Mile Island Nuclear) (Restart - Management Phase)
Station, Unit No. 1))

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I hereby certify that a copy of the foregoing TMIA's Notice of Depositions; Applications for Subpoenas and Applications for Subpoenas Duces Tecum; Subpoenas; and Motion to Set Discovery and Hearing Schedule and to Lift Stay have been served this 11th day of September, 1984 by mailing a copy, first class postage prepaid to the following:

* Administrative Judge
Ivan W. Smith, Chairman
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U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

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Washington, D.C. 20555

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GPU Nuclear Corporation
P.O. Box 480
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Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Mr. and Mrs. Norman Aamodt
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Ms. Louise Bradford
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Washington, D.C. 20555

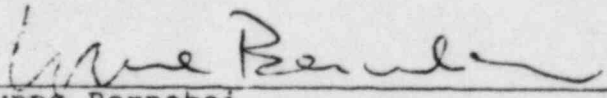
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Lynne Bernabei


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 Illinois, State of

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