

October 18, 1985

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD



In the Matter Of: )  
)  
COMMONWEALTH EDISON COMPANY )  
)  
(Braidwood Station, Units 1 )  
and 2) )

Docket Nos. 50-456 *OL*  
50-457 *OL*

COMMONWEALTH EDISON COMPANY'S  
APPLICATION FOR DEPOSITION SUBPOENAS

Pursuant to 10 C.F.R. §2.720, Commonwealth Edison Company ("Applicant") hereby applies to the Atomic Safety and Licensing Board for issuance of the attached deposition subpoenas to Worley O. Puckett and John D. Seeders commanding them to appear to give their depositions and to produce specified documents at the time and place indicated on the attached subpoenas.

In support of this application, Applicant states as follows:

1. A quality control inspector harassment issue has been admitted as part of the quality assurance contention of Intervenor Bridget Little Rorem, et al. in the Braidwood proceeding. As part of the basis for their harassment claim, Intervenor allege that the management of L. K. Comstock participated in and carried out harassment

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against two quality control inspectors, Worley O. Puckett and John D. Seeders.

2. The allegations contained in Intervenor's harassment claim related to Mr. Puckett and Mr. Seeders are relevant to the Braidwood proceeding before the Licensing Board since they are part of an admitted contention. Moreover, counsel for Intervenor has represented to the Licensing Board an intention to offer both Mr. Seeders and Mr. Puckett as witnesses in the proceeding. See Motion To Admit Claims Of Intimidation And Harassment Of Comstock Quality Control (QC) Inspectors And Motion For Protective Order, filed July 13, 1985. Applicant will be unable to adequately prepare its case in the Braidwood proceeding unless it is permitted to depose and gain access to documents in the possession of Mr. Seeders and Mr. Pucket.

3. Appropriate fees will be paid to the deponents in accordance with 10 C.F.R. §2.720(d). Once the requested subpoenas are issued, Isham, Lincoln & Beale will arrange to have the subpoenas served by a non-party pursuant to 10 C.F.R. §2.720(c).

WHEREFORE, Applicant respectfully requests that the Licensing Board issue the attached deposition subpoenas to Worley O. Puckett and John D. Seeders.

Respectfully submitted,

  
One of the Attorneys For  
COMMONWEALTH EDISON COMPANY

Michael I. Miller, Esq.  
Elena Z. Kezelis, Esq.  
Rebecca J. Lauer, Esq.  
ISHAM, LINCOLN & BEALE  
Three First National Plaza  
Suite 5200  
Chicago, Illinois 60602  
(312) 558-7500

DATED: October 18, 1985

# United States of America

## NUCLEAR REGULATORY COMMISSION

In the matter of:

COMMONWEALTH EDISON COMPANY

(Braidwood Station, Units 1 and 2)

DOCKET NO. 50-456  
50-457

TO

Worley O. Puckett  
3672 Spring Grove Road  
Bethel, Ohio 45106

YOU ARE HEREBY COMMANDED to appear Isham, Lincoln & Beale, Three  
First National Plaza, Suite 5200  
in the city of Chicago, Illinois  
on the 12th day of November 19 85 at 10:00 O'clock A. M.  
to testify on behalf of x be deposed

in the above entitled action and bring with you the document(s) or object(s) described  
in the attached schedule.

BY ORDER OF THE ATOMIC SAFETY AND LICENSING BOARD

BY \_\_\_\_\_  
\_\_\_\_\_

ATTORNEY FOR Commonwealth Edison Company  
Rebecca J. Lauer, Esq.  
Isham, Lincoln & Beale  
Three First National Plaza  
Chicago, Illinois 60602  
TELEPHONE (312) 558-7500

.....19.....

### 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 sub-  
poena 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 sub-  
poena if it is unreasonable or requires evidence  
not relevant to any matter in issue, or (2) con-  
dition denial of the motion on just and reasonable  
terms.

# United States of America

## NUCLEAR REGULATORY COMMISSION

In the matter of:

COMMONWEALTH EDISON COMPANY

(Braidwood Station, Units 1 and 2)

DOCKET NO. 50-456  
50-457

TO

John D. Seeders  
115 West High Street  
Morris, Illinois 60450

YOU ARE HEREBY COMMANDED to appear Isham, Lincoln & Beale, Three  
First National Plaza, Suite 5200

in the city of Chicago, Illinois  
on the 5th day of November 19 85 at 10:00 o'clock A.M.  
to ~~testify on behalf of~~ be ~~deposed~~

in the above entitled action and bring with you the document(s) or object(s) described  
in the attached schedule.

BY ORDER OF THE ATOMIC SAFETY AND LICENSING BOARD

BY \_\_\_\_\_

ATTORNEY FOR Commonwealth Edison Company  
Rebecca J. Lauer, Esq.  
Isham, Lincoln & Beale  
Three First National Plaza  
Chicago, Illinois 60602  
TELEPHONE (312) 558-7500

.....19.....

### 10 C.F.R. 2.720 (f)

On motion made promptly, and in any event  
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whose instance the subpoena was issued, the

presiding officer or, if he is unavailable, the  
Commission may (1) quash or modify the sub-  
poena if it is unreasonable or requires evidence  
not relevant to any matter in issue, or (2) con-  
dition denial of the motion on just and reasonable  
terms.

SCHEDULE OF DOCUMENTS TO BE  
PRODUCED AT DEPOSITION

1. Any and all documents related to your employment by L. K. Comstock at the Braidwood Power Station.
2. Any and all documents related to discussions or correspondence involving Braidwood Station and Intervenor Bridget Little Rorem, et al., agents and employees of Business and Professional People for the Public Interest, or employees of the Nuclear Regulatory Commission.
3. Any and all documents related to claims of harassment, intimidation, retaliation, or discrimination by any L. K. Comstock employee or manager including Irv DeWald, Robert Seltsmann, Larry Seese, Bob Marino, and Richard Saklak.
4. Any and all documents related to claims of inadequate quality or of safety concerns at Braidwood Station.

October 18, 1985

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

|                             |   |                    |
|-----------------------------|---|--------------------|
| In the Matter Of:           | ) |                    |
|                             | ) |                    |
| COMMONWEALTH EDISON COMPANY | ) |                    |
|                             | ) | Docket Nos. 50-456 |
| (Braidwood Station, Units 1 | ) | 50-457             |
| and 2)                      | ) |                    |

CERTIFICATE OF SERVICE

I, Elena Z. Kezelis, one of the attorneys for Commonwealth Edison Company, certify that the following persons have been served in the above-entitled matter with copies of "Commonwealth Edison Company's Application For Deposition Subpoenas" and that service has been executed by first class mail, postage prepaid.

Lawrence Brenner, Esq.  
Chairman  
Administrative Law Judge  
Atomic Safety and Licensing  
Board  
United States Nuclear Regulatory  
Commission  
Washington, DC 20555

Herbert Grossman, Esq.  
Administrative Law Judge  
Atomic Safety and Licensing  
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United States Nuclear Regulatory  
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Washington, DC 20555

Dr. Richard F. Cole  
Administrative Law Judge  
Atomic Safety and Licensing  
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United States Nuclear Regulatory  
Commission  
Washington, DC 20555

Dr. A. Dixon Callihan  
Administrative Law Judge  
102 Oak Lane  
Oak Ridge, TN 37830

Stuart Treby, Esq.  
Elaine I. Chan, Esq.  
Office of the Executive Legal  
Director  
United States Nuclear Regulatory  
Commission  
Washington, DC 20555

Atomic Safety and Licensing  
Board Panel  
United States Nuclear Regulatory  
Commission  
Washington, DC 20555

Atomic Safety and Licensing  
Appeal Board Panel  
United States Nuclear Regulatory  
Commission  
Washington, DC 20555

Mr. William L. Clements  
Chief, Docketing and Services  
United States Nuclear Regulatory  
Commission  
Office of the Secretary  
Washington, DC 20555

Ms. Bridget Little Rorem  
117 North Linden Street  
P.O. Box 208  
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Illinois Emergency Services  
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Braidwood Project  
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Elena Z. Kezelis

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Three First National Plaza  
Suite 5200  
Chicago, Illinois 60602  
(312) 558-7500

DATED: October 18, 1985