

IN RESPONSE, PLEASE  
REFER TO: M920212

February 27, 1992

MEMORANDUM FOR: Stephen G. Burns, Director  
Office of Commission Appellate Adjudication

FROM: Samuel J. Chilk, Secretary /S/

SUBJECT: STAFF REQUIREMENTS - AFFIRMATION/DISCUSSION  
AND VOTE, 3:00 P.M., WEDNESDAY, FEBRUARY 12,  
1992, COMMISSIONERS' CONFERENCE ROOM, ONE  
WHITE FLINT NORTH, ROCKVILLE, MARYLAND (OPEN  
TO PUBLIC ATTENDANCE)

I. SECY-92-013 - Georgia Power Company, Intervenor's Appeal of  
LBP-91-21

The Commission, by a 4-0\* vote, approved an order responding to an appeal by Georgians Against Nuclear Energy (GANE). GANE had appealed a Licensing Board decision, LBP-91-21, which dismissed GANE's proffered contentions and denied its petitions to intervene in a proceeding on a proposed license amendment for the Vogtle Electric Generating Plant.

The Commission's order dismisses GANE's appeal and terminates the proceeding due to GANE's failure to file a brief in support of its appeal.

In a separate memorandum (attachment) the Commission is directing the NRC staff to provide its evaluation of certain matters related to the operation of the diesel generators and their associated instrumentation.

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\* Section 201 of the Energy Reorganization Act, 42 U.S.C. Sec. 5841, provides that action of the Commission shall be determined by a "majority vote of the members present." Commissioners Remick and de Planque were not present when this item was affirmed. Accordingly the formal vote of the Commission was 3-0 in favor of the decision. Commissioner Remick, however, had previously indicated that he would approve this paper and had he

been present he would have affirmed his prior vote. Commissioner de Planque did not participate in this matter.

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Commissioner de Planque did not participate in this matter.

Attachment:  
As stated

cc: The Chairman  
Commissioner Rogers  
Commissioner Curtiss  
Commissioner Remick  
Commissioner de Planque  
OGC  
EDO  
OIG  
ACRS  
PDR - Advance  
DCS - P1-24