

OCT 18 1976

Dockets Nos. 50-321
and 50-366

Georgia Power Company
Oglethorpe Electric Membership Corporation
Municipal Electric Authority of Georgia
City of Dalton, Georgia
ATTN: I. S. Mitchell, III
Vice President and Secretary
Georgia Power Company
Atlanta, Georgia 30302

Gentlemen:

The Commission has issued the enclosed Amendment No. 36 to Facility Operating License No. DPR-57 and Amendment No. 4 to Construction Permit No. CPPR-90 for the Edwin I. Hatch Nuclear Plant Units Nos. 1 and 2 located in Appling County, Georgia.

The amendments reflect a change in ownership of the facilities indicating that the Municipal Electric Authority of Georgia (MEAG) and the City of Dalton, Georgia (DALTON) will acquire 17.7% and 2.2% undivided interests, respectively, in the ownership of the facilities. The Georgia Power Company will retain sole responsibility for overall planning, design, construction, operation, maintenance and disposal of the facilities.

Within 30 days of execution, 5 copies of the operating agreements and the Purchase and Ownership agreements, as executed, shall be filed with the NRC as an amendment to the application for license amendment of January 29, 1976. The financial arrangements contained in such documents shall be in substantial conformity to those proposed and set forth in the exhibits submitted with the letter dated July 15, 1976 from M. A. Carlton, on behalf of Georgia Power Company, to the NRC. In addition, evidence of initial bond validations related to this transfer of ownership shall be filed by both MEAG and DALTON within 30 days of obtaining such validations.

Five copies of Amendment No. 5 to Indemnity Agreement No. B-69 are enclosed. Please sign and return one copy to this office.

OFFICE >						
SURNAME >						
DATE >						

A copy of the related Safety Evaluation and Federal Register Notice are also enclosed.

Sincerely,

George Lear, Chief
 Operating Reactors Branch #3
 Division of Operating Reactors

Enclosures:

1. Amendment No. 36 to Facility Operating License No. DPR-57
2. Amendment No. 4 to Construction Permit No. CPPR-90.
3. Safety Evaluation
4. Federal Register Notice
5. Amendment No. 5 to Indemnity Agreement No. B-69.

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Georgia Power Company
Oglethorpe Electric Membership Corporation
Municipal Electric Authority of Georgia
City of Dalton, Georgia

- 2 -

cc: G. F. Trowbridge, Esquire
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Mr. D. P. Shannon
Georgia Power Company
Edwin I. Hatch Plant
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Baxley, Georgia 31513

Mr. Milton A. Carlton, Jr.
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Georgia Power Company
ATTN: Mr. Charles F. Whitmer
Vice President, Engineering
P. O. Box 4545
Atlanta, Georgia 30302

Mr. Dave Hopkins
U. S. Environmental Protection Agency
1421 Peachtree Street, N. E.
Atlanta, Georgia 30309



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

GEORGIA POWER COMPANY
OGLETHORPE ELECTRIC MEMBERSHIP CORPORATION

DOCKET NO. 50-321

EDWIN I. HATCH NUCLEAR PLANT UNIT NO. 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 36
License No. DPR-57

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Georgia Power Company and Oglethorpe Electric Membership Corporation (the licensees) dated January 29, 1976, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public;
 - E. Georgia Power Company is technically qualified and Georgia Power Company, the Oglethorpe Electric Membership Corporation, The Municipal Electric Authority of Georgia and the City of Dalton, Georgia, are financially qualified to engage in the activities authorized by this amendment;
 - F. The licensees have satisfied the applicable provisions of 10 CFR Part 140, "Financial Protection Requirements and Indemnity Agreements" of the Commission's regulations.

2. Accordingly, paragraphs 2. through 2.C.(2) of Facility Operating License No. DPR-57 are hereby amended, to reflect a change in ownership, as follows:

"2. Facility Operating License No. DPR-57 is hereby issued to the Georgia Power Company, the Oglethorpe Electric Membership Corporation, The Municipal Electric Authority of Georgia and the City of Dalton, Georgia to read as follows:

A. This license applies to the Edwin I. Hatch Nuclear Plant Unit No. 1, a direct cycle boiling water reactor and associated equipment (the facility), owned by the Georgia Power Company, the Oglethorpe Electric Membership Corporation, The Municipal Electric Authority of Georgia and the City of Dalton, Georgia. The facility is located eleven miles north of Baxley in Appling County, Georgia, and is described in the 'Final Safety Analysis Report' as supplemented and amended (Amendments 9 through 46) and the Environmental Report as supplemented and amended (Supplement 1 and Amendment 1).

B. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses:

(1) Pursuant to Section 104b of the Act and 10 CFR Part 50, 'Licensing of Production and Utilization Facilities,' Georgia Power Company to possess, use, and operate the facility at the designated location in Appling County, Georgia, in accordance with the procedures and limitations set forth in this license; and the Georgia Power Company, the Oglethorpe Electric Membership Corporation, The Municipal Electric Authority of Georgia and the City of Dalton, Georgia to possess the facility in accordance with the procedures and limitations set forth in this license;

(2) Pursuant to the Act and 10 CFR Part 70, Georgia Power Company to receive, possess and use at any time special nuclear material as reactor fuel, in accordance with the limitations for storage and amounts required for reactor operation, as described in the Final Safety Analysis Report, as supplemented and amended;

- (3) Pursuant to the Act and 10 CFR Parts 30, 40 and 70, Georgia Power Company to receive, possess and use at any time any byproduct, source and special nuclear material as sealed neutron sources for reactor startup, sealed sources for reactor instrumentation and radiation monitoring equipment calibration, and as fission detectors in amounts as required;
- (4) Pursuant to the Act and 10 CFR Parts 30, 40 and 70, Georgia Power Company to receive, possess and use in amounts as required any byproduct, source or special nuclear material without restriction to chemical or physical form, for sample analysis or instrument calibration or associated with radioactive apparatus or components;
- (5) Pursuant to the Act and 10 CFR Parts 30 and 70, Georgia Power Company to possess, but not separate, such byproduct and special nuclear materials as may be produced by the operation of the facility.

C. This license shall be deemed to contain and is subject to the conditions specified in the following Commission regulations in 10 CFR Chapter I: Part 20, Section 30.34 of Part 30, Section 40.41 of Part 40, Sections 50-54 and 50-59 of Part 50, and Section 70.32 of Part 70; is subject to all applicable provisions of the Act and to the rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:

(1) Maximum Power Level

The Georgia Power Company is authorized to operate the facility at steady state reactor core power levels not in excess of 2436 megawatts thermal.

(2) Technical Specifications

The Technical Specifications contained in Appendices A and B, as revised, are hereby incorporated in the license. The Georgia Power Company shall operate the facility in accordance with the Technical Specifications, as revised."

3. Within 30 days of execution, 5 copies of the Operating Agreements and the Purchase and Ownership Agreements, as executed, shall be filed with the NRC as an amendment to the application for license amendment of January 29, 1976. The financial arrangements contained in such documents shall be in substantial conformity to those proposed and set forth in the exhibits submitted with the letter from M. A. Carlton, on behalf of Georgia Power Company, to the NRC dated July 15, 1976.
4. The rights of creditors shall be in accordance with the provisions of 10 CFR Part 50 §50.81.
5. This amendment is effective as of the date of its issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

Karl R. Goller

Karl R. Goller, Assistant Director
for Operating Reactors
Division of Operating Reactors

Date of Issuance: October 18, 1976



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

GEORIGIA POWER COMPANY
OGLETHORPE ELECTRIC MEMBERSHIP CORPORATION

DOCKET NO. 50-366

EDWIN I. HATCH NUCLEAR PLANT UNIT NO. 2

AMENDMENT TO CONSTRUCTION PERMIT

Amendment No. 4

Construction Permit No. CPPR-90

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Georgia Power Company and Oglethorpe Electric Membership Corporation (the licensees) dated January 29, 1976, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public;
 - E. Georgia Power Company is technically qualified and Georgia Power Company, the Oglethorpe Electric Membership Corporation, the Municipal Electric Authority of Georgia, and the City of Dalton, Georgia, are financially qualified to engage in the activities authorized by this license amendment in accordance with the rules and regulations of the Commission; and
 - F. The licensees have satisfied the applicable provisions of 10 CFR Part 140, "Financial Protection Requirements and Indemnity Agreements" of the Commission's regulations.

2. Accordingly, Construction Permit No. CPPR-90 is amended to reflect a change in the ownership of the facility as follows:
 - a. Paragraph 1. is deleted and the following paragraph is substituted:
 - "1. Pursuant to Section 103 of the Atomic Energy Act of 1954, as amended (the Act), and Title 10, Code of Federal Regulations, Part 50, 'Licensing of Production and Utilization Facilities', and pursuant to the Initial Decision of the Atomic Safety and Licensing Board, the Nuclear Regulatory Commission (the Commission) hereby issues a construction permit to the Georgia Power Company, the Oglethorpe Electric Membership Corporation, the Municipal Electric Authority of Georgia, and the City of Dalton, Georgia, (the applicants), as their interests appear in the application, as amended, for a utilization facility (the facility), designed for a rated power of 2436 megawatts thermal with a net electrical output of approximately 795 megawatts as described in the application and amendments thereto, filed in this matter by the applicants and as more fully described in the evidence received at the public hearing upon that application. The facility, known as the Edwin I. Hatch Nuclear Plant, Unit No. 2, will be located at the applicants' site near the south bank of the Altamaha River in Appling County, Georgia, approximately eleven miles north of the town of Baxley, Georgia."
 - b. All references in paragraphs 2.C and 3. of Construction Permit No. CPPR-90 to "applicant" are deleted and "applicants" is substituted.
 - c. References in paragraph 2.E of Construction Permit No. CPPR-90 to "applicant" are delted and "Georgia Power Company" is substituted.
3. The rights of creditors shall be in accordance with the provisions of 10 CFR Part 50 §50.81.

4. This amendment is effective as of the date of its issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

A handwritten signature in cursive script, appearing to read "D. Vassallo".

Domenic B. Vassallo, Assistant Director
for Light Water Reactors
Division of Project Management

Date of Issuance: October 18, 1976



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

SUPPORTING AMENDMENT NO. 4 TO CONSTRUCTION PERMIT

NO. CPPR-90 AND AMENDMENT NO. 36 TO OPERATING

LICENSE NO. DPR-57

GEORGIA POWER COMPANY

AND OGLETHORPE ELECTRIC MEMBERSHIP CORPORATION

EDWIN I. HATCH NUCLEAR POWER PLANT UNITS NOS. 1 AND 2

DOCKETS NOS. 50-321 AND 50-366

Introduction

By letter dated January 29, 1976, Georgia Power Company (GPC) and Oglethorpe Electric Membership Corporation (OEMC) submitted an application for amendment of Facility Operating License No. DPR-57 for Edwin I. Hatch Unit No. 1 and Construction Permit No. CPPR-90 for Edwin I. Hatch Unit No. 2 to include the Municipal Electric Authority of Georgia (MEAG) and the City of Dalton (DALTON) as co-owners of Hatch Units Nos. 1 and 2 and as participants in the operation and electrical output of Hatch Unit No. 1. At present GPC and OEMC are the owners of Hatch Units Nos. 1 and 2 in the ratio of 70% and 30%, respectively. In accordance with agreements between GPC, MEAG, and DALTON as described in the amendment application, GPC will sell 17.7% and 2.2% of its 70% ownership to MEAG and DALTON, respectively. The sale by GPC will result in the following undivided ownership interests:

GPC	50.1%
OEMC	30.0%
MEAG	17.7%
DALTON	<u>2.2%</u>
	100.0%

Under the new ownership agreement, GPC will continue to have exclusive responsibility for the design, construction, operation, maintenance, and disposal of Hatch Units Nos. 1 and 2 and will act as agent for the other owners in these matters. Accordingly, the only effect of this transaction on licensing requirements relates to consideration of the financial qualifications of the additional owners, MEAG and DALTON.

Discussion

MEAG was created by the General Assembly of Georgia in its 1975 session for the purpose of providing for the bulk power needs of political subdivisions of Georgia that desire the same. It has authority on behalf of its members to acquire, construct, operate, and maintain electric generation and transmission systems. Each member political subdivision owns and operates an electric distribution system. MEAG has entered into bulk power sales contracts with 47 political subdivisions for a term which extends to the final maturities of MEAG's revenue bonds issued to finance its share in facilities such as Hatch, not to exceed 50 years. MEAG plans to finance its share of Hatch operating expenses through revenues derived under the bulk power sales contracts. MEAG's participants are listed in Appendix A to the application for amendments, dated January 29, 1976. The City of Acworth, listed in Appendix A, decided not to participate in MEAG subsequent to filing of the application.

DALTON is an incorporated municipality which owns and operates an electrical distribution system. It serves approximately 8,000 residential, commercial and industrial customers. DALTON elected to participate directly as a co-owner of Hatch Units Nos. 1 and 2 rather than through membership in MEAG. It plans to finance its 2.2% share of the Hatch design and construction costs through the issuance of its revenue bonds, and to finance its share of Hatch operating expenses through revenues from its utility services.

Under the Purchase and Ownership Participation Agreement, GPC will sell to MEAG and DALTON undivided 17.7% and 2.2% ownership interests, respectively, as tenants in common, without right of partition, in Hatch Units Nos. 1 and 2. Transfer of ownership will occur at a future closing date subject to regulatory approvals including that of the NRC. At the closing of the sale, MEAG and DALTON will pay to GPC their respective shares (in the ratio of their ownership interests stated above) of all costs incurred prior to the closing for design and construction of the Hatch Nuclear Units. The exact amounts of such payments will depend on the date established for the closing and the final accounting of total costs incurred to that date. Subsequent to the closing through completion of the facility, MEAG and DALTON will be billed monthly for their proportionate shares of the total estimated capital costs for the following month adjusted for differences between the previous month's estimate and actual charges. GPC will include with each such billing an accounting of costs actually incurred in preceding months.

Evaluation

1. Design and Construction Costs

As noted above, MEAG plans to finance its 17.7 percent interest in the design and construction costs of Hatch through the issuance of its electric revenue bonds. The bonds will be issued in series from time to time as funds are needed to meet MEAG's obligations under the construction program. Interim requirements will be met with bond anticipation notes and short-term borrowings where necessary, and would be subsequently refunded with the proceeds of the long-term debt. MEAG estimates that it will eventually issue a total of \$1,574.0 million of its revenue bonds to finance its participation in Hatch and in other generation and transmission projects to be jointly owned with GPC and other Georgia utilities. Of this total, an estimated \$252.5 million is applicable to MEAG's share in the Hatch capital costs.

Rates charged by MEAG to its participants are not subject to regulatory jurisdiction. The power sales contracts between MEAG and its participants provide that rates charged by MEAG shall be designed (and adjusted when necessary) to cover all costs of operation, including amounts required to pay debt service and to provide for eventual retirement of its bonds. MEAG's revenues from the political subdivisions for energy under the power sales contracts will be pledged as security for the bonds. The contracts further provide that each participant must take or pay for its entitlement share of power from any owned project, such as the Hatch Nuclear Units, and are backed by the "full faith and credit" of each political subdivision. Each participant's monthly bill for power from MEAG will normally be paid as an operating expense of the local system. However, it may be paid from any funds of the political subdivision and the payments may be enforced against any such funds, including tax revenues.

We have concluded that MEAG's financing plan provides reasonable assurance that MEAG can obtain the funds required for its share of the design and construction costs of Hatch Nuclear Plant Units Nos. 1 and 2. MEAG's revenue bonds are subject to approval in bond validation proceedings. Accordingly, the NRC staff will require evidence of the initial validation within 30 days of the date of its approval.

As noted above, DALTON intends to finance its 2.2 percent interest in the Hatch design and construction costs through the issuance of its revenue bonds. DALTON's share of the Hatch capital costs is currently estimated at \$25.6 million. DALTON currently plans to issue a total of \$96 million of revenue bonds in 1976 and 1978 to finance its participation in Hatch and in other generation and transmission projects to be jointly-owned with GPC and other Georgia utilities.

DALTON has previously issued revenue bonds for its electric and gas plant and has issued general obligation bonds for city school construction. The principal and interest on revenue bonds to be issued in support of Hatch will be payable from and secured by the revenues derived from the city's operation of its electric and natural gas system. DALTON has authority, independent of any regulatory agency, to increase its utility rates, if necessary, in order to recover all costs of operation and interest on its bonds, and to provide for retirement of the bonds.

We have concluded that DALTON has reasonable assurance of obtaining the funds required for its share of the design and construction costs of Hatch Nuclear Units Nos. 1 and 2. DALTON's revenue bonds are subject to approval in bond validation proceedings. Accordingly, the Staff will require evidence of the validation within 30 days of the date of its approval.

2. Operating Costs

MEAG and DALTON will finance their shares of Hatch operating expenses with the revenues derived from sale of energy to ultimate consumers. Such expenses may include the costs of permanently shutting the plant down and maintaining it in a safety condition, should that become necessary. As noted above, the rates charged by MEAG and its members and by DALTON are not subject to regulation by any agency. The future sufficiency of these participants' revenues to cover the possibility of escalating operating costs is enhanced by this independent rate-setting authority. MEAG's power sales contracts provide for increased rates to the members to fully cover all operating cost increases. The Operating Agreements provide that each participant will provide its share of all operating costs independent of the level of power availability from the units. The power sales contracts between MEAG and its members also contain such a provision.

According to the application, MEAG's and DALTON's percentage ownership shares in the facility are equal to their respective percentage entitlements in the electrical capacity and output of the plant. MEAG and GPC have agreed that during the first eight years of each unit's operation, GPC will purchase back declining fractions of MEAG's capacity and energy from the units. This does not affect MEAG's ownership share in the facility or its obligation to provide its share of capital costs.

Summary

Based on the preceding analysis, we have concluded that MEAG and DALTON are financially qualified to participate in the design and construction of Hatch Nuclear Plant Units Nos. 1 and 2 in the ratio of their respective ownership percentages noted above. This conclusion is based on our determination that MEAG and DALTON have reasonable assurance of obtaining the required capital funds through their revenue bonding method. Due to the lengthy future period involved, our conclusion necessarily assumes that viable capital markets will exist. This implies that capital will be available at some price. We have also concluded that MEAG and DALTON are financially qualified to provide their respective shares of Hatch Unit No. 1 operating costs and the costs of permanent shutdown of the unit and maintenance in a safe condition, should that become necessary. A separate determination on the financial qualifications of the applicants to operate Unit No. 2 will be made in the future operating license review of that unit.

Environmental Considerations

We have determined that the amendments do not authorize a change in effluent types or total amounts nor an increase in power level and will not result in any significant environmental impact. Having made this determination, we have further concluded that the amendments involve an action which is insignificant from the standpoint of environmental impact and pursuant to 10 CFR §1.5(d)(4) that an environmental statement, negative declaration, or environmental appraisal need not be prepared in connection with the issuance of these amendments.

Conclusion

The amendments requested do not affect the probability or consequences of accidents previously considered, do not affect any safety margins associated with the Hatch Units Nos. 1 and 2 facilities and do not in any other way affect safety considerations associated with the design and operation of the Hatch Units Nos. 1 and 2 facilities. We have, therefore, concluded that the amendments do not involve significant hazards consideration.

We have also concluded, based on the considerations discussed above, that there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, that such activities will be conducted in compliance with the Commission's regulations and the issuance of these amendments will not be inimical to the common defense and security or to the health and safety of the public.

Our conclusions are based, in part, upon information provided in the Hatch Purchase and Ownership Participation Agreements between GPC and MEAG and between GPC and DALTON. Shortly after MEAG and DALTON have been authorized to become co-owners of the Hatch facilities by amendment to CPPR-90 and DPR-57, final transfer documents will be executed. Accordingly, copies of the final executed transfer documents, substantially identical to the draft agreements provided to the NRC, should be submitted to the Commission within 30 days of their execution.

Dated: October 18, 1976

UNITED STATES NUCLEAR REGULATORY COMMISSION

DOCKETS NOS. 50-321 AND 50-366

GEORGIA POWER COMPANY

OGLETHORPE ELECTRIC MEMBERSHIP CORPORATION

NOTICE OF ISSUANCE OF AMENDMENTS TO

FACILITY OPERATING LICENSE NO. DPR-57 AND

CONSTRUCTION PERMIT NO. CPPR-90

Notice is hereby given that the U. S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 36 to Facility Operating License No. DPR-57 and Amendment No. 4 to Construction Permit No. CPPR-90 issued to Georgia Power Company and Oglethorpe Electric Membership Corporation for the operation of Edwin I. Hatch Nuclear Plant Unit No. 1 (Hatch-1) and for the construction of Edwin I. Hatch Nuclear Plant Unit No. 2 (Hatch-2), respectively. These units are boiling water reactors and are located in Appling County, Georgia. The amendments are effective as of the date of issuance.

The amendments reflect a change in ownership of facilities Hatch Units Nos. 1 and 2. As a result of the change The Municipal Electric Authority of Georgia (MEAG) and the City of Dalton, Georgia (DALTON) will acquire 17.7% and 2.2% undivided interests, respectively, in the ownership of the facilities. The Georgia Power Company will retain sole responsibility for overall planning, design, construction, operation, maintenance and disposal of the facilities.

The application for the amendments complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendments. Prior public notice of these amendments

was not required since the amendments do not involve a significant hazards consideration.

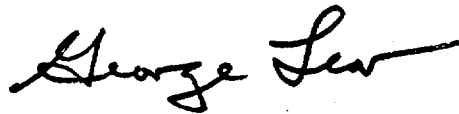
The Commission has determined that the issuance of these amendments will not result in any significant environmental impact and that pursuant to 10 CFR §51.5(d)(4) an environmental statement, negative declaration or environmental impact appraisal need not be prepared in connection with issuance of these amendments.

For further details with respect to this action, see (1) the application for amendments dated January 29, 1976, (2) Amendment No. 36 to License No. DPR-57, (3) Amendment No. 4 to Construction Permit No. CPPR-90, and (4) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street N. W., Washington, D. C. and at the Appling County Public Library, Parker Street, Baxley, Georgia 31513.

A copy of items (2), (3) and (4) may be obtained upon request addressed to the U. S. Nuclear Regulatory Commission, Washington, D. C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 18 day of October 1976.

FOR THE NUCLEAR REGULATORY COMMISSION



George Lear, Chief
Operating Reactors Branch #3
Division of Operating Reactors



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

Docket Nos. 50-321
50-366

AMENDMENT TO INDEMNITY AGREEMENT NO. B-69

AMENDMENT NO. 5

Effective _____, Indemnity Agreement No. B-69, between Georgia Power Company and Oglethorpe Electric Membership Corporation, and the Atomic Energy Commission, dated August 2, 1973, as amended, is hereby further amended as follows:

Wherever the names "Georgia Power Company" and "Oglethorpe Electric Membership Corporation" appear in the indemnity agreement, the following named licensees are added:

"Municipal Electric Authority of Georgia" and "City of Dalton, Georgia."

FOR THE UNITED STATES NUCLEAR REGULATORY COMMISSION

Jerome Saltzman, Chief
Antitrust & Indemnity Group
Nuclear Reactor Regulation

Accepted _____, 1976 Accepted _____, 1976

By _____
GEORGIA POWER COMPANY

By _____
OGLETHORPE ELECTRIC MEMBERSHIP
CORPORATION

Accepted _____, 1976 Accepted _____, 1976

By _____
MUNICIPAL ELECTRIC AUTHORITY OF
GEORGIA

By _____
CITY OF DALTON, GEORGIA