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June 19, 2008

Hon. G. Paul Bollwerk, III  
Hon. Nicholas G. Trikouros  
Hon. James F. Jackson  
Atomic Safety and Licensing Board  
Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

**Re: Southern Nuclear Operating Co., Inc. (ESP for Vogtle)  
Docket No. 52-011-ESP**

Dear Judges Bollwerk, Trikouros and Jackson:

Applicant, Southern Nuclear Operating Company (SNC) has reviewed the Staff's revised schedule for issuance of the Final Safety Evaluation Report (FSER) set forth in Mr. Moulding's letter of June 17, 2008. In summary, the Staff advises that while there is no change in the schedule for the Final Environmental Impact Statement (FEIS), which will be available on August 22, 2008, that the scheduled date for the issuance of the FSER will be delayed until February 5, 2009, because of the time required by the Staff to review SNC's responses to requests for additional information (RAIs). SNC understands that the RAIs in question will be submitted to SNC on July 21, 2008 and that SNC's responses will be delivered to the Staff not later than August 22, 2008.

The Board's current schedule for this proceeding was based on the FSER and FEIS being issued on August 6, 2008 and August 22, 2008, respectively. Based on that projected schedule, the Board issued the Revised General Schedule on March 13, 2008 setting the hearing on contested issues for March 16, 2009 and the mandatory hearing for March 19, 2009. Accordingly the scheduled dates for the issuance for Board's preliminary initial decisions were projected to be June 15, 2009 and July 2, 2009, or approximately eleven (11) months subsequent to the issuance of the Staff's licensing documents.

The same eleven month lead time between the issuance of the FSER in February 2009 and the Board's decisions on contested and mandatory hearing issues would compromise SNC's schedule for commencing construction, and ultimately, commercial operation of Vogtle Unit 3 and 4. Such a delay could result in significant replacement power costs to the people of Georgia who require additional base load generating capacity in mid-2016. For that reason, SNC requests that the Board schedule a telephonic conference to discuss methods to mitigate the schedule impact of the change in the schedule for the issuance of the FSER.

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Among the options SNC would like to discuss with the Board and the other parties are:

1. Scheduling the hearing on the contested environmental issues based on the issuance of the FEIS, including requiring any late filed or supplemental contentions to be filed based on the issuance of the FEIS.
2. Using the delivery of the Advanced SER without open items to ACRS (currently scheduled for November, 2009), rather than the FSER, as the basis for the schedule for the mandatory hearing.
3. Compressing the schedule to account for the elimination of motions for summary disposition subsequent to the FSER if no contentions are admitted based on the FSER.

Thank you in advance for your consideration of this request.

Sincerely,

/s/ M. Stanford Blanton

M. Stanford Blanton

MSB:dc

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