

Morgan, Lewis & Bockius LLP
1111 Pennsylvania Avenue, NW
Washington, DC 20004
TEL: 202.739.3000
FAX: 202.739.3001
eFax: 877.432.9652
www.morganlewis.com

Morgan Lewis
C O U N S E L O R S A T L A W

Steven P. Frantz
Partner
202.739.5460
sfrantz@morganlewis.com

September 22, 2008

G. Paul Bollwerk, III, Chairman
Dr. Anthony J. Baratta
Dr. William W. Sager
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Docket: *Tennessee Valley Authority* (Bellefonte Nuclear Power Plant, Units 3 and 4),
Docket Nos.: 52-014 and 52-015

RE: Agreement of the Parties regarding Mandatory Discovery Disclosures

Dear Licensing Board Members:

The purpose of this letter is to inform you of the agreement of Tennessee Valley Authority (TVA), Intervenors, and the NRC staff regarding discovery disclosures under 10 CFR § 2.336.

The parties have agreed to the following protocol:

1. The parties may limit the mandatory discovery disclosures to final documents that they develop, and need not include drafts (including comments on drafts, transmittals of drafts, resolution of comments on drafts, and similar documents).
2. If the same document exists in both hard copy and electronic format, a party may produce the electronic copy only.

3. The parties have agreed to waive the requirement in 10 C.F.R. §§ 2.336(a)(3) and 2.336(b)(5) to produce a privilege log. The parties will still produce as part of their disclosures a list of any documents withheld as proprietary.
4. A party need not identify or produce any document that has been served on the other parties to this proceeding.
5. The parties need not identify or produce press clippings.
6. In connection with the staff's submittal of the hearing file, the staff will identify all relevant documents available via the NRC's website or ADAMS, as required by 10 C.F.R. §§ 2.336(b) and 2.1203. The parties shall not otherwise be required to identify or produce docketed correspondence or other documents available via the NRC's website or ADAMS.
7. Until the staff issues the final environmental impact statement (EIS), the continuing obligation of the parties under 10 C.F.R. § 2.336(d) to update their respective disclosures is modified so that information or documents subsequently developed or obtained must be disclosed within 30 days.

Respectfully submitted,

Signed (electronically) by

/s/ Steven P. Frantz

Steven P. Frantz
Co-Counsel for TVA

cc: Service List

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION**

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	
TENNESSEE VALLEY AUTHORITY)	Docket Nos. 52-014 and 52-015
)	
(Bellefonte Nuclear Power Plant,)	September 22, 2008
Units 3 and 4))	
)	

CERTIFICATE OF SERVICE

I hereby certify that on September 22, 2008 a copy of “Agreement of the Parties regarding Mandatory Discovery Disclosures” was filed electronically with the Electronic Information Exchange on the following recipients:

Administrative Judge
G. Paul Bollwerk, III, Chair
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
E-mail: gpb@nrc.gov

Administrative Judge
Dr. Anthony J. Baratta
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
E-mail: ajb5@nrc.gov

Administrative Judge
Dr. William W. Sager
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
E-mail: wws1@nrc.gov

Office of the General Counsel
U.S. Nuclear Regulatory Commission
Mail Stop O-15D21
Washington, DC 20555-0001
Ann P. Hodgdon
Patrick A. Moulding
Jody C. Martin
Maxwell C. Smith
E-mail: Ann.Hodgdon@nrc.gov;
Patrick.Moulding@nrc.gov; Maxwell.Smith@nrc.gov; Jody.Martin@nrc.gov

Office of the Secretary
U.S. Nuclear Regulatory Commission
Rulemakings and Adjudications Staff
Washington, DC 20555-0001
E-mail: hearingdocket@nrc.gov

Office of Commission Appellate Adjudication
U.S. Nuclear Regulatory Commission
Mail Stop: O-16C1
Washington, DC 20555-0001
E-mail: ocaamail@nrc.gov

Louis A. Zeller
Blue Ridge Environmental Defense League
(BREDL)
P.O. Box 88
Glendale Springs, NC 28629
E-mail: bredl@skybest.com

Louise Gorenflo
Bellefonte Efficiency & Sustainability Team
(BEST)
185 Hood Drive
Crossville, TN 38555
E-mail: lgorenflo@gmail.com

Sara Barczak
Southern Alliance for Clean Energy (SACE)
428 Bull Street, Suite 201
Savannah, GA 31401
E-mail: sara@cleanenergy.org

Signed (electronically) by
/s/ Steven P. Frantz
Steven P. Frantz
Morgan, Lewis & Bockius LLP
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Phone: 202-739-3000
E-mail: sfrantz@morganlewis.com

Co-Counsel for TVA