

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD PANEL

Before the Licensing Board:

G. Paul Bollwerk, III, Chairman  
Nicholas G. Trikouros  
Dr. James F. Jackson

In the Matter of

SOUTHERN NUCLEAR OPERATING CO.

(Vogtle Electric Generating Plant, Units 3 and 4)

Docket Nos. 52-025-COL and 52-026-COL

ASLBP No. 09-873-01-COL-BD01

February 4, 2009

MEMORANDUM

(Notice of Need for More Time)

With the December 23, 2008 filing of the reply pleading by Joint Petitioners<sup>1</sup> in this combined license proceeding, a Licensing Board decision granting or denying Joint Petitioners hearing request is now due on or before Friday, February 6, 2009. See 10 C.F.R. § 2.309(i).

There was a delay in scheduling an initial prehearing conference for this proceeding to provide the Board with an opportunity to hear arguments from the participants regarding the admissibility of Joint Petitioners contentions. A combination of factors contributed to the delay, including the participants extensive early-January filing commitments in the Vogtle early site permit (ESP) proceeding to which they also are parties; a mid-January week-long Georgia public utility commission hearing regarding the Vogtle COL application in which applicant Southern Nuclear Operating Company (SNC) and some of Joint Petitioners members participated; and scheduling issues associated with hearing venue availability. With the conduct

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<sup>1</sup> Joint Petitioners include the Atlanta Women's Action for New Directions, Blue Ridge Environmental Defense League, Center for a Sustainable Coast, Savannah Riverkeeper, and Southern Alliance for Clean Energy.



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)  
(Vogtle) )  
)  
(Combined Operating License) )

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing MEMORANDUM (NOTICE OF NEED FOR MORE TIME) have been served upon the following persons by Electronic Information Exchange.

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[Original signed by Nancy Greathead]  
Office of the Secretary of the Commission

Dated at Rockville, Maryland  
this 4<sup>th</sup> day of February 2009