

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

---

<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.



UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of )  
)  
SOUTHERN NUCLEAR OPERATING ) Docket No. 52-025-COL  
COMPANY ) and 52-026-COL  
)  
(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.

Office of Commission Appellate  
Adjudication  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001  
E-mail: [ocaamail@nrc.gov](mailto:ocaamail@nrc.gov)

U.S. Nuclear Regulatory Commission  
Atomic Safety and Licensing Board Panel  
Mail Stop T-3 F23  
Washington, DC 20555-0001

Administrative Judge  
G. Paul Bollwerk, III, Chair  
E-mail: [gpb@nrc.gov](mailto:gpb@nrc.gov)

Administrative Judge  
Nicholas G. Trikouros  
E-mail: [nqt@nrc.gov](mailto:nqt@nrc.gov)

Administrative Judge  
James F. Jackson  
E-mail: [jxj2@nrc.gov](mailto:jxj2@nrc.gov)  
[jackson538@comcast.net](mailto:jackson538@comcast.net)

Law Clerk: Wen Bu  
E-mail: [wen.bu@nrc.gov](mailto:wen.bu@nrc.gov)

U.S. Nuclear Regulatory Commission  
Office of the Secretary of the Commission  
Mail Stop O-16C1  
Washington, DC 20555-0001  
Hearing Docket  
E-mail: [hearingdocket@nrc.gov](mailto:hearingdocket@nrc.gov)

U.S. Nuclear Regulatory Commission  
Office of the General Counsel  
Mail Stop O-15D-21  
Washington, DC 20555-0001  
Kathryn L. Winsberg, Esq.  
Ann P. Hodgdon, Esq.  
Sara Brock, Esq.  
Patrick A. Moulding, Esq.  
Sarah Price, Esq.  
Carol H. Lazar, Esq.  
Joseph Gilman, Paralegal  
E-mail: [klw@nrc.gov](mailto:klw@nrc.gov)  
[aph@nrc.gov](mailto:aph@nrc.gov); [seb2@nrc.gov](mailto:seb2@nrc.gov)  
[patrick.moulding@nrc.gov](mailto:patrick.moulding@nrc.gov), [sap1@nrc.gov](mailto:sap1@nrc.gov)  
[jsq1@nrc.gov](mailto:jsq1@nrc.gov); [Carol.Lazar@nrc.gov](mailto:Carol.Lazar@nrc.gov)

OGC Mail Center : [OGCMailCenter@nrc.gov](mailto:OGCMailCenter@nrc.gov)

Docket No. 52-025 and 52-026-COL  
MEMORANDUM (NOTICE OF NEED FOR MORE TIME)

Moanica M. Caston, Esq.  
Southern Nuclear Operating Company, Inc.  
40 Inverness Center Parkway  
P.O. Box 1295, Bin B-022  
Birmingham, AL 35201-1295  
E-mail: [mcaston@southernco.com](mailto:mcaston@southernco.com)

Kenneth C. Hairston, Esq.  
M. Stanford Blanton, Esq.  
Peter D. LeJeune, Esq.  
Balch & Bingham LLP  
1710 Sixth Avenue North  
Birmingham, Alabama 35203-2014  
E-mail: [kchairston@balch.com](mailto:kchairston@balch.com);  
[sblanton@balch.com](mailto:sblanton@balch.com); [plejeune@balch.com](mailto:plejeune@balch.com)

Kathryn M. Sutton, Esq.  
Steven P. Frantz, Esq.  
Paul M. Bessette, Esq.  
Diane A. Eckert, Admin. Assist.  
Morgan, Lewis & Bockius, LLP  
Co-Counsel for Southern Nuclear Operating  
Company, Inc.  
1111 Pennsylvania Ave., NW  
Washington, DC 20004  
E-mail: [ksutton@morganlewis.com](mailto:ksutton@morganlewis.com)  
[sfrantz@morganlewis.com](mailto:sfrantz@morganlewis.com)  
[pbessette@morganlewis.com](mailto:pbessette@morganlewis.com)  
[deckert@morganlewis.com](mailto:deckert@morganlewis.com)

C. Grady Moore, III, Esq.  
Balch & Bingham, LLP  
1901 6<sup>TH</sup> Avenue, Suite 2600  
Birmingham, AL 35203  
E-mail: [gmoore@balch.com](mailto:gmoore@balch.com)

Atlanta Women's Action for New Directions  
(WAND), Blue Ridge Environmental Defense  
League (BREDL), Center for Sustainable  
Coast (CSC), Savannah Riverkeeper and  
Southern Alliance for Clean Energy (SACE)

Robert B. Haemer, Esq.  
Pillsbury Winthrop Shaw Pittman LLP  
2300 N Street, NW  
Washington, DC 20037-1122  
E-mail: [robert.haemer@pillsburylaw.com](mailto:robert.haemer@pillsburylaw.com)

Turner Environmental Law Clinic  
Emory University School of Law  
1301 Clifton Road  
Atlanta, GA 30322  
Lawrence Sanders, Esq.  
E-mail: [lsande3@emory.edu](mailto:lsande3@emory.edu)  
Mindy Goldstein  
E-mail: [magolds@emory.edu](mailto:magolds@emory.edu)

Docket No. 52-025 and 52-026-COL  
MEMORANDUM (NOTICE OF NEED FOR MORE TIME)

Barton Z. Cowan, Esq.  
Eckert Seamans Cherin & Mellott, LLC  
600 Grant Street, 44<sup>th</sup> Floor  
Pittsburgh, PA 15219  
E-mail: [teribart61@aol.com](mailto:teribart61@aol.com)

[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