

February 5, 2009

G. Paul Bollwerk, III, Chair  
Administrative Judge  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Dr. James F. Jackson  
Administrative Judge  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Nicholas G. Trikouros  
Administrative Judge  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

In the Matter of  
SOUTHERN NUCLEAR OPERATING CO.  
(Early Site Permit for Vogtle ESP Site)  
Docket No. 52-011-ESP

Dear Administrative Judges:

The NRC staff (Staff) is providing notice to the Licensing Board and parties of the availability of the Final Safety Evaluation Report ("FSER"). The Licensing Board and parties can access the FSER electronically via the NRC's Agencywide Document Access and Management System (ADAMS), which is accessible from the NRC website at <http://www.nrc.gov/reading-rm/adams.html>. The ADAMS accession number for the FSER is ML090130038. The FSER will also be posted on the NRC website at <http://www.nrc.gov/reactors/new-reactors/esp/vogtle.html>. If the Licensing Board or any party so requests, the Staff will also provide a hard copy.

Respectfully submitted,

/signed (electronically) by/  
Patrick A. Moulding  
Counsel for the NRC Staff  
U.S. Nuclear Regulatory Commission  
Mail Stop O-15 D21  
Washington, DC 20555-0001  
(301) 415-2549  
Patrick.Moulding@nrc.gov

Dated at Rockville, Maryland  
This 5<sup>th</sup> day of February, 2009

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of )  
 )  
SOUTHERN NUCLEAR OPERATING CO. ) Docket No. 52-011-ESP  
 )  
(Early Site Permit for Vogtle ESP Site) )

CERTIFICATE OF SERVICE

I hereby certify that copies of the NRC Staff letter dated February 5, 2009, have been served upon the following persons by Electronic Information Exchange this 5<sup>th</sup> day of February, 2009:

Administrative Judge  
G. Paul Bollwerk, III, Chair  
Atomic Safety and Licensing Board Panel  
Mail Stop T-3F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001  
(E-mail: gpb@nrc.gov)

Administrative Judge  
Nicholas G. Trikouros  
Atomic Safety and Licensing Board Panel  
Mail Stop T-3F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001  
(E-mail: ngt@nrc.gov)

Administrative Judge  
James Jackson  
Atomic Safety and Licensing Board Panel  
Mail Stop T-3F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001  
(E-mail: jackson538@comcast.net)

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

Wen Bu, Law Clerk  
Emily Krause, Law Clerk  
Atomic Safety and Licensing Board Panel  
Mail Stop T-3F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001  
(E-mail: wen.bu@nrc.gov  
emily.krause@nrc.gov)

Office of the Secretary  
ATTN: Docketing and Service  
Mail Stop 0-16C1  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001  
(E-mail: HEARINGDOCKET@nrc.gov)

Diane Curran, Esq.  
Harmon, Curran, Spielberg &  
Eisenberg, LLP  
1726 M Street, NW  
Suite 600  
Washington, DC 20036  
(E-mail: dcurran@harmoncurran.com)

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

Steven P. Frantz, Esq.  
Kathryn M. Sutton, Esq.  
Paul M. Bessette, Esq.  
Mary Freeze  
Morgan, Lewis & Bockius LLP  
1111 Pennsylvania Avenue, NW  
Washington, DC 20004  
(E-mail: sfrantz@morganlewis.com;  
ksutton@morganlewis.com;  
pbessette@morganlewis.com;  
mfreeze@morganlewis.com)

Lawrence D. Sanders, Esq.  
Turner Environmental Law Clinic  
Emory University School of Law  
1301 Clifton Road  
Atlanta, GA 30322  
(E-mail: lsanders@law.emory.edu)

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

**/signed (electronically) by/**  
Patrick A. Moulding  
Counsel for the NRC Staff  
U.S. Nuclear Regulatory Commission  
Mail Stop O-15 D21  
Washington, DC 20555-0001  
(301) 415-2549  
Patrick.Moulding@nrc.gov