

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION**

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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

In the Matter of

SOUTHERN NUCLEAR OPERATING CO.

(Early Site Permit for Vogtle ESP Site)

Docket No. 52-011-ESP

ASLBP No. 07-850-01-ESP-BD01

February 13, 2009

**JOINT INTERVENORS' RE-REVISED INITIAL POSITION STATEMENT,
PRE-FILED DIRECT TESTIMONY, EXHIBITS AND EXHIBIT LIST**

Pursuant to the Atomic Safety and Licensing Board's (the "Board") February 4, 2009 Memorandum and Order (the "Administrative Order"),¹ Joint Intervenors² hereby re-file a Re-Revised Initial Position Statement (omitting a reference to JTI000036 in footnote 70), a Re-Revised Pre-Filed Direct Testimony of Dr. Shawn Young in Support of EC 1.2 (inserting a reference to JTI000020 in Answer 20), and a Re-Revised Exhibit List (deleting JTI000036, omitting references to witnesses other than Mr. Powers in connection with JTI000032, and renaming the former JTIR00041 as JTIR20041). Joint Intervenors have also marked JTIR20041 with the exhibit number on the first page of the document, and hereby re-file the exhibit in accordance with the Administrative Order.

¹ Memorandum and Order (Memorializing Results of Prehearing Conference and Providing Additional Administrative Directives) (Feb. 4, 2009).

² Joint Intervenors include the Center for a Sustainable Coast, Savannah Riverkeeper, Southern Alliance for Clean Energy, Atlanta Women's Action for New Directions, and Blue Ridge Environmental Defense League.

As noted in the Administrative Order in section (C)(1)(a), Joint Intervenors' exhibits JTI000020 and JTI000036 were not referenced in specific discussions by particular witnesses or panels. As for the former, Joint Intervenors inadvertently omitted a reference to JTI000020 in the string cite of references in Answer 20 to Dr. Young's Pre-Filed Direct Testimony in Support of EC 1.2. To rectify such inadvertent omission, Joint Intervenors have revised Answer 20 to include the reference to JTI000020, and hereby re-file a re-revised version of the Pre-Filed Direct Testimony. As for the latter, Joint Intervenors' do not intend to offer JTI000036 into evidence. Therefore, Joint Intervenors have re-revised their Initial Position Statement to omit reference to JTI000036 in footnote 70, and hereby re-file a re-revised version of the Initial Position Statement.

In addition, as referenced in footnote 3 of the Administrative Order, Joint Intervenors' exhibit JTI000032 is only referenced in the testimony of Mr. Powers, but is listed in the exhibit list as being referenced by three witnesses. Joint Intervenors have revised their exhibit list to reflect that only the testimony of Mr. Powers references JTI000032.

Finally, pursuant to the Administrative Order, Joint Intervenors hereby re-file exhibit JTIR00041, which is now marked as JTIR20041, with the exhibit number marked on the first page of the document. The exhibit list has been revised to reflect this change.

Respectfully submitted this 13th day of February, 2009,

/signed (electronically) by/

Lawrence D. Sanders
Turner Environmental Law Clinic
Emory University School of Law
1301 Clifton Road
Atlanta, GA 30322
(404) 712-8008
Email: lsanders@law.emory.edu

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
)
SOUTHERN NUCLEAR OPERATING) Docket No. 52-011-ESP
COMPANY)
)
(Early Site Permit for the Vogtle ESP Site)) February 13, 2009

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **JOINT INTERVENORS' RE-REVISED INITIAL POSITION STATEMENT, PRE-FILED DIRECT TESTIMONY, EXHIBITS AND EXHIBIT LIST** were served upon the following persons by Electronic Information Exchange and/or electronic mail.

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

Administrative Judge
G. Paul Bollwerk, III, Chair
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
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-3 F23
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-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
E-mail: jackson538@comcast.net

Emily Krauss
Law Clerk
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
E-mail: emily.krauss@nrc.gov

Office of the Secretary
ATTN: Docketing and Service
Mail Stop 0-16C1
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Patrick A. Moulding
Office of the General Counsel
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
E-mail: patrick.moulding@nrc.gov

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

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

Jeffrey Stair, Esq.
Georgia Public Service Commission
244 Washington Street
Atlanta, GA 30334
E-mail: jeffreys@psc.state.ga.us

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

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

Jeffrey Stair, Esq.
Georgia Public Service Commission
244 Washington Street
Atlanta, GA 30334
E-mail: jeffreys@psc.state.ga.us
Copy provided by e-mail only

Dated: February 13, 2009

/signed (electronically) by/

Lawrence D. Sanders
Turner Environmental Law Clinic
Emory University School of Law
1301 Clifton Road
Atlanta, GA 30322
(404) 727-3432
Email: lsanders@law.emory.edu