

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.

(Early Site Permit for Vogtle ESP Site)

Docket No. 52-011-ESP

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

March 12, 2009

MEMORANDUM AND ORDER
(Additional Mandatory Hearing Matters)

Relative to the mandatory hearing to be convened on March 23, 2009, in Waynesboro, Georgia,¹ pursuant to the Licensing Board's December 31, 2008 issuance, see Licensing Board Memorandum and Order (Additional Presentation Topic and Administrative Directives for Mandatory Hearing) (Dec. 31, 2008) at 6 (unpublished), the order of opening statements will be NRC staff counsel, followed by counsel for applicant Southern Nuclear Operating Company (SNC).

As part of their opening statements, the Board requests that both counsel address the question of the relationship between the findings the Board has been directed to make pursuant to the notice of hearing for this early site permit proceeding, see [SNC]; Notice of Hearing and

¹ Although Joint Intervenors, which 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, are not parties to the mandatory hearing, as a courtesy they are being served with this issuance.

Opportunity to Petition for Leave to Intervene on An Early Site Permit for the Vogtle ESP Site, 71 Fed. Reg. 60,195, 60,195 (Oct. 12, 2006), and those required by 10 C.F.R. § 52.24.

Finally, we wish to advise the staff and SNC that, as a general rule, cross-examination of the other party's witnesses by counsel will not be permitted.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD²

/RA/

G. Paul Bollwerk, III
CHAIRMAN

Rockville, Maryland

March 12, 2009

² Copies of this memorandum and order were sent this date by the agency's E-Filing system to counsel for (1) applicant SNC; (2) Joint Intervenors; and (3) the staff.

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NUCLEAR REGULATORY COMMISSION

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

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB MEMORANDUM AND ORDER (ADDITIONAL MANDATORY HEARING MATTERS) have been served upon the following persons by Electronic Information Exchange.

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LB MEMORANDUM AND ORDER (ADDITIONAL MANDATORY HEARING MATTERS)

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[Original signed by Christine M. Pierpoint]
Office of the Secretary of the Commission

Dated at Rockville, Maryland
this 12th day of March 2009