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January 31, 1979

THIS DOCUMENT CONTAINS POOR QUALITY PAGES

Mr. Charles F. Whitmer
Vice President, Engineering
Georgia Power Company
230 Peachtree Street
P. O. Box 4545
Atlanta, Georgia 30303

Dear Mr. Whitmer:

We are enclosing herewith five copies of a duplicate amendment No. 10 to Indemnity Agreement B-69 to replace the copies that were lost. Please execute all five copies and return one fully executed copy to us.

Sincerely,

Ira Dinitz
Indemnity Specialist
Antitrust & Indemnity Group
Nuclear Reactor Regulation

Enclosures
As stated

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

DUPLICATE ORIGINAL

Docket Nos. 50-321
50-366

AMENDMENT TO INDEMNITY AGREEMENT NO. B-69

AMENDMENT NO. 10

Effective August 1, 1977, Indemnity Agreement No. B-69, between Georgia Power Company, Oglethorpe Electric Membership Corporation, Municipal Electric Authority of Georgia and City of Dalton, Georgia, and the Atomic Energy Commission, dated August 2, 1973, as amended, is hereby further amended by adding a new Article VIII to read as follows:

"ARTICLE VIII

"1. If the licensee fails to pay assessed deferred premiums, the Commission reserves the right to pay those premiums on behalf of the licensee and to recover the amount of such premiums from the licensee.

"2. The Commission shall require the immediate submission of financial statements by those licensees who indicate, after an assessment of the retrospective premium by the insurance pools, that they will not pay the assessment. Such financial statements shall include, as a minimum, exhibits indicating internally generated funds from operations and accumulated retained earnings. Subsequent submission of financial statements by such licensees may be requested by the Commission, as required.

"3. If premiums are paid by the Commission as provided in paragraph 1, payment by the Commission shall create a lien in the amount paid in favor of the United States upon all property and rights to property, whether real or personal, belonging to such licensee. The lien shall arise at the time payment is made by the Commission and shall continue until the liability for the amount (or a judgment against the licensee arising out of such liability) is satisfied or becomes unenforceable. The Commission will issue a certificate of release of any such lien if it finds that the liability for the amount has been fully satisfied or has become legally unenforceable.

"4. If the Commission determines that the licensee is financially able to reimburse the Commission for a deferred premium payment made in its behalf, and the licensee, after notice of such determination by the Commission fails to make such reimbursement within 120 days, the Commission will take appropriate steps to suspend the license for 30 days. The Commission may take any further action as necessary if reimbursement is not made within the 30-day suspension period including, but not limited to, termination of the operating license."

FOR THE UNITED STATES NUCLEAR REGULATORY COMMISSION

Jerome Saltzman, Chief
Antitrust and Indemnity Group
Office of Nuclear Reactor Regulation

Accepted_____, 1978

By_____
GEORGIA POWER COMPANY

Accepted_____, 1978

By_____
OGLETHORPE ELECTRIC MEMBERSHIP CORPORATION

Accepted_____, 1978

By_____
MUNICIPAL ELECTRIC AUTHORITY OF GEORGIA

Accepted_____, 1978

By_____
CITY OF DALTON, GEORGIA