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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

OFFICE OF SECRETARY  
DOCKETING & RECORDS  
BRANCH

In the Matter of	)	
	)	Docket Nos. 50-348-CivP
ALABAMA POWER COMPANY	)	50-364-CivP
	)	
(Joseph M. Farley Nuclear Plant,	)	
Units 1 and 2)	)	(ASLBP No. 89-591-01-CivP)

THIRD JOINT STATUS REPORT  
AND JOINT MOTION TO EXTEND DISCOVERY

1. Status Report

Counsel for Alabama Power Company and the NRC Staff hereby file this Third Joint Status Report, as required by the Board in its Order of July 17, 1989.

Discovery in this proceeding is ongoing, but due to extenuating circumstances no further depositions have been conducted since the Parties' last Status Report to the Board.

On October 24, 1989, the NRC Staff provided to counsel for Alabama Power Company the names of its newly retained technical consultants. Those consultants are now familiarizing themselves with the technical issues in this proceeding. The NRC Staff has requested a reasonable period during which its consultants may conduct their evaluations and confer with other Staff personnel. Based upon these circumstances, the NRC Staff does not anticipate making the consultants available for deposition until

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after January 1, 1990. Further, based on this schedule, counsel for the NRC Staff and Alabama Power Company have agreed to defer depositions of certain Alabama Power Company witnesses until that time.

In the meantime, the NRC Staff has agreed to proceed with depositions of certain other Alabama Power Company witnesses and has also indicated a desire to depose one or more representatives of Dresser Pump Division, Dresser Industries, Inc. (Pacific Pumps), the vendor of the relevant pumps at Farley Nuclear Plant. With respect to these individuals, subpoenas may be necessary. This matter is currently being discussed between counsel for the NRC Staff and counsel for Pacific Pumps. The NRC Staff will apprise the Board on this issue once the need for subpoenas has been determined. In any event, although firm dates have not been established, counsel for Alabama Power Company and the NRC Staff currently believe that depositions of witnesses in this second category (i.e., those not dependent upon the NRC Staff consultants' schedule) can be completed by December 15, 1989.

In the Parties' last Status Report to the Board, the Parties indicated an intent to address, in this Third Joint Status Report, their views on the direction and schedule for the further conduct of this proceeding. At this time, in light of the recent developments, the Parties agree that such a discussion (apart from the preceding discussion of discovery issues) is premature.

2. Joint Motion

Based on the recent developments and the current status of discovery in this proceeding as discussed above, the Parties jointly seek leave of the Board to extend the discovery schedule.

The Parties originally stipulated -- as adopted in the Board's Order of July 17, 1989 -- that discovery would be completed by October 27, 1989. The Parties presently anticipate that discovery can be completed by January 31, 1990 and that a stipulation, if one can be reached, governing the future course of the proceeding can be filed by February 15, 1990. Barring unforeseen circumstances, the Parties currently expect that no further extensions in the discovery schedule will be necessary. The Parties request that this schedule be confirmed by the Board.



In addition, the Parties jointly move that the next Joint Status Report in this proceeding be scheduled for December 15, 1989. Subsequent status reports would be filed bimonthly, on the 15th day of every other month thereafter.

Respectfully submitted,

Robert M. Weisman | DAR  
Robert M. Weisman  
Counsel for NRC Staff

James H. Miller, III | DAR  
James H. Miller, III  
Baich & Bingham  
Counsel for Alabama Power  
Company

Nicholas S. Reynolds  
Nicholas S. Reynolds  
Bishop, Cook, Purcell &  
Reynolds  
Counsel for Alabama Power  
Company

Dated at Washington, D.C.  
this 27th day of October, 1989.

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NUCLEAR REGULATORY COMMISSION

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BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

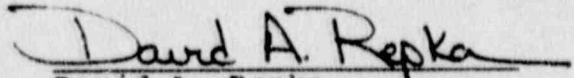
In the Matter of )  
ALABAMA POWER COMPANY ) Docket Nos. 50-348-CivP  
) 50-364-CivP  
(Joseph M. Farley Nuclear Plant, )  
Units 1 and 2) (ASLBP No. 89-591-01-CivP)

NOTICE OF APPEARANCE

Notice is hereby given that the undersigned attorney enters an appearance in the above-captioned matter. In accordance with 10 C.F.R. § 2.713(b), the following information is provided:

Name: David A. Repka  
Address: Bishop, Cook, Purcell and Reynolds  
1400 L Street, N.W.  
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Telephone Number: 202-371-5726  
Admissions: District of Columbia Court of Appeals,  
U.S. Court of Appeals (Fourth Circuit)  
Name of Party: Alabama Power Company

Respectfully submitted,

  
David A. Repka  
Bishop, Cook, Purcell &  
Reynolds  
Counsel for Alabama Power  
Company

Dated at Washington, D.C.  
this 27<sup>th</sup> day of October, 1989

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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In the Matter of )  
ALABAMA POWER COMPANY ) Docket Nos. 50-348-CivP  
(Joseph M. Farley Nuclear Plant, ) 50-364-CivP  
Units 1 and 2 ) (ASLBP No. 89-591-01-CivP)

CERTIFICATE OF SERVICE

I hereby certify that copies of the "THIRD JOINT STATUS REPORT AND JOINT MOTION TO EXTEND DISCOVERY" and a "NOTICE OF APPEARANCE" in the above-captioned proceeding have been served on the following by deposit in the United States mail, first class, this 27th day of October, 1989:

John H. Frye, III  
Administrative Judge  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Judge Walter H. Jordan  
Administrative Judge  
Atomic Safety and Licensing Board  
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Richard J. Goddard, Esq.  
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Office of the Secretary  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Dr. James H. Carpenter  
Administrative Judge  
Atomic Safety and Licensing  
Board  
U.S. Nuclear Regulatory  
Commission  
Washington, D.C. 20555

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Office of General Counsel  
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Commission  
Washington, D.C. 20005

Office of the Secretary  
U.S. Nuclear Regulatory  
Commission  
Washington, D.C. 20555

Atomic Safety and Licensing  
Appeal Board Panel  
U.S. Nuclear Regulatory  
Commission  
Washington, D.C. 20005

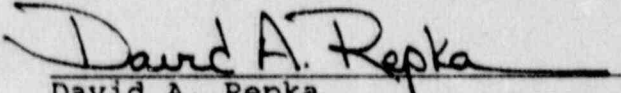


Atomic Safety and Licensing Board  
Panel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

James Lieberman  
Director, Office of Enforcement  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

W.G. Hairston, III  
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Adjudicatory File  
Atomic Safety and Licensing  
Board Panel  
U.S. Nuclear Regulatory  
Commission  
Washington, D.C. 20555

  
David A. Repka  
Counsel for Alabama Power  
Company