

B. Each interrogatory is a continuing one, and should be supplemented as required by 10 C.F.R. §2.740(e).

C. If you claim that any information which is required to be provided by you in your response to any of these interrogatories is privileged or immune from discovery:

1. Identify the portion of the interrogatory to which such information is otherwise the response;

2. If the information is a document or oral communication, identify the document's title or the oral communication and state the general subject matter of the document or oral communication;

3. If the information is a document or oral communication, state the date of the document or oral communication.

4. If a document, identify its author(s) and the person(s) for whom it was prepared or to whom it was sent, including all persons who received copies;

5. If an oral communication, identify all persons present at the time of the oral communication;

6. State the nature of the privilege or immunity claimed; and

7. State in detail each and every fact upon which you base your claim of privilege or immunity from discovery.

D. In each case where you are asked to identify or to state the identify of a document or where the answer to the

interrogatory refers to a document, state with respect to each such document:

1. The identify of the person who prepared it;
2. The identity of all persons who reviewed or approved it;
3. The identity of the person who signed it, or over whose name it was issued;
4. The identity of the addressee or addressees;
5. The nature and substance of the document with sufficient particularity to enable the same to be identified;
6. The date of the document; and
7. The present location of the document and the identity and address of each person who has custody of the document.

E. In each case where you are required to identify an oral communication, or where the answer to the interrogatory refers to an oral communication, state with respect thereto:

1. The date and place thereof;
2. The identity of each person who participated in or heard any part of the communication;
3. If the communication was by telephone, so indicate and state who initiated the telephone call;
4. The substance of what was said by each person who participated in the communication; and

5. The location and the identity and address of the custodian of any document (including any mechanical, magnetic, electrical or electronic recording) that recorded, summarized, reported or confirmed the oral communication.

F. In each instance where you are asked to identify or state the identity of a person, or where the answer to an interrogatory refers to a person, state with respect to each such person:

1. His/her name;
2. His/her last known business and residence addresses and telephone numbers;
3. If an individual, his/her business affiliation or employment at the date of the transaction, event or matter referred to; and
4. If a corporation or association, the business or activity in which it was engaged at the date of the transaction, event or matter referred to.

G. As used herein, the term "detail" and the phrases "state in detail" and "describe in detail" shall mean that you are requested to state, with specificity, each and every fact, ultimate fact, circumstance, incident, act, omission, event and date, relating to or otherwise pertaining to the matters inquired of in said interrogatory.

III. DEFINITIONS

A. As used herein, the terms "NRC," "you," or "your" and any synonym thereof and derivative therefrom are intended to, and

shall, embrace and include any and all offices within the Nuclear Regulatory Commission, including NRC Staff, NRC Office of Investigations, and all their respective attorneys, agents, servants, associates, employees, representatives, investigators, and others who are or have been in possession of or may have obtained information for or on behalf of the NRC in any manner with respect to any matter pertaining to information responsive to any interrogatory question set out below as well as any and document requested below.

B. As used herein, the term "documents" includes any written, recorded or graphic matter, however produced or reproduced, of every kind and regardless of where located, including but not limited to any summary, schedule, memorandum, note, statement, letter, telegram, interoffice communication, report, diary, desk or pocket calendar or notebook, daybook, appointment book, pamphlet, periodical, work sheet, cost sheet, list, graph, chart, index, tape, record, partial or complete report of telephone or oral conversation, compilation, tabulation, study, analysis, transcript, minutes, and all other memorials of any conversations, meetings, and conferences by telephone or otherwise, and any other writing or recording which is in the possession, custody or control of the Intervenor or any employees, representatives, attorneys, investigators, or others acting on his behalf.

C. As used herein, the terms "and" and "or" shall each mean and/or.

D. As used herein, the "Allen Mosbaugh" and the term "petitioner" or "intervenor" shall mean Allen Mosbaugh, the Intervenor in this proceeding.

E. As used herein, the term "SONOPCO," "Southern Nuclear" and "Southern Nuclear Operating Company, Inc.," shall include an entity formerly known as the "SONOPCO project" as well as a the current corporate entity now generally referred to as "Southern Nuclear."

F. As used herein, the term "date" shall mean the exact day, month, and year, if ascertainable, or if not, the best approximation thereof, including relationship to other events.

G. As used herein, the term "person" shall mean any individual, partnership, firm, association, corporation or other government, legal or business entity.

H. As used herein, the term "detail" and the phrases "state in detail" and "describe in detail" shall mean that you are requested to state, with specificity, each and every fact, ultimate fact, circumstance, incident, act, omission, event and date, relating to or otherwise pertaining to the matters inquired of in said interrogatory.

I. As used herein, the term "COA" shall refer to a confirmation of action letter sent by or on behalf of Georgia Power Company to the NRC in response to the March 20, 1990 Site Area Emergency.

J. As used herein, the term "LER" or "LER 90-006" shall refer to any draft or actual licensee event report, or revision

to any such report received or known to have existed by NRC that in any way pertains to the March 20, 1990 Site Area Emergency.

IV. INTERROGATORIES AND DOCUMENT REQUESTS

Below petitioner sets forth interrogatory questions and requests for documents.

1. Identify all committees or other entities established within the Southern System to study the creation of "SONOPCO" as well as all committees and entities within the Southern System who reviewed and/or approved the creation of SONOPCO between 1986 up until Southern Nuclear was incorporation.¹

a. For each entity identified, specify every person who served on any such committee;

b. Produce every document prepared or used as a briefing paper by any such entity and produce all draft and final documents prepared by any such entity.

c. State the purpose of creating the entity; the role that entity played.

d. Provided a chronology of action each entity took with respect to the creation of SONOPCO and produce all meeting minutes, drafts or final materials relied upon by any such entity to accomplish all of the activities set out in the chronology.

2. Provided a listing of all titles held by Joseph Farley with respect to any formal or informal position he held within the Southern System between 1986 and present, including all

¹ Information contained in Licnese's request for admissions need not be included when responding to this interrogatory.

Boards of Directorships, Ex Officio positions, all pay tiles, all job descriptions ever prepared (including unofficial descriptions).

a. Produce all minutes and other corporate information documenting all titles and sources of pay provided to Mr. Farley.

3. Produce all materials Mr. Farley provided to Mr. Addison or that Mr. Addison provided to Mr. Farley about the formation of SONOPCO between 1986 until 1991.

4. Produce all documents, drafts and otherwise, received by any and all members of GPC's Board of Directors and/or its Management Council which mentions or concerns the formation of SONOPCO between 1986 and 1991.

5. Produce all documents, drafts and otherwise, received by any and all members of Southern Company's Board of Directors or created by the Board concerning the formation of SONOPCO between 1986 and 1991.

6. Please provide a description of the process that occurred in filling the position being vacated by Mr. Vogtle as President of the Southern Company. Please:

a. Produce all documents relating to the election of Mr. Addison as the President of the Southern Company, including:

i) All newspaper articles contained in GPC's or Southern Company's "clippings file";

- ii) All paperwork created in anticipation of or during any vote(s) or nomination process;
 - iii) All documentation related to any "politicking" going on within the Southern System;
 - iv) All documentation circulated to any outside or inside Board of Directors on the Southern Company board that related in any way to any individual seeking nomination, selection or confirmation as president of the Southern Company prior to or at the time Mr. Addison was selected.
 - v) Any documentation of any kind in the possession of any GPC Board member (or former Board member) that relates to the selection of or matters pertaining to the selection of a president of the Southern Company.
- b. Identify how many votes were taken by the Board of Directors (including informal and straw votes) before Mr. Addison was selected, and supply a summary of each vote taken and the date of the vote.
- c. Identify how each Director voted in each vote leading to the selection of Mr. Addison to succeed Mr. Vogtle.
- i) For each Director, identify their affiliation with any Board of Directors or officer positions within

the Southern System at the time any vote was taken.

7. Produce a copy of all memorandum prepared by Mr. McDonald concerning contact he or Mr. Farley had with the Commission concerning the formation of SONOPCO.

8. Produce the "chronology" reviewed by Messrs. Farley, McDonald and Dahlberg prior to their depositions.

9. State the date and the specifics of how the minority owners of Plant Vogtle learned of Southern Company's U-1 filing with the SEC to create SONOPCO.

- a. Produce all documents sent to the co-owners prior to the U-1 filing;
- b. Identify all documents pertaining to any briefings concerning the u-1 filing that reflect any communication(s) with the co-owners.
- c. Produce all documentation received from the co-owners concerning acknowledgment of the U-1 filing as well as with respect to any agreement or disagreement any co-owner may have had with the initial U-1 filing or in anticipation of said filing.

11. State whether, at any time during the formation of SONOPCO or the SONOPCO project, the co-owners objected to the timing or content of the U-1 filing or any other document or matters related to the formation of SONOPCO.

- a. If the answer is yes, identify the sum and substance of the objection, who the objecting party was, the date of the dispute and the resolution (if applicable).

12. Produce all minutes, meeting notes, briefing papers and materials pertaining to the formation of SONOPCO, or which pertain to the nuclear budget of plant Vogtle, that was reviewed by, created by or relied upon by Southern Company's Board of Directors.

13. Produce all minutes, meeting notes, briefing papers and materials pertaining to the formation of SONOPCO, or which pertain to the nuclear budget of plant Vogtle, that was reviewed by, created by or relied upon by GPC's Board of Directors.

14. Produce all materials and notes relating to the 1990 nuclear budget of plant Vogtle (including notes taken during the meeting or which reflect the results of the meeting) that was held in Birmingham, Alabama in 1990.

- a. Identify the participants to said meeting
- b. State whether any minutes or other materials were ever prepared.

15. Provide a chronological description (including dates) and the sum and substance of the budgeting process used to prepare and finalize GPC's 1990 nuclear budget (including "O&M"). Specifically identify the role and involvement of:

- a. GPC's Management Council;
- b. GPC's Board of Director's;

- c. Southern Company Board or standing committees;
- d. Southern Company's Executive Vice President - Nuclear's role;
- e. Southern Company's Management Council.

16. Provide a chronological description (including dates) and the sum and substance of the budgeting process used to prepare and finalize GPC's 1990 non-nuclear budget (including "O&M"). Specifically identify the role and involvement of:

- a. GPC's Management Council;
- b. GPC's Board of Director's;
- c. Southern Company Board or standing committees;
- d. Southern Company's Executive Vice President - Nuclear's role;
- e. Southern Company's Management Council.

17. Identify whether and/or when GPC's non-nuclear 1990 budget was approved by GPC's Management Council.

- a. Produce all documents related to the vote and/or review by the Management Council.

18. Identify whether and/or when GPC's non-nuclear 1990 budget was approved by GPC's Board of Directors.

- a. Produce all documents related to the vote and/or review by the Board of Directors.

19. Identify whether and/or when GPC's nuclear 1990 budget was approved by GPC's Management Council.

- a. Produce all documents related to the vote and/or review by the Management Council.

20. Identify whether and/or when GPC's nuclear 1990 budget was approved by GPC's Board of Directors.

- a. Produce all documents related to the vote and/or review by the Board of Directors.

21. Did the 1990 non-nuclear budget for GPC require the approval of the Southern Management Council?

22. Did the 1990 non-nuclear budget for GPC require the approval of the Southern Board of Directors?

23. Did the 1990 non-nuclear budget for GPC require the approval of any group within the Southern System that is not controlled by GPC?

- a. If yes, please identify the group and the reason(s) why the approval was/is needed.

24. Did the 1990 nuclear budget for GPC require the approval of any group within the Southern System that is not controlled by GPC?

- a. If yes, please identify the group and the reason(s) why the approval was/is needed.

25. Did the approval of the 1990 non-nuclear budget by GPC's Management Council represent the approval of the CEO of GPC. If not, why not.

26. Did the approval of the 1990 nuclear budget by GPC's Management Council represent the approval of the CEO of GPC. If not, why not.

27. Does the CEO of the Southern Company have the power to "veto" or object to GPC's budget?

28. When did GPC notify the plant Vogtle joint owners that the non-nuclear power generation budget for 1990 had been approved.

- a. Provide all documentation concerning any written or verbal communication concerning any joint owners' notification, including any cover letter accompanying the transmission of budgetary information.

29. When did GPC notify the plant Vogtle joint owners that the nuclear power generation budget for 1990 had been approved.

- a. Provide all documentation concerning any written or verbal communication concerning any joint owners' notification, including any cover letter accompanying the transmission of budgetary information.

30. Identify every visit Mr. Farley made to plant Vogtle and/or Hatch and state the date and purpose of the visit.

- a. With respect to the visit relating to administrative matters, including but not limited to pay and/or future evaluations of employees, produce any and all notes created by any of the participants to such meetings as well as any agenda(s) or other documentation prepared in anticipation of the meetings.

31. State whether Mr. Farley held "staff meetings" while he was stationed in 40 Inverness Place.

- a. If the answer is yes, produce all meeting notes, briefing books, agendas, calendars and notebooks that in any way reflect what was discussed during the briefings.
- b. Identify the normal participants to such briefing sessions.
- c. Identify the date and attendees of each such briefing session.

32. Between 1983 and 1994, state whether the NRC was notified as to the identity of the person (or title) ultimately responsible for the construction, design and operation of GPC's nuclear power plants.


- a. If the answer is yes, produce the document(s) identifying the individual(s).

33. Identify all documents (including SEC filings and any and all Board minutes, resolutions, memorandum, decisions of standing committees, and Charters) that set out or in any way modify the inter-relationship or define the relationship of the Southern Company's authority to own, control, appoint Board Members, approve standing committees, elect officers, approve funding, approve budgets and set company policy or directives or otherwise control or modify GPC's corporate existence.

- a. To the extent any document is not self-explanatory, explain its the sum and substance and its effect on the relationship between GPC and the Southern Company.

[Signature on next page]

Respectfully submitted,



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Attorney for Intervenor

Dated: May 3, 1994

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been served on May 3, 1994 by hand service ("*" indicates additional service via facsimile on May 2, 1994)

Administrative Judge
Peter B. Bloch, Chair
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Administrative Judge
James H. Carpenter
933 Green Point Drive
Oyster Point
Sunset Beach, NC 28468

Administrative Judge
Thomas D. Murphy
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and by first class mail on May 2, 1994 upon the following:

Office of the Secretary
Attn: Docketing and Service
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Office of Commission Appellate
Adjudication
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

By: 

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