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June 1, 1994

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

In the Matter of
Georgia Power Company
(Vogtle Electric Generating Plant, Units 1 & 2)
Docket Nos. 50-424-OLA-3, 50-425-OLA-3

Dear Judge Bloch:

On Friday, when we discussed scheduling a conference call for June 2 to address certain discovery issues that the parties believed they would be unable to resolve, you indicated that it would be very helpful if the parties could identify these issues to you in advance. This letter responds to your request.

The concerns discussed among the parties on Friday relate to the "Notice of Deposition by Written Interrogatories and Oral Examination and Request for Documents," which Intervenor filed on May 20, 1994, but may have broader implications with respect to the scope of the proceeding. Georgia Power Company, Intervenor and the NRC Staff discussed this discovery request at some length on Friday and were able to reach some agreements. However, certain differences remain and an expeditious ruling would be very helpful to avoid any further delays in the discovery schedule.

A number of Intervenor's interrogatories elicit information which we understand is intended to determine the character and competence of members of the Boards of Directors of Georgia Power Company and the Southern Company. Intervenor's position is that the character of these individuals is within the scope of the proceeding, and Intervenor may challenge each Director individually and seek his or her removal. Intervenor believes that Georgia Power Company and The Southern Company must be in a position to oversee Plant Vogtle after the license is transferred. Georgia Power Company's position is that this proceeding (particularly the diesel generator reporting issues to which discovery is currently limited) addresses the character and competence of Southern Nuclear as the proposed operator, and that the character and competence of Directors who will not be responsible for Vogtle if the license is transferred is irrelevant.

A second area of concern involves questions seeking individual knowledge of and response to "the site area emergency" and "any of Mr. Mosbaugh's allegations." Intervenor's position is that these questions are relevant to a general inquiry into character, which Intervenor believes he may pursue in this proceeding. Georgia Power Company's position is that this proceeding (or at least the current Phase I) is limited to the factual bases pleaded in Intervenor's Amended Petition. We understand and accept the Board's view

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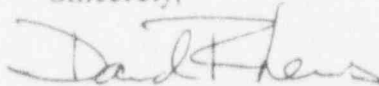
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that these issues are broad enough to encompass the subject matter of the NOV, but we do not believe that the proceeding has been expanded to encompass allegations that were neither raised in the Amended Petition nor addressed in the NOV.

This letter has been reviewed and agreed to by Intervenor's counsel. We look forward to discussing the issues with you at our 2:30 p.m. call tomorrow.

Sincerely,



David R. Lewis
Counsel for Licensee

cc: Service List

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NUCLEAR REGULATORY COMMISSION

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Before the Atomic Safety and Licensing Board

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In the Matter of

GEORGIA POWER COMPANY,
et al.

(Vogtle Electric Generating
Plant, Units 1 and 2)

) Docket Nos. 50-424-OLA-3
) 50-425-OLA-3

) Re: License Amendment
) (Transfer to Southern
) Nuclear)

) ASLBP No. 93-671-01-OLA-3

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