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RELATED CORRESPONDENCE



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

DOCKETED
USNRC

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John Lamberski, Esq.
Troutman Sanders
NationsBank Building, Ste. 5200
600 Peachtree Street, N.E.
Atlanta, Georgia 30308

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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 and 50-425-OLA-3

Mr. Lamberski:

This is in response to your June 1, 1994 letter, indicating why you want to depose Messrs. Hayes, Robinson, Ebnetter, Brockman, Hunt, Taylor, and Chaffee of the NRC Staff. You note therein that our response to GPC's March 1, 1994, proposed stipulations regarding the diesel start issue may make some depositions unnecessary.

In its May 13, 1994 letter, the Staff indicated who it intended to call as witnesses in connection with the diesel issue in accordance with 10 C.F.R. § 2.720(h)(2)(i). If you believe that other witnesses have particular knowledge of material facts not possessed by the witnesses on our list, I would be willing to consider adding them to our list.

The Staff is working on a response to your proposed diesel stipulations. Hopefully, when you receive our response there may be no need to seek to depose any additional Staff personnel. At the present time, I suggest that consideration of additional NRC Staff personnel as either deponents and/or witnesses be deferred. Should you, or the Intervenor, at a later time, make a compelling case for a particular NRC person to be deposed or to testify because of unique personal knowledge not possessed by Staff proffered persons, we shall give consideration to your request, without regard to time frames and deadlines otherwise imposed. It would not be sufficient, however, simply to assert that depositions "will establish the level of personal knowledge possessed of each of those individuals" in order for the Staff to agree to make documents available.

I suggest that we continue this dialogue after the Staff has responded to your proposed stipulations on the diesel generator issue.

Sincerely,

Charles A. Barth
Counsel for NRC Staff

cc: Service List

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PDR ADOCK 05000424
G PDR

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