

15259

RELATED CORRESPONDENCE

**TROUTMAN SANDERS**  
ATTORNEYS AT LAW  
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

DOCKETED  
USNRC

NATIONSBANK PLAZA  
600 PEACHTREE STREET, N.E. - SUITE 5200  
ATLANTA, GEORGIA 30308-2216  
TELEPHONE 404 885-3000  
FACSIMILE 404 885-3900

'94 JUN 23 P4:06

JOHN LAMBERSKI

June 22, 1994

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BP-103  
DIRECT 404 885 3360

Michael D. Kohn, Esquire  
Kohn, Kohn & Colapinto, P.C.  
517 Florida Avenue, N.W.  
Washington, D.C. 20001

Re: Georgia Power Company (Vogtle Electric Generating Plant, Units 1 and 2)  
NRC Docket Nos. 50-424-OLA-3, 50-425-OLA-3; License Amendment for  
Transfer to Southern Nuclear Operating Company

Dear Michael:

Today I received by facsimile your June 22, 1994 letter (copy attached) requesting three additional depositions on the illegal license transfer issue, i.e., Messrs. Meier, Peacock and Adams. This is inconsistent with the agreement of all parties, approved by the Licensing Board at the May 26 status conference, that your three days of depositions on the illegal license transfer issue would be conducted during the weeks of June 6 and June 13. Therefore, GPC will not agree to arrange such depositions.

During the May 26, 1994 status conference in the offices of the Licensing Board, we agreed that Intervenor would be permitted to conduct his final illegal license transfer depositions, if at all, during the weeks of June 6 and June 13 and that the names of the individuals who Intervenor intended to depose would be identified to GPC in a June 1, 1994 conference call. Tr. 394-95, 397. On June 1, the list of deponents provided to GPC included Messrs. Williams, Franklin, Scherer, Long, Jobe, Addison, Wallace and Beckham. In subsequent discussions we further agreed how to keep track of time spent on these depositions during the two week period, with an understanding that the three days worth permitted by the Licensing Board's May 25th Memorandum and Order would correspond to 24 hours of questioning.

By Tuesday, June 14, 1994 all of these depositions had been completed and the total running time of these depositions, excluding break time and the time when GPC and the Staff asked questions, was about 17 hours. At that time, you stated that you may also want to depose Mr. John Meier. I informed you that I would accept requests to schedule further depositions on the illegal license transfer issue during the week of June 13, but I reminded you of our agreement to complete all depositions by June 17. I further informed you that if you wanted to depose Mr. Meier by June 17, you needed to advise me as soon as possible. I contacted Mr. Meier to check his schedule and determined that he could travel to Atlanta on

9406290231 940622  
PDR ADCK 05000424  
G PDR

DS03

Michael D. Kohn, Esquire

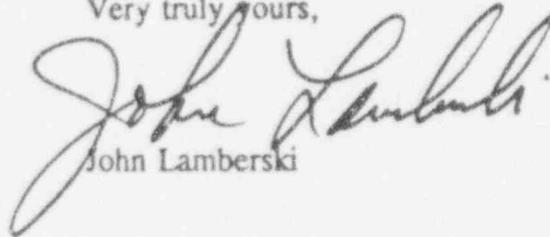
June 22, 1994

Page 2 \_\_\_\_\_

Friday, if you requested his deposition. Wednesday, Thursday and Friday went by and you did not request that I schedule Mr. Meier or anyone else for a deposition.

For these reasons, we oppose your belated request for further illegal license transfer depositions.

Very truly yours,



John Lamberski

cc: Service List

KOHN, KOHN, & COLAPINTO, P.C.  
ATTORNEYS AT LAW

517 FLORIDA AVENUE NW  
WASHINGTON, DC 20001-1850  
(202) 234-4583 • FAX (202) 462-4145

MICHAEL D. KOHN ->  
STEPHEN M. KOHN ->  
DAVID E. COLAPINTO ->

OF COUNSEL  
6 COOPER TROWN -  
SARLETTE R. KRONSTADT -  
DAVID J. JOHNSON ->

• ADMITTED N.J.  
• ADMITTED N.H.  
• ADMITTED N.M.  
• ADMITTED P.A.  
• ADMITTED P.R.

June 22, 1994

Via Facsimile

John Lamberski, Esq.  
TROUTMAN SANDERS  
Suite 5200  
600 Peachtree Street, N.E.  
Atlanta, GA 30308-2216

David R. Lewis, Esq.  
Shaw, Pittman, Pitts & Trowbridge  
2300 N Street, N.W.  
Washington, D.C. 20037

Re: Vogtle Electric Generating Plant, Units 1 & 2  
License Amendment (Transfer to Southern Nuclear)  
ASLBP No. 69-671-01-OLA-3  
Docket Nos. 50-424-OLA-3; 50-425-OLA-3

Dear Gentelman:

Pursuant to the agreement reached and memorialized in Mr. Lewis' June 7, 1994 letter, the parties agreed that Intervenor would have a cumulative total of 24 hours to conclude depositions related to the alienation of control/illegal transfer issue. The parties agree to keep track of the time remaining after each deposition was concluded. Based on my last conversation with Mr. Lamberski, some seven (7) hours of deposition time remain. Intervenor anticipates intends to depose Messrs. John Meier, Tom Peacock and Kerry Adams in the remaining time. This will conclude the depositions concerning illegal license transfer. Intervenor requests that the parties attempt to reach a mutually convient time to convene the remaining depositions (hopefully all three can be scheduled for the same day and location).

Sincerely yours,



Michael D. Kohn

cc: Charles Barth, Esq.  
let.10