

15332

DOCKETED  
July 5, 1994

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

'94 JUL -6 P3:48

Before the Atomic Safety and Licensing Board

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

In the Matter of	)	Docket Nos. 50-424-OLA-3
	)	50-425-OLA-3
GEORGIA POWER COMPANY,	)	
et al.	)	Re: License Amendment
	)	(Transfer to Southern
(Vogtle Electric Generating	)	Nuclear)
Plant, Units 1 and 2)	)	
	)	ASLBP No. 93-671-01-OLA-3

GEORGIA POWER COMPANY'S MOTION  
TO ESTABLISH DATE FOR INTERVENOR'S RESPONSE TO  
GEORGIA POWER COMPANY'S SECOND REQUEST FOR ADMISSIONS

Georgia Power Company (GPC) moves the Board to establish a date by which Intervenor is required to respond to GPC's Second Request for Admissions and Fourth Request for Production of Documents to Intervenor (June 22, 1994). GPC's Request asked that Intervenor respond to admissions by July 15, 1994,<sup>1/</sup> and that Intervenor produce all documents responsive to the request within 30 days of service.

The schedule for Intervenor's response was not discussed at the June 23 prehearing conference, because Intervenor's counsel wished more opportunity to review the request. GPC subsequently asked Intervenor's counsel whether the response date is satisfactory. At a meeting on July 1, Intervenor's counsel informed GPC

<sup>1/</sup> The July 8, 1994 date corresponded to 14 days after service, which is longer than the minimum 10-day period for response established in the NRC Rules. See 10 C.F.R. § 2.742(b).

D503

that Intervenor would not commit to respond by any date and may not respond until after the close of discovery. On the same day, Intervenor served GPC with Intervenor's Second Request for Admissions, relating to the same subject matter (the accuracy of the Coordinating Group Analysis) and asking for a response in fourteen days.

In light of Intervenor's refusal to commit to any date for response, GPC requests that the Board, pursuant to 10 C.F.R. § 2.742(b), establish July 15 as the date by which Intervenor is required to respond to GPC's Second Request for Admissions. With this due date, representing an additional week, Intervenor will have had three weeks to respond to GPC's Request.

Respectfully submitted,



Ernest L. Blakely, Jr.  
David R. Lewis  
SHAW PITTMAN POTTS & TROWBRIDGE  
2300 N Street, N.W.  
Washington, D.C. 20037  
(202) 663 8000

John Lamberski  
TROUTMAN SANDERS  
600 Peachtree Street, NE  
Suite 5200  
Atlanta, GA 30308-2216  
(404) 885 3366

Counsel for Georgia Power Company

Dated: July 5, 1994

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

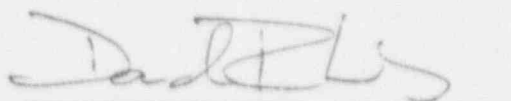
DOCKETED  
USNRC

Before the Atomic Safety and Licensing Board 94 JUL -6 P3:48

In the Matter of	)	OFFICE OF SECRETARY
GEORGIA POWER COMPANY,	)	DOCKETING SERVICE
et al.	)	50-424-OLA-3
(Vogtle Electric Generating	)	50-425-OLA-3
Plant, Units 1 and 2)	)	Re: License Amendment
	)	(Transfer to Southern
	)	Nuclear)
	)	ASLBP No. 93-671-01-OLA-3

CERTIFICATE OF SERVICE

I hereby certify that copies of "Georgia Power Company's Motion to Establish Date for Intervenor's Response to Georgia Power Company's Second Request for Admissions," dated July 5, 1994, were served by deposit in the U.S. Mail, first class, postage prepaid, or where indicated by an asterisk by hand delivery, upon the persons listed on the attached service list, this fifth day of July, 1994.

  
David Lewis

Dated: July 5, 1994

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

In the Matter of	)	Docket Nos. 50-424-OLA-3
	)	50-425-OLA-3
GEORGIA POWER COMPANY,	)	
et al.	)	Re: License Amendment
	)	(Transfer to Southern
(Vogtle Electric Generating	)	Nuclear)
Plant, Units 1 and 2)	)	
	)	ASLBP No. 93-671-01-OLA-3

SERVICE LIST

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

Administrative Judge  
James H. Carpenter  
Atomic Safety & Licensing Board  
933 Green Point Drive  
Oyster Point  
Sunset Beach, N.C. 28468

\*Administrative Judge  
Thomas D. Murphy  
Atomic Safety & Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

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

Stewart D. Ebnetter  
Regional Administrator  
USNRC, Region II  
101 Marietta Street, NW  
Suite 2900  
Atlanta, Georgia 30303

Office of the Secretary  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555  
ATTN: Docketing and Services Branch

\*Mitzi A. Young, Esq.  
\*Charles Barth, Esq.  
Office of General Counsel  
One White Flint North  
Stop 15B18  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Director,  
Environmental Protection Division  
Department of Natural Resources  
205 Butler Street, S.E.  
Suite 1252  
Atlanta, Georgia 30334

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

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

M:03:3/077DRL.04