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JOHN LAMBERSKI

March 2, 1995

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VIA AIRBORNE EXPRESS

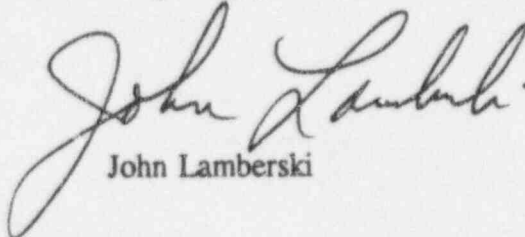
Administrative Judge Peter B. Bloch, Chairman
Administrative Judge James H. Carpenter
Administrative Judge Thomas D. Murphy
Atomic Safety and Licensing Board (Georgia Power)
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Re: Vogtle Electric Generating Plant, Units 1 and 2 License Amendment (Transfer to Southern Nuclear) ASLBP No. 93-671-01-OLA-3.

Dear Sirs:

Yesterday, Georgia Power filed a Motion Concerning the Use of Deposition Testimony at the Diesel Statements Hearing ("Motion"). This morning I received the attached facsimile from Intervenor's counsel (which was transmitted at 7:30 p.m. on March 1, after our Motion was filed). Intervenor's response does not change Georgia Power Company's position as stated in its Motion.

Very truly yours,


John Lamberski

Attachment

cc: Service List

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March 1, 1995

Via facsimile
John Lamberski, Esq.
TROUTMAN SANDERS
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Atlanta, GA 30308-2216

RE: License Amendment (transfer to Southern Nuclear)
Docket Nos. 50-424-OLA-3; 50-425-OLA-3

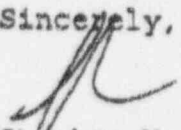
Dear John:

Thank you for your letter of February 22, 1995. Your proposal on this matter is under serious consideration. However, as a threshold matter I need to know Georgia Power's response to one of our concerns: If we were to agree to some form of deposition exchanges as set forth in your letter, we believe that such an exchange should occur after the filing of the pre-filed testimony in this case. Specifically, Intervenor will not know which depositions he would like to introduce into the record until after the pre-filed testimony is exchanged.

Additionally, Intervenor needs to insure that any witness called live at the hearing can be subjected to a complete cross examination. In this regard, any previous testimony of any such witness, whether given before a Public Utility Commission, the Department of Labor, the NRC OI, the U.S. Senate or in a deposition for this proceeding, can be used to impeach the witness. This is a basic tenet of cross examination and a procedural due process requirement. Consequently, for witnesses who will be called live at the hearing, the Intervenor cannot agree on any restrictions whatsoever on the use of any prior statement of that witness for purposes of cross examination.

Thank you in advance for your kind attention to this matter.

Sincerely,


Stephen M. Kohn

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