

592  
**SHAW, PITTMAN, POTTS & TROWBRIDGE**

A PARTNERSHIP OF PROFESSIONAL CORPORATIONS

1800 M STREET, N. W.  
WASHINGTON, D. C. 20036

(202) 822-1000

DOCKETED  
USAFS  
TELE COPIER  
(202) 822-1099 & 822-1199

84 OCT 19 AM 1:15  
RAMP TAX  
(202) 822-1072

OFFICE OF SECRETARY  
DOCKET  
89-2693 (SHAWLAW WSH)  
1134  
CABUE SHAWLAW

VIRGINIA OFFICE  
1501 FARM CREDIT DRIVE  
MCLEAN, VIRGINIA 22102

JOHN F. DEALY\*  
B. SCOTT CUSTER, JR.  
RICHARD S. BEATTY  
COUNSEL

JOHN M. BRYSON, II\*  
GEORGE F. ALBRIGHT, JR.\*\*  
DAVID J. CYNAMON  
JACK A. HORN\*  
LOUISE A. MATHEWS  
SETH H. HOOGLASIAN  
SHEILA MCC. HARVEY  
DELISSA A. RIDGWAY  
KENNETH J. HAUTMAN  
DAVID LAWRENCE MILLER  
FREDERICK L. KLEIN  
STEVEN P. RITLER  
RICHARD J. BARRINO  
ELLEN A. FREDEL  
ROBERT C. BOEHM\*  
MARIE N. DOLAND\*  
THOMAS C. HILL  
DIANE E. BURKLEY\*  
L. DUANE CHEEK  
MICHAEL K. MAODEN  
HANNAH E. M. LIESERMAN  
JUDITH A. SANDLER  
ANDREW D. ELLIS  
RICHARD A. SAMP  
THOMAS E. CROCKER, JR.  
VICKI R. HARDING  
PETER J. FERRARA  
HELEN TORELLI  
MARTHA BOONE ROWAN\*\*  
KENNETH R. MILLER

JOHN H. MORE  
WENDELIN A. WHITE  
STANLEY M. BARG  
LESLIE K. SMITH  
VIRGINIA S. RUTLEDGE  
KATHERINE P. CHEEK  
TRAVIS T. BROWN, JR.  
STEPHEN B. HEIMANN  
SANDRA E. BRUSCA  
EILEEN L. BROWNELL  
PAMELA H. ANDERSON  
ALEXANDER D. TOMASZCZUK  
JEFFREY J. A. GIBBS  
LAURENCE W. COHEN  
DEREK W. LINDEN  
PHILIP D. PORTER  
MICHAEL A. SWIGER  
ELLEN SHERIFF  
ANITA J. FINKELSTEIN  
DAVID R. SAHR  
C. BOWDOIN TRAIN  
JEFFREY W. KAMPELMAN  
KENNETH A. GALLO  
DAVID R. LEWIS  
A. PATRICK LEIGHTON III\*  
KENNETH D. AUERBACH  
ALAN D. WASSERMAN  
DAVID K. RYAN  
RICHARD K. A. BECKER  
WILBERT WASHINGTON II  
DOROTHEA W. DICKERMAN  
\* NOT ADMITTED IN D.C.  
\* ADMITTED IN VIRGINIA

RAMSAY D. POTTS, P.C.  
STUART L. PITTMAN, P.C.  
GEORGE F. TROWBRIDGE, P.C.  
STEPHEN D. POTTS, P.C.  
GERALD CHARNOFF, P.C.  
PHILLIP D. BOSTWICK, P.C.  
R. TIMOTHY HANLON, P.C.  
GEORGE M. ROGERS, JR., P.C.  
FRED A. LITTLE, P.C.  
JOHN B. RHINELANDER, P.C.  
BRUCE W. CHURCHILL, P.C.  
LESLIE A. NICHOLSON, JR., P.C.  
MARTIN O. KRALL, P.C.  
JAY E. SILBERG, P.C.  
BARBARA W. ROSSOTTI, P.C.  
GEORGE V. ALLEN, JR., P.C.\*  
FRED DRASNER, P.C.  
R. KENLY WEBSTER, P.C.  
NATHANIEL P. BREED, JR., P.C.  
MARK AUGENBLICK, P.C.  
E. EST. L. BLAKE, JR., P.C.  
CARLETON S. JONES, P.C.  
THOMAS A. BAXTER, P.C.  
SHELDON J. WEISEL, P.C.  
J. PATRICK HICKEY, P.C.  
J. THOMAS LENHART, P.C.  
STEVEN L. MELTZER, P.C.  
DEAN D. AULICK, P.C.  
JOHN ENGEL, P.C.\*  
C. THOMAS HICKS III, P.C.\*

CHARLES B. TENKIN, P.C.  
STEPHEN S. HUTTNER, P.C.  
WINTHROP N. BROWN, P.C.  
JAMES S. HANLIN, P.C.  
RANDAL B. KELL, P.C.  
ROBERT E. ZAHLER, P.C.  
ROBERT S. ROBBINS, P.C.  
STEVEN M. LUCAS, P.C.  
DAVID M. RUBENSTEIN, P.C.  
MATIAS F. TRAVIESO-DIAZ, P.C.  
VICTORIA J. PERKINS, P.C.\*  
JOHN H. O'NEILL, JR., P.C.  
JAY A. EPSTEIN, P.C.  
JEFFERY L. YABLON, P.C.  
JACK MCKAY, P.C.\*  
ELISABETH M. RENDELTON  
HARRY H. GLASSPIEGEL  
THOMAS H. MCCORMICK  
WILLIAM P. BARR\*  
CHARLES H. MONTANGE  
JEAN M. GALLOWAY\*  
JOHN L. CARR, JR.  
PHILIP J. HARVEY  
ROBERT M. GORDON  
BONNIE S. GOTTLIEB  
HOWARD H. SHAFFERMAN  
DEBORAH S. SAUSER  
SCOTT A. ANENBERG  
CAMPBELL KILLEFER  
PAUL M. THOMAS

WRITERS DIRECT DIAL NUMBER

(202) 822-1026

October 18, 1984

Morton B. Margulies, Esq., Chairman  
Mr. Gustave A. Linenberger, Jr.  
Dr. Oscar H. Paris  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

In the Matter of  
Georgia Power Company, et al.  
(Vogtle Electric Generating Plant, Units 1 and 2  
Docket Nos. 50-424 and 50-425 *OL*)

Dear Administrative Law Judges:

In accordance with the Board's Memorandum and Order dated September 5, 1979, Applicants and GANE/CPG have filed with the Board their respective proposals for revision of GANE/CPG Contention 8 (Quality Assurance). However, GANE/CPG in their filing of October 11, 1984, not only submitted new wording for Contention 8, but have sought, in Applicants' view improperly, to amend the basis for their contention.

8410190418 841018  
PDR ADDCK 05000424  
G PDR

DSB3

Morton B. Margulies, Esq.  
Mr. Gustave A. Linenberger, Jr.  
Dr. Oscar H. Paris  
October 18, 1984  
Page 2

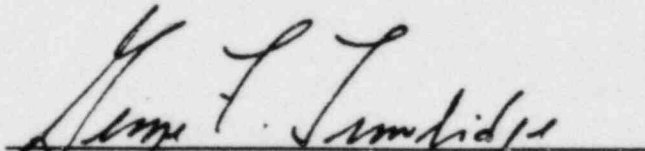
The amendment to the basis consists of a single paragraph referencing two newspaper accounts which report the firing of seven Georgia Power Company workers and the end of dealings with one vendor following the alleged unauthorized release of bid information at the Vogtle plant. The added paragraph does not provide or even allege any connection between the procurement irregularities and Applicants' quality assurance program. It simply jumps to the conclusion that the irregularities require an investigation "to ascertain if this alleged favoritism extended to quality of materials, and to ascertain why the quality assurance program did not uncover this program deficiency (sic) long ago."

Applicants note at the outset that the amendment to the basis for Contention 8 is inexcusably late. Intervenors have waited until the eleventh hour to file an amendment based on newspaper accounts which received wide publicity and which first appeared more than six weeks earlier. Further, Intervenors' representatives made no mention of this proposed amendment at the meeting with representatives of the Applicants and Staff on October 3, 1984. The amendment should be rejected as untimely.

In any event Applicants are at a minimum entitled to respond to the proposed amendment. By way of response Applicants enclose herewith the affidavit of D. O. Foster, Vice-President and Project General Manager, Vogtle Project, demonstrating that the procurement irregularities do not provide a basis for a quality assurance contention.

Respectfully submitted,

SHAW, PITTMAN, POTTS & TROWBRIDGE



George F. Trowbridge, P.C.  
Ernest L. Blake, P.C.  
David R. Lewis

Counsel for Applicants