



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
ATOMIC SAFETY AND LICENSING BOARD PANEL  
WASHINGTON, D.C. 20555

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March 5, 1992

Sheryl Johnson  
Ann Riley & Associates, Ltd.  
1612 K Street, N.W.  
Washington, DC 20006

In re: Alabama Power Company  
(Joseph M. Farley Nuclear Plant, Units 1 and 2)  
Docket No. 50-348/364-CivP

Dear Sheryl:

With regard to your letter of February 23, 1992 to Chris Cater (a copy was sent to Jack Whetstine), Judge Bollwerk and I observed several mistakes involving the list of exhibits transmitted to the Office of the Secretary for the Alabama Power Company civil penalty hearing conducted on February 11-14, 18-21, 1992.

Our records and the hearing transcript indicate that APCo Exhibit 10 was marked for identification on February 11, at approximately 11:16 a.m. (Tr. 86) and was received into evidence on February 19 at approximately 3:15 p.m. (Tr. 947). It was not, however, included on the list. Per my telephone conversation with Chris Cater on March 4, she does not have a copy of that exhibit in the Office of the Secretary. As far as we are aware, three copies of APCo Exhibit 10 were provided on the court reporter for transmission to the Secretary's Office. If your office is unable to locate copies of APCo Exhibit 10, please contact me at once.

Also with regard to the list, you should be aware that because APCo Exhibit 70, which is included on the list, was withdrawn as an exhibit on February 20 at 3:41 p.m. (Tr. 1187), all copies of that exhibit have been removed from the official administrative record file for the proceeding, which is maintained by the Office of the Secretary. The same is true for the document marked as APCo Exhibit 51. It was never identified or received into evidence and apparently was marked as an exhibit by accident.

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Your cooperation is greatly appreciated. If you should have any further questions, please feel free to contact me at (301) 492-4896.

Sincerely,



Sherma K. Donovan  
Clerk to the Licensing Board

cc: Chris Cater