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November 22, 1995

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:
Peter B. Bloch, Chairman
Dr. James H. Carpenter
Thomas D. Murphy

SERVED NOV 22 1995

In the matter of

GEORGIA POWER COMPANY,
et al.

(Vogtle Electric Generating
Plant, Units 1 and 2)

Docket Nos. 50-424-OLA-3
50-425-OLA-3

Re: License Amendment
(Transfer to Southern
Nuclear)

ASLBP No. 93-671-01-OLA-3

MEMORANDUM AND ORDER
(Intervenor's Request for Extension of Time)

On November 21 at 6:38 p.m., Allen Mosbaugh (Intervenor) filed¹ a request for an extension of time to file findings of fact on Phase II of this case. The principal ground for the motion is Intervenor's need to study the decision of the Secretary of Labor in *Mosbaugh v. Georgia Power Company*, 91-ERA-1 and 91-ERA-11 (Mosbaugh Case).² Intervenor reported that the Staff of the Nuclear

The certificate of service was signed but the opinion itself was not. We assume this is an oversight that will be cured upon mail service of this document. We note that Intervenor called the previous day and we encouraged him to discuss his request with the parties.

Other grounds include other competing legal duties that
(continued...)

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Regulatory Commission had no objection to a five-day extension of time, providing other parties' time also was extended. Georgia Power Company, et al., opposed the motion.

We have determined that Intervenor has provided an adequate explanation of the need for an extension of time. We consider the need to study the Secretary's decision in the Mosbaugh Case to be particularly persuasive.

ORDER

For all the foregoing reasons and upon consideration of the entire record in this matter, it is this 22nd day of November, 1995, ORDERED, that:

The parties may file Proposed Findings of Fact and Conclusions of Law that they believe to be required by the findings of the Secretary of Labor in the Mosbaugh or Hobby cases.

Other parties are granted an extension of five business days within which to make their scheduled filings.

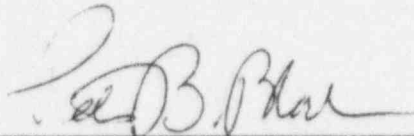
(...continued)

Intervenor's counsel has attended to during the time allotted for preparing findings and the Nuclear Regulatory Commission's recent order in this case, CLI-95-15. We note that we requested and obtained by facsimile transmission a copy of the Secretary's opinion in the Mosbaugh Case.

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Parties are encouraged to engage in productive settlement discussions. If necessary, further extensions of time to file may be granted in order to facilitate settlement.

FOR THE ATOMIC SAFETY AND LICENSING BOARD

A handwritten signature in cursive script, appearing to read "Peter B. Bloch", is written above a horizontal line.

Peter B. Bloch
Chairman

Rockville, Maryland

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of

GEORGIA POWER COMPANY, ET AL.

(Vogtle Electric Generating Plant,
Units 1 and 2)

Docket No.(s) 50-424/425-OLA-3

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing M&O (INTERVENOR'S REQUEST....) have been served upon the following persons by U.S. mail, first class, except as otherwise noted and in accordance with the requirements of 10 CFR Sec. 2.712.

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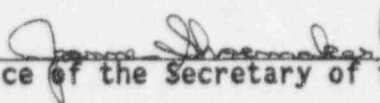
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Docket No.(s)50-424/425-OLA-3
M&O (INTERVENOR'S REQUEST....)

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C. K. McCoy
V. President Nuclear, Vogtle Project
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Dated at Rockville, Md. this
22 day of November 1995


Office of the Secretary of the Commission