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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

OFFICE OF THE
GENERAL COUNSEL

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February 6, 1996

Peter B. Bloch, Chairman
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Thomas D. Murphy
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In the Matter of
Georgia Power Company, *et al.*
(Vogtle Electric Generating Station, Units 1 and 2)
Docket Nos: 50-424-OLA-3 and 50-425-OLA-3

Dear Administrative Judges:

At the request of the Office of the General Counsel, Mr. John Lamberski, counsel for Georgia Power Company (GPC), on December 19, 1995, sent you a copy of Georgia Power's Motion to Reopen the Record in the Department of Labor (DOL) proceeding involving Mr. Allen Lee Mosbaugh. Mr. Michael Kohn on February 1, 1996, sent you a letter informing the Board that he would file a response on behalf of Mr. Mosbaugh to Georgia Power's Motion to Reopen the Record in the DOL case. Mr. Kohn requests that the Mosbaugh response "be incorporated into the record of this [NRC] proceeding."

Georgia Power's Motion to Reopen the Record in the DOL proceeding which was sent to the Licensing Board is not a part of the evidentiary record in this NRC administrative proceeding. The Staff suggested that GPC forward this motion to apprise the Board of matters which might possibly affect the NRC proceeding. *See Duke Power Co.* (William B. McGuire Nuclear Station, Units 1 and 2), ALAB-143, 6 AEC 623, 625-26 (1973). Georgia Power did not request that the Board reopen the evidentiary record in the above-captioned proceeding.

The Staff has no objection to Mr. Kohn providing the Board with a copy of the response to the Georgia Power Motion to reopen the Mosbaugh DOL proceeding. However, it should be clearly understood by all persons privy to the NRC

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proceeding, that the response by Mr. Kohn on behalf of his client, Mr. Mosbaugh, is information for the Licensing Board and is not part of the evidentiary record in the above-captioned proceeding.

Sincerely,

Charles A. Barth

Charles A. Barth
Counsel for NRC Staff

cc: Service list