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W. G. Heister, III
Executive Vice President
Nuclear Operations

December 21, 1995

TELETYPE UNIT SYSTEM
LCV-0725

Docket No. 50-424 and 50-425

Mr. Stewart D. Ebnster
Regional Administrator
U. S. Nuclear Regulatory Commission
Region II
101 Marietta Street, N. W.
Suite 2900
Atlanta, Georgia 30323-0199

RE: Department of Labor Case Nos. 91-ERA-01 and 91-ERA-11 (EA 95-277)

Dear Mr. Ebnster:

This letter responds to your letter of December 12, 1995, received on December 18, 1995. Georgia Power confirms that a predecisional enforcement conference relative to the above-referenced Decision and Remand Order of the Secretary of Labor is not needed.

Because Georgia Power disagrees with the Secretary of Labor's decision, it recently filed a Motion to Reopen the Record and for Further Hearings with the Department of Labor and based this motion upon information which was not available to Georgia Power at the time of the DOL hearing in 1992. Copies of Georgia Power's Motion have been provided to the NRC, including your office, because of the relevancy that this evidence has to both the DOL decision and any possible enforcement action. Of course, Georgia Power would like the opportunity to address the NRC concerning the Secretary of Labor's Decision and Remand Order, however, to avoid a piecemeal review of the DOL record and for administrative efficiency, we respectfully request that such a response be deferred until our Motion to Reopen is finalized. Undoubtedly, there will be additional evidence taken at the remand hearing on the issue of the appropriate remedy and this, too, may be pertinent to any enforcement decision. In addition, Georgia Power anticipates requesting that the NRC consider other relevant information already in its possession, prior to making any enforcement decision.

Notwithstanding this deferral request, and in conformance with your correspondence, Georgia Power will address your concern about the potential "chilling effect" associated with the matter on or before January 11, 1996.

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Should you have any questions concerning our request for a deferral of our response, please feel free to contact either me or C. K. McCoy, Vice President, Vogtle Project (205) 877-7122. Thank you for your consideration of our request.

If you concur with our request, please notify us at your earliest convenience so that we may avoid duplicative and unnecessary activity.

Sincerely yours,


W. G. Hairston, III

Enclosure

cc: Georgia Power Company
Mr. J. B. Beasley, Jr.
Mr. M. Sheibani
NORMS

U. S. Nuclear Regulatory Commission
Mr. S. D. Ebner, Regional Administrator
Mr. L. I. Wheeler, Licensing Project Manager, NRR
Mr. C. L. Ogle, Senior Resident Inspector, Vogtle