

13499

'92 DEC 29 P12:33

December 29, 1992

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

Peter B. Bloch, Chair
Dr. James H. Carpenter
Thomas D. Murphy

SERVED DEC 29 1992

In the matter of

GEORGIA POWER COMPANY,
et al.

(Vogtle Electric Generating
Plant, Units 1 and 2)

Docket Nos. 50-424-OLA-3
0-425-OLA-3

Re: License Amendment
(Transfer to Southern
Nuclear)

ASLBP No. 96-671-01-OLA-3

MEMORANDUM AND ORDER
(Potential Board Concern)

In footnote 6 of our first order in this case, issued
November 17, 1992, we said:

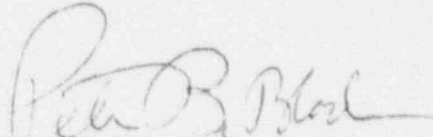
Georgia Power states that, "The only anticipated
change in personnel at this time is that the
Executive Vice President of GPC [Georgia Power
Company] (who is also the President of Southern
Nuclear) will no longer report to the President of
GPC but will instead report solely to the Board of
Directors of Southern Nuclear." Georgia Power
Answer at 11.

It may be important to the fair determination of the
petition — should we determine that Mr. Mosbaugh has
standing — to know that this statement is literally true
and that it complies with the license conditions. If there

DS02

is any ambiguity in the quoted statement, in light of license conditions, we may need to know precisely: (1) what the present license provides about the structure and management of the operating company, and (2) how that will be changed by the proposed amendment. If the letter of the present license is being complied with, that is all we may need to know. If there is some deviation from the letter of the current license, we may need to know what that deviation is and how it will be affected by the amendment.

FOR THE ATOMIC SAFETY AND LICENSING BOARD

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

Peter B. Bloch
Chair

Bethesda, 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 (POTENTIAL BOARD CONCERN) 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.

Office of Commission Appellate
Adjudication
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Administrative Judge
Peter B. Bloch, Chairman
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Administrative Judge
James H. Carpenter
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Administrative Judge
Thomas D. Murphy
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Office of the General Counsel
U.S. Nuclear Regulatory Commission
Washington, DC 20555

John Lamberski, Esq.
Counsel for Georgia Power Company
Troutman Sanders
Suite 5200, 600 Peachtree Street, N.E.
Atlanta, GA 30308

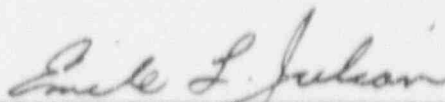
Ernest L. Blake, Jr., Esq.
David R. Lewis, Esq.
Shaw, Pittman, Potts & Trowbridge
2300 N Street, N.W.
Washington, DC 20037

Michael D. Kohn, Esq.
Stephen M. Kohn, Esq.
Kohn, Kohn & Colapinto, P. C.
517 Florida Avenue, N.W.
Washington, DC 20001

Docket No.(s) 50-424/425-OLA-3
M&O (POTENTIAL BOARD CONCERN)

C. K. McCoy
V. President Nuclear, Vogtle Project
Georgia Power Company
Post Office Box 1295
Birmingham, AL 35201

Dated at Rockville, Md. this
29 day of December 1992


Office of the Secretary of the Commission