

ORIGINAL

OFFICIAL TRANSCRIPT OF PROCEEDINGS

Agency: U.S. Nuclear Regulatory Commission
Atomic Safety & Licensing Board

Title: GEORGIA POWER COMPANY, et al, VOGTLE
ELECTRIC GENERATING PLANT, UNITS 1 AND 2

Docket No. 50-424-OLA-3
50-425-OLA-3

LOCATION: Augusta, Georgia

DATE: Monday, January 11, 1993

PAGES: 1 - 4

~~This~~ This is The CORRECTED
VERSION OF THIS DOCUMENT.

ANN RILEY & ASSOCIATES, LTD.

1612 K St. N.W., Suite 300

Washington, D.C. 20006

(202) 293-3950

070040
9301290056 930111
PDR ADOCK 05000424
T PDR

TR01
0/1

1 UNITED STATES
2 NUCLEAR REGULATORY COMMISSION

3 ATOMIC SAFETY & LICENSING BOARD
4

5 -----X

6 In the Matter of: :

7 GEORGIA POWER COMPANY, et al : Case Nos. 50-424-OLA-3

8 VOGTLE ELECTRIC GENERATING : 50-425-OLA-3

9 PLANT, UNITS 1 AND 2 :
10 -----X

11
12 Room No. 240
13 State Court Room
14 Law Enforcement Center
15 401 Walton Way
16 Augusta, Georgia

17
18 Monday, January 11, 1993
19

20 The above-entitled matter came on for hearing,
21 pursuant to notice, before Peter B. Bloch, Board Chairman,
22 at 7:00 p.m.
23
24

ANN RILEY & ASSOCIATES, Ltd.

Court Reporters
1612 K. Street, N.W., Suite 300
Washington, D. C. 20006
(202) 293-3950

1 APPEARANCES:

2

3 BOARD MEMBERS PRESENT:

4

5 PETER B. BLOCH, JUDGE, BOARD CHAIRMAN

6 THOMAS D. MURPHY, JUDGE

7 JAMES CARPENTER, JUDGE

8

9 ON BEHALF OF THE GENERAL COUNSEL:

10

11 CHARLES A. BARTH, ESQUIRE

12 Office of General Counsel

13 Nuclear Regulatory Commission

14 Washington, D.C. 20555

15

16

17

18

19

20

21

22

23

24

;

ANN RILEY & ASSOCIATES, Ltd.

Court Reporters

1612 K. Street, N.W., Suite 300

Washington, D. C. 20006

(202) 293-3950

P R O C E E D I N G S

[7:00 p.m.]

CHAIRMAN BLOCH: Good evening. The hearing will please come to order. My name is Peter Bloch and I'm the Chair of the Georgia Power Company amendment case involving a transfer of a license from Georgia Power to Southern Nuclear, transfer of operating authority.

The case number is 50-424-OLA-3 and 50-425-OLA-3. The purpose of this evening's hearing is to hear limited appearance statements. I'd like to introduce my fellow Judges. On my left is Judge James Carpenter and on my right is Thomas Murphy.

The purpose of having limited appearance statements is so that local people who are concerned about proceedings before the Nuclear Regulatory Commission would have an opportunity to speak. There has been a lot of controversy in the past, as you people know, and there appears to be much less now, particularly in this area at this time.

There was a motion by the licensee in this case to not have a limited appearance statement, and we denied that motion on the grounds that the limited appearances are scheduled at any time that there is a preliminary hearing. It doesn't require that there be a case, in my opinion.

At the present time, we have no one present to

1 speak. Therefore, I'm going to adjourn for seven minutes.
2 At ten after, if there's no one here to speak, we'll adjourn
3 until the morning.

4 I had wanted to start on time because that's my
5 habit. I expect proceedings that I call to be on time and
6 the people to be there on time.

7 Thank you all for joining us and we'll have a
8 little bit of a little gap here before we adjourn
9 permanently.

10 [Recess.]

11 CHAIRMAN BLOCH: The hearing will come to order.
12 I have before me a written appearance statement from
13 Oglethorpe Power Corporation. I'm going to ask that it be
14 bound into the record of this proceeding.

15 There being no further business before us this
16 evening, I'd like to thank all of you for being in
17 attendance and the hearing is adjourned. We'll start at
18 nine in the morning.

19 [Whereupon, at 7:08 p.m., the hearing was
20 recessed, to reconvene the following day, Tuesday, January
21 12, 1993, at 9:00 a.m.]

22

23

24

25

ANN RILEY & ASSOCIATES, Ltd.

Court Reporters
1612 K. Street, N.W., Suite 300
Washington, D. C. 20006
(202) 293-3950

REPORTER'S CERTIFICATE

This is to certify that the attached proceedings before
the United States Nuclear Regulatory Commission

In the Matter of:

NAME OF PROCEEDING: Georgia Power Company, et al.

DOCKET NUMBER: 50-424-OLA-3
50-425-OLA-3

PLACE OF PROCEEDING: Augusta, Georgia

were held as herein appears, and that this is the
original transcript thereof for the file of the United
States Nuclear Regulatory Commission taken by me and
thereafter reduced to typewriting by me or under the
direction of the court reporting company, and that the
transcript is a true and accurate record of the
foregoing proceedings.

Jon Hurdley

Official Reporter
Ann Riley & Associates, Ltd.

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

| | | |
|-----------------------------|---|---------------------------|
| In the matter of |) | Docket Nos. 50-424-OLA-3 |
| GEORGIA POWER COMPANY, |) | 50-425-OLA-3 |
| et al. |) | Re: License Amendment |
| (Vogtle Electric Generating |) | (Transfer to Southern |
| Plant, Units 1 and 2) |) | Nuclear) |
| |) | ASLBP No. 96-671-01-OLA-3 |

LIMITED APPEARANCE STATEMENT OF
OGLETHORPE POWER CORPORATION

In response to the Notice (Limited Appearance; Prehearing Conference), dated December 14, 1992, Oglethorpe Power Corporation (Oglethorpe) submits the following limited appearance statement for consideration by the Board.

1. Oglethorpe is an Electric Membership Corporation organized and existing under the laws of the State of Georgia, with its principal place of business in Tucker, Georgia. It is engaged in the generation and transmission of electric power and energy for its 39 member rural electric cooperatives, that provide electric service to their respective retail customers throughout the State of Georgia.
2. Oglethorpe owns a 30% undivided ownership interest in the Vogtle Electric Generating Plant (Plant Vogtle). The other joint owners of this plant are Georgia Power Company (Georgia Power), the Municipal Electric Authority of Georgia (MEAG) and the City of Dalton (Dalton).

3. Oglethorpe's 30% ownership interest in Plant Vogtle represents a significant portion of the capacity required to serve the needs of the customers of Oglethorpe's member cooperatives. The continued reliable operation of Plant Vogtle is important to Oglethorpe and each of its member cooperatives.
4. In order to protect its interest, Oglethorpe has exercised its rights to monitor the management of Plant Vogtle. This monitoring is conducted by executives and a small staff. Some are located at Oglethorpe's corporate office and some are permanently located at the plant site. Overall, the Oglethorpe personnel involved in the monitoring of Plant Vogtle have in the aggregate, more than 100 man years of nuclear training and experience in the United States Navy's nuclear program and at other utilities which own and operate commercial nuclear generating stations.
5. As a result of its monitoring activities and its review of operations of other nuclear units, Oglethorpe considers that the objectives of assembling all of the nuclear expertise of The Southern Company under the management of a single entity, Southern Nuclear, will be beneficial to Oglethorpe and all others affected by the operation of Plant Vogtle. First, the combination of resources required for the operation of these nuclear plants will mean that each plant will have greater resources available to it under both normal and abnormal circumstances. Second, the singular focus of Southern Nuclear on the operation of nuclear facilities without competing distractions of conducting transmission, distribution and other utility business should lead to enhancements in the safe and reliable operation of Plant Vogtle and each of the other nuclear facilities as well. Third, the focused mission of Southern Nuclear should serve to attract and retain qualified and professionally motivated people to manage, operate and maintain all of the nuclear facilities involved. Fourth, placing the licensed authority to operate all of the nuclear facilities involved with Southern Nuclear should result in the simplification of the rather convoluted delegations of responsibilities that currently exist.
6. In light of all of the foregoing considerations, Oglethorpe supports the proposed amendment of the licenses for the Vogtle units to transfer the licensed authority to operate such units from Georgia Power to Southern Nuclear. Accordingly, Oglethorpe urges that the requested amendments of the licenses be issued as promptly as may be reasonably feasible.

Oglethorpe does not wish to make an oral presentation to the Board at the limited appearance session scheduled for January 11, 1993, nor otherwise become a party to the proceeding.

Respectfully submitted,

OGLETHORPE POWER CORPORATION

By: David Self
David Self
Senior Vice President, Operations

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

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Limited Appearance Statement of Oglethorpe Power Corporation have been served upon the following persons by U.S. mail, first class, or overnight mail as otherwise in accordance with the requirements of 10 CFR Sec. 2.712.

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

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

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

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

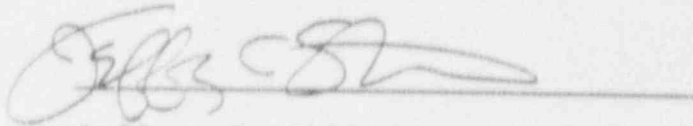
Office of the General Counsel
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

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

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

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

Dated this 6th day of January, 1993



Jeffrey C. Stair
Attorney
Oglethorpe Power Corporation
2100 East Exchange Place
Tucker, Georgia 30085

LAW OFFICES

L. CLIFFORD ADAMS, JR., P.C.
Suite 1400
999 Peachtree Street, N. E.
Atlanta, Georgia 30309-3999
(404) 870-6000
FAX (404) 870-6020

WRITERS DIRECT DIAL NUMBER

870-6214

January 7, 1993

BY U.S. EXPRESS MAIL

Atomic Safety and Licensing Board
United States Nuclear Regulatory Commission
Secretary's Office
Washington, D.C. 20555

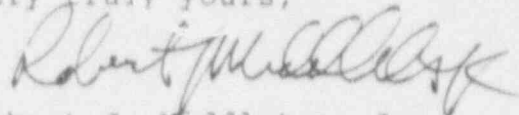
Re: Georgia Power Company, et al. (Vogtle Electric
Generating Plant, Units 1 and 2); Docket Nos.
50-424-OLA-3, 50-425-OLA-3; License Amendment
(Transfer to Southern Nuclear); ASLBP No.
96-671-01-OLA-3.

Dear Sir or Madam:

Enclosed for filing are the original and three (3)
copies of the "Limited Appearance Statement of Municipal
Electric Authority of Georgia" in connection with the
referenced matter. We would appreciate your returning the
extra copy to the writer, showing the date of filing, in the
enclosed stamped, postage-paid envelope.

Thank you for your assistance.

Very truly yours,



Robert J. Middleton, Jr.

RJM:ms
WP013.61
Encl.

cc: All Parties on Certificate of Service
(by regular mail)

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

IN THE MATTER OF: : DOCKET NOS. 50-424-OLA-3
: 50-425-OLA-3
GEORGIA POWER COMPANY, et al. :
: RE: License Amendment (Transfer
(Vogtle Electric Generating Plant, : to Southern Nuclear)
Units 1 and 2) :
: ASLBP NO. 96-671-01-OLA-3

LIMITED APPEARANCE STATEMENT OF
MUNICIPAL ELECTRIC AUTHORITY OF GEORGIA

The MUNICIPAL ELECTRIC AUTHORITY OF GEORGIA^{1/} ("MEAG"),
respectfully submits this Limited Appearance Statement in the above-captioned
proceeding pursuant to the Licensing Board's December 15, 1992 Notice.

MEAG is a co-owner of Plant Vogtle along with Georgia Power Company,
Oglethorpe Power Corporation and The City of Dalton, Georgia. MEAG has a
22.7% undivided ownership interest in Plant Vogtle and has previously

^{1/} MEAG is a public corporation created by Georgia statute in 1975
in order to supply wholesale power to those political subdivisions of the
State of Georgia that own and operate electric distribution systems. The 48
Participants of MEAG are the Cities of Adel, Albany, Barnesville, Blakely,
Brinson, Buford, Cairo, Calhoun, Camilla, Cartersville, College Park,
Commerce, Covington, Doerun, Douglas, East Point, Elberton, Ellaville,
Fairburn, Fitzgerald, Forsyth, Fort Valley, Grantsville, Griffin, Hogansville,
Jackson, LaFayette, LaGrange, Lawrenceville, Mansfield, Marietta, Monroe,
Monticello, Moultrie, Newna., Norcross, Oxford, Palmetto, Quitman,
Sandersville, Sylvania, Sylvester, Thomaston, Thomasville, Washington, West
Point, Whigham, Georgia, all municipal corporations organized and existing
under the laws of the State of Georgia, and the Crisp County Power Commission,
Crisp County, Georgia.

authorized Georgia Power Company to act as its agent in connection with the operation and maintenance of Plant Vogtle.

MEAG fully supports the proposed license amendments, filed by Georgia Power Company with the Nuclear Regulatory Commission ("NRC") on September 18, 1992, which would amend the Plant Vogtle operating licenses to designate Southern Nuclear Operating Company as the exclusive operating licensee.

MEAG is well-informed with the current Georgia Power Company managers and officers responsible for the day-to-day operation of Plant Vogtle. MEAG is confident in the ability of such individuals to operate Plant Vogtle in full compliance with the Plant Vogtle operating licenses and the rules, regulations and orders of the NRC. Furthermore, since such individuals are expected to continue operating Plant Vogtle, as Southern Nuclear employees, when the license amendments are issued, MEAG is of the belief that Southern Nuclear can and will operate Plant Vogtle in full compliance with the Plant Vogtle operating licenses and the rules, regulations and orders of the NRC.

MEAG opposes the intervention petition of Allen L. Mosbaugh in this proceeding and requests that the Licensing Board deny his petition.

Respectfully submitted,

L. Clifford Adams, Jr.

L. Clifford Adams, Jr., General Counsel
(Georgia Bar No. 003700)
Robert J. Middleton, Jr.
(Georgia Bar No. 504915)
Suite 1400
999 Peachtree Street, NE
Atlanta, Georgia 30309-3999
(404) 870-6478

January __, 1993
Atlanta, Georgia

ATTORNEYS FOR THE MUNICIPAL ELECTRIC
AUTHORITY OF GEORGIA

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

| | | |
|------------------------------------|---|---------------------------------|
| IN THE MATTER OF: | : | DOCKET NOS. 50-424-OLA-3 |
| | : | 50-425-OLA-3 |
| GEORGIA POWER COMPANY, et al. | : | |
| (Vogtle Electric Generating Plant, | : | RE: License Amendment (Transfer |
| Units 1 and 2) | : | to Southern Nuclear) |
| | : | ASLBP NO.96-671-01-OLA-3 |

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LIMITED APPEARANCE STATEMENT OF MUNICIPAL ELECTRIC AUTHORITY OF GEORGIA 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 C.F.R. § 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, Esquire
Counsel for Georgia Power Company
Troutman Sanders
Suite 5200, 600 Peachtree Street, NE
Atlanta, Georgia 30308

Michael D. Kohn, Esquire
Stephen M. Kohn, Esquire
Kohn, Kohn & Colapinto, P.C.
517 Florida Avenue, NW
Washington, DC 20001

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

This 7th day of January, 1993.


ATTORNEY FOR THE MUNICIPAL ELECTRIC
AUTHORITY OF GEORGIA