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52-026

ND-14-0620  
10 CFR 52.105  
10 CFR 50.80  
10 CFR 50.90

U.S. Nuclear Regulatory Commission  
ATTN: Document Control Desk  
Washington, DC 20555-0001

Southern Nuclear Operating Company  
Vogtle Electric Generating Plant Units 3 and 4  
Supplement to ND-13-2473, LAR 13-040, Application for Order Consenting to  
Transfers of Licenses and Approving Conforming License Amendments

Ladies and Gentlemen:

Southern Nuclear Operating Company (SNC) previously submitted an Application for Order Consenting to Transfers of Licenses, ND-13-2473, dated December 2, 2013, for certain ownership interests in Vogtle Electric Generating Plant (Vogtle) Units 3 and 4.

This letter supplements that submittal by providing additional information regarding the requirements that a COL holder shall, 2 years before and 1 year before the scheduled date for initial loading of fuel under 10 CFR 52.103, submit a decommissioning report to the NRC containing a certification updating the information described under 10 CFR 50.75(b)(1), including a copy of the financial instrument to be used.

It is contemplated that, before those submittals are due to be filed, Municipal Electric Authority of Georgia (MEAG Power) will have transferred its ownership interests as a COL holder to one or more of the following wholly-owned special purpose entities: MEAG Power SPVM, LLC, MEAG Power SPVJ, LLC, and MEAG Power SPVP, LLC (together, "the Project Companies"). Therefore, it will be the obligation of one or more of the Project Companies to meet this requirement. The Project Companies and MEAG Power plan to enter into a Master Trust Agreement, pursuant to which each company will establish a separate trust for Vogtle Unit 3, and each company will establish a separate trust for Vogtle Unit 4. During the time that each of the Project Companies maintains an ownership interest in Vogtle Units 3 and 4, the decommissioning funds will be collected by MEAG Power through the existing long-term "cost passthrough" contracts between MEAG Power and its Offtakers, and the funds will be deposited and maintained in the respective trust established by each of the Project Companies or MEAG Power, for their respective ownership interests.

The terms of the master trust agreement will provide that the trust funds are maintained in accounts segregated from the assets of and outside the administrative control of MEAG Power and the Project Companies in accordance with the requirements of 10 CFR 50.75(e)(1)(ii). Each trust will maintain two accounts: (1) an account intended to accumulate funds for purposes of satisfying the financial assurance requirements of 10 CFR 50.75 and subject to NRC's requirements and restrictions in 10 CFR 50.75 and 10 CFR 50.82 regarding the use of such funds ("the 10 CFR 50.75 Account"); and (2) an account maintained for purposes other than satisfying the financial assurance requirements of 10 CFR 50.75, e.g., spent fuel management, non-radiological site restoration, or any other purposes deemed appropriate for the accumulation of funds, and not subject to NRC's requirements and restrictions regarding the use of funds ("the Non-10 CFR 50.75 Account"). The terms of the master trust agreement will require that at any time that a Project Company transfers an ownership interest to MEAG Power, the Project Company will transfer 100% of the funds in the 10 CFR 50.75 Account associated with such ownership interest to the appropriate MEAG Power trust, e.g., Vogtle Unit 3 or Vogtle Unit 4, in connection with the transfer of the COL from the Project Company to MEAG Power. The terms of the master trust agreement will provide that the funds of the Non-10 CFR 50.75 Account will be dispositioned as determined by MEAG Power and the respective Project Company.

This supplement contains no regulatory commitments. In accordance with 10 CFR 50.91, SNC is notifying the State of Georgia by transmitting a copy of this letter to the designated State Official. This supplement has no impact on the original scope of the Application for Order Consenting to Transfers of Licenses, ND-13-2473, dated December 2, 2013; the original Application's technical evaluation and Significant Hazards Consideration remain the same. Should you have any questions, please contact Brian Meadors at (205) 992-7331.

Mr. B. L. Ivey states that: he is a Vice President of Southern Nuclear Operating Company; he is authorized to execute this oath on behalf of Southern Nuclear Operating Company; and to the best of his knowledge and belief, the facts set forth in this letter are true.

Respectfully submitted,

SOUTHERN NUCLEAR OPERATING COMPANY



B. L. Ivey  
Regulatory Affairs Vice President

BLI/CBM/kms

Sworn to and subscribed before me this 17<sup>th</sup> day of April, 2014.

Notary Public: Nancy L. Henderson

My Commission expires: March 18, 2018



cc:

Southern Nuclear Operating Company/ Georgia Power Company

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