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1993

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)

GEORGIA POWER COMPANY)
et al.,)

(Vogtle Electric Generating)
Plant, Unit 1 and Unit 2))

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


Re: License Amendment
(transfer to Southern Nuclear)

ASLBP No. 93-671-01-OLA-3

ADDITIONAL INFORMATION RELEVANT TO OPEN DISCOVERY MATTERS

Allen Mosbaugh hereby submits to the Atomic Safety and Licensing Board the letter issued from the United States Attorney, Northern District of Georgia, concerning the status of the Department of Justice's criminal investigation into misrepresentations made to the NRC concerning the Plant Vogtle diesel generator. Mr. Mosbaugh's counsel believes that this letter may assist the Board when considering upcoming discovery matters.

Respectfully submitted,


Michael D. Kohn
KOHN, KOHN & COLAPINTO, P.C.
517 Florida Ave., N.W.
Washington, D.C. 20001

(202) 234-4663

Dated: April 1, 1993
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PDR ADOCK 05000424
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United States Attorney
Northern District of Georgia

Suite 1800 Richard Howell Building
75 Spring Street, N.W.
Atlanta, Georgia 30333

Telephone (404) 521-6844

March 30, 1993

VIA FAX AND REGULAR MAIL

Bryan Lavine, Esq.
Troutman, Sanders, Lockerman & Ashmore
127 Peachtree Street, N.E.
Suite 1400
Atlanta, GA 30303-1610

Re: Georgia Power - Plant Vogtle Investigation

Dear Bryan:

As per our conversation yesterday afternoon, this will confirm that at this time, we have closed the criminal investigation of Georgia Power concerning misrepresentations regarding the Plant Vogtle diesel generator and have recommended that the matter be pursued administratively by the NRC. As I indicated to you yesterday, however, while we are closing the case at this time, it is certainly possible that we might choose to reopen the investigation should sufficient facts develop in the administrative proceeding or otherwise that lead us to believe that it would be appropriate to reopen the criminal investigation.

If you have any questions, please do not hesitate to contact us.

Sincerely,

JOE D. WHITLEY
UNITED STATES ATTORNEY

Sally Quillian Yates
SALLY QUILLIAN YATES
ASSISTANT UNITED STATES ATTORNEY

cc: Michael O'Leary

BQY/kmv

NUCLEAR REGULATORY COMMISSION
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CERTIFICATE OF SERVICE

I hereby certify that on April 1, 1993 a copy of the foregoing was served by first class mail upon the following:


*Hon. Peter B. Bloch, Chair
Hon. James H. Carpenter
Hon. Thomas D. Murphy
Administrative Law Judges
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Charles A. Barth, Esq.
Office of General Counsel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

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Atlanta, GA 30308-2216

Office of the Secretary (Original and two copies)
Attn: Docketing and Service
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

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



Michael D. Kohn

"*" indicates additional service by facsimile

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