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May 7, 1993

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Mr. Thomas D. Murphy
Atomic Safety and Licensing Board
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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
ASLBP No. 96-671-01-OLA-3

Gentlemen:

Georgia Power Company (GPC) has received initial discovery requests from Intervenor Allen Mosbaugh in the above-captioned license amendment proceeding. GPC wishes to inform the Licensing Board and the parties that it intends to file objections to Intervenor's First Request for Production of Documents for the reason that many of Intervenor's requests are oppressive, unduly burdensome, lack relevance or should be considered beyond the scope of the Board-admitted contention.

GPC believes that Intervenor's document request is precisely the type of broad "fishing expedition" which the Board cautioned against. Tr. 121-22. Intervenor's request seeks documents totally unrelated to the factual bases of specific subject areas which he plead in his Amended Petition. For example, Intervenor seeks all documents to or from the Department of Justice concerning any matter related to The Southern Company, Alabama Power Company, Southern Company Services, Inc., Southern Nuclear Operating Company, Plant Vogtle and each of the co-owners of Plant Vogtle; all documents relating in any manner to any allegations that GPC engaged in any criminal activity, violated any NRC regulation,

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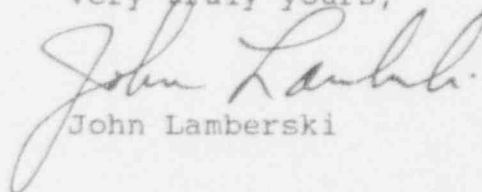
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
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Page 2

intentionally violated any federal or state law, or discriminated against any employee; the complete personnel files of eight individuals; all corporate resolutions pertaining to compensation and benefits of past and present officers and directors; and all board of directors meeting minutes and notes. The subject matter and time frames covered by these requests extend far beyond the factual bases, i.e., the allegations of illegal license transfer and the 1990 Licensee Event Report associated with diesel generators. These examples are only a small sampling of Intervenor's overly broad requests.

Protection against such unbounded, improper discovery is reasonable and achievable by limiting the scope of contentions to the subject matter of their bases. This approach is in full accord with established NRC practice. See Public Service Co. of New Hampshire, ALAB-899, 28 N.R.C. 93, 97 (1988) aff'd sub nom., Massachusetts v. NRC, 924 F.2d 311 (D.C. Cir. 1991); Public Service Co. of New Hampshire, ALAB-947, 33 N.R.C. 299, 371-72 (1991); Vermont Yankee Nuclear Power Corp. (Vermont Yankee Nuclear Power Station), LBP-88-25, 28 N.R.C. 394, 396 (1988); Illinois Power Co. (Clinton Power Station, Unit 1), LBP-81-61, 14 N.R.C. 1735, 1737 (1981). Furthermore, such delineation of the scope of contentions is consistent with the Commission's decision in Arizona Public Service Company (Palo Verde Nuclear Generating Stations, Units 1, 2 and 3), CLI-91-12, 34 NRC 149, 155-56 (1991), requiring strict compliance with the NRC's revised pleading requirements at 10 C.F.R. § 2.714(b)(2).

GPC intends to file its objections to Intervenor's document requests within the time permitted under the NRC's rules.

Very truly yours,


John Lamberski

JL:svb

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD

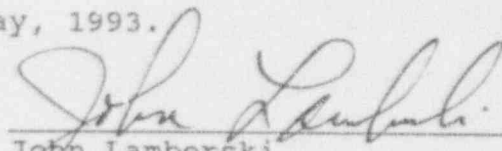
In the Matter of

GEORGIA POWER COMPANY,	*	Docket Nos. 50-424-OLA-3
<u>et al.</u>	*	50-425-OLA-3
	*	
	*	
(Vogtle Electric	*	Re: License Amendment
Generating Plant,	*	(Transfer to Southern
Units 1 and 2)	*	Nuclear)
	*	
	*	ASLBP No. 96-671-01-OLA-3

CERTIFICATE OF SERVICE

This is to certify that copies of the within and foregoing letter from John Lamberski, dated May 7, 1993, were served on all those listed on the attached service list by depositing same with an overnight express-mail delivery service.

This is the 7th day of May, 1993.


John Lamberski

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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
*
*
* Re: License Amendment
* (Transfer to Southern
* Nuclear)
*
* ASLBP No. 96-671-01-OLA-3

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