

I-144

DOCKETED  
USHRC  
UNITED STATES OF AMERICA  
BEFORE THE U.S. DEPARTMENT OF LABOR  
95 JAN 30 P2:57

MARVIN B. HOBBY,  
Complainant,  
v.  
GEORGIA POWER CO.,  
Respondent.

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
CASE NO.  
90-ERA-30

NUCLEAR REGULATORY COMMISSION

50-424-OLA-3

Docket No. 50-425-OLA-3

Official Exh. No. 144

In the matter of GA Power

Units 1+2

Staff

Applicant

Intervenor

Cont'g Offr

Contractor

Other

Reporter

RECEIVED

REJECTED

DATE

1-11-95

Witness

Hobby

RESPONDENT'S RESPONSE TO COMPLAINANT'S SECOND REQUEST FOR  
INTERROGATORIES AND PRODUCTION OF DOCUMENTS

Comes now Georgia Power Company and, pursuant to 29 C.F.R. §§18.18, 18.19 and 18.20 and Rules 26, 33 and 34 of the Federal Rules of Civil Procedure, hereby responds to Complainant's Second Request for Interrogatories and Production of Documents as follows:

GENERAL OBJECTIONS

Respondent hereby incorporates by reference the General Objections in its Response to Complainant's [First] Request for Interrogatories and Production of Documents served on August 21, 1990.

SPECIFIC RESPONSES TO INTERROGATORIES AND DOCUMENT REQUESTS  
Request No. 1.

Identify and produce all documents, including attorney work product, demonstrating any form of concern over the reporting structure of SONOPCO and/or whether the current form of SONOPCO might constitute a violation of a license.

Response to Request No. 1.

Respondent objects to this request on the grounds that it calls for the production of documents and information protected by the attorney-client and work-product privileges. Respondent also objects to this request on the grounds that it is vague and ambiguous in that the phrase "reporting structure of SONOPCO" is not defined. Further, to the extent this request relates to allegations or concerns other than the ones raised by Mr. Hobby in his memorandum of April 27, 1989 regarding the reporting structure of SONOPCO, it seeks the disclosure of information which is irrelevant to the subject matter of this action and is not reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections, Respondent states that to the best of its knowledge and information, no one has raised "concerns" similar to those raised by Mr. Hobby in his April 27, 1989 memo regarding the reporting structure of SONOPCO and all non-privileged documents regarding such "concerns" have been previously produced.

Request No. 2.

(a) Identify all members of Georgia Power Company's ("GPC") "management counsel."

(b) Produce all calendars/day timers or other daily logs maintained by all members of the "management counsel" (excluding those already produced).

Response to Request No. 2.

(a) Respondent objects to this interrogatory on the grounds that it is overly broad with respect to the time period covered, seeks documents and information which are irrelevant to the subject matter of this action, and is not reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections, Respondent states that the following individuals were members of Respondent's Management Council at the time the decision was made in 1989 relative to the elimination of Complainant's position:

Mr. K. E. Adams  
Mr. H. G. Baker, Jr.  
Mr. T. G. Boren  
Mr. W. T. Dahlke  
Mr. A. W. Dahlberg  
Mr. D. H. Evans  
Mr. J. C. Hemby, Jr.  
Mr. G. R. Hodges  
Mr. W. Y. Jobe

All of these individuals are presently members of the Management Council, except for Mr. H. G. Baker, Jr. For information regarding these individuals' length of employment and position with the company, see Respondent's answers to Complainant's First Interrogatories Nos. 2 and 12.

(b) Respondent objects to the production of the requested documents on the grounds that they are the personal property of the individual members of the Management Council; that to produce them would be overly burdensome and harrassive; and that they are irrelevant to the subject matter of this action. Furthermore, counsel for Complainant has previously agreed not to request such documents in exchange for Respondent's agreement to make available certain calendars and appointment books for Messrs. Dahlberg, Farley, Evans and Williams.

Request No. 3.

State what date Mr. Williams recommended to Messrs. Evans and Boren to eliminate the General Manager, Contract Administration position.

Response to Request No. 3.

Mr. Williams does not recall the specific date that he made his recommendation to Mr. Evans and Mr. Boren to eliminate the position of General Manager, Nuclear Operations Contract Administration Group. However, he believes that the recommendation was made sometime in December 1989.

Request No. 4.

- (a) State the date of any and all Management Council meetings where the elimination of the General Manager, Contract Administration was discussed.

- (b) State the date the Management Council voted to reorganize the Contract Administration group and who was in attendance.
- (c) Produce all documents, in their entirety, that were created during any Management Council meeting in which Mr. Hobby's job or the Contract Administration Group was discussed and/or eliminated.

Response to Request No. 4.

(a) The Management Council held meetings dealing with personnel and organizational considerations in November and December of 1989. The November Management Council meeting was held on November 17. The December Management Council meeting was held on December 29.

(b) The Management Council did not vote to reorganize the Nuclear Operations Contract Administration Group, although the recommendation to reorganize the group and eliminate the General Manager's position was discussed with the Council at the December 1989 meeting. The Council was provided with the basis of the proposed action and agreed with the recommendation. Attendees at the December Management Council meeting were: Mr. K. E. Adams, Mr. H. G. Baker, Jr., Mr. T. G. Boren, Mr. W. T. Dahlke, Mr. A. W. Dahlberg, Mr. D. H. Evans, Mr. J. C. Hemby, Jr., Mr. G. R. Hodges and Mr. W. Y. Jobe. See also Respondent's answers to Complainant's First Interrogatories Nos. 2 and 12.

STATE OF GEORGIA  
COUNTY OF FULTON

VERIFICATION

In person, before the undersigned officer duly authorized to administer oaths appeared Clifton Douglas Wilson, Assistant to the Executive Vice President of Finance, who first being duly sworn, states that to the best of his knowledge the statements set forth in the within and foregoing RESPONDENT'S RESPONSE TO COMPLAINANT'S SECOND REQUEST FOR INTERROGATORIES AND PRODUCTION OF DOCUMENTS are true and correct. The responses as written are not based solely on the knowledge of the executing party, but include information obtained by and through GEORGIA POWER'S COMPANY agents, representatives, and attorneys.

This 1st day of October, 1990.

Sworn to and subscribed  
before me this 1st day  
October, 1990.

Shelia A. Schmidt  
Notary Public

My Commission Expires:

SHELIA A. SCHMIDT  
NOTARY PUBLIC  
GEORGIA DOUGLAS COUNTY  
MY COMMISSION EXPIRES OCT 23, 1991

Clifton Douglas Wilson