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March 31, 1995
DOCKETED
USNRCUNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

'95 APR -3 P2:49

Before the Atomic Safety and Licensing BoardOFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCHthe 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. 93-671-01-OLA-3GEORGIA POWER COMPANY'S RESPONSE TO
INTERVENOR'S MOTION TO COMPLETE
DISCOVERY AGAINST NRC STAFF

On March 22, 1995, Intervenor filed three documents:
Intervenor's Notice of Deposition of Roy P. Zimmerman and Luis A. Reyes; Intervenor's Notice of Deposition of James L. Milhoan and NRC Representatives; and Intervenor's Motion to Complete Discovery Against NRC Staff. By its Memorandum and Order (Motion to Reopen Discovery) of March 30, 1995, the Board in addressing an earlier March 16 Intervenor motion to compel immediate discovery responses, has already largely dealt with Intervenor's March 22 pleadings. Thus, the Board found Intervenor has failed to show the existence of exceptional circumstances that would warrant granting a request to depose Mr. James L. Milhoan or other Staff personnel pursuant to 10 CFR § 2.720(h)(2)(ii); it noted the Staff's March 29 offer to make Messrs. Zimmerman and Reyes available for deposition on April 25 and offered to assist in scheduling if that would be helpful; and with regard to

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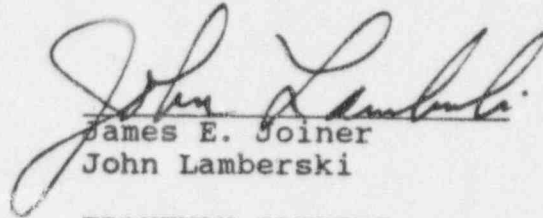
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Intervenor's request for documents, it reminded all parties of their duty to supplement earlier discovery requests and ordered that all parties promptly supplement earlier responses to timely-filed interrogatories about the diesel generators.

There remains only one aspect of Intervenor's March 22 Motion to Complete Discovery that has not been explicitly addressed by the Board. Based on the extensive additional discovery he expected to be granted, Intervenor boldly seeks an extension of at least a month (no date is established) to file his prepared written testimony and submit subpoena requests.¹ In light of the Board's rulings on Intervenor's discovery requests, there is no basis for such an extension. To the extent that anything of moment results from the Zimmerman/Reyes deposition which suggests the need for additional testimony or exhibits, Intervenor can make a good cause showing for those additions. In the meantime, Intervenor should be obligated to follow the prehearing schedule established months ago in the Board's Memorandum and Order of January 18, 1995, including filings on April 3, negotiations on April 5-6, prehearing conference on April 7, and prefiled findings on April 11.

¹Although the Motion is silent on exhibits, we expect that Intervenor would logically defer his identification of exhibits as well.

Respectfully submitted,


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Dated: March 31, 1995

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OFFICE OF SECRETARY
DOCKETING & SERVICE
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John Lamberski

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

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GEORGIA POWER COMPANY,
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(Vogtle Electric Generating Plant,
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