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October 18, 1984

Morton B. Margulies, Esq., Chairman
Mr. Gustave A. Linenberger, Jr.
Dr. Oscar H. Paris
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

In the Matter of
Georgia Power Company, et al.
(Vogtle Electric Generating Plant, Units 1 and 2
Docket Nos. 50-424 and 50-425 OL)

Dear Administrative Law Judges:

In accordance with the Board's Memorandum and Order dated September 5, 1979, Applicants and GANE/CPG have filed with the Board their respective proposals for revision of GANE/CPG Contention 8 (Quality Assurance). However, GANE/CPG in their filing of October 11, 1984, not only submitted new wording for Contention 8, but have sought, in Applicants' view improperly, to amend the basis for their contention.

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October 18, 1984
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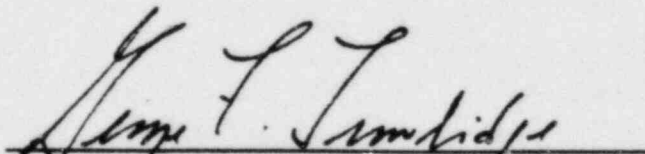
The amendment to the basis consists of a single paragraph referencing two newspaper accounts which report the firing of seven Georgia Power Company workers and the end of dealings with one vendor following the alleged unauthorized release of bid information at the Vogtle plant. The added paragraph does not provide or even allege any connection between the procurement irregularities and Applicants' quality assurance program. It simply jumps to the conclusion that the irregularities require an investigation "to ascertain if this alleged favoritism extended to quality of materials, and to ascertain why the quality assurance program did not uncover this program deficiency (sic) long ago."

Applicants note at the outset that the amendment to the basis for Contention 8 is inexcusably late. Intervenorors have waited until the eleventh hour to file an amendment based on newspaper accounts which received wide publicity and which first appeared more than six weeks earlier. Further, Intervenorors' representatives made no mention of this proposed amendment at the meeting with representatives of the Applicants and Staff on October 3, 1984. The amendment should be rejected as untimely.

In any event Applicants are at a minimum entitled to respond to the proposed amendment. By way of response Applicants enclose herewith the affidavit of D. O. Foster, Vice-President and Project General Manager, Vogtle Project, demonstrating that the procurement irregularities do not provide a basis for a quality assurance contention.

Respectfully submitted,

SHAW, PITTMAN, POTTS & TROWBRIDGE


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