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August 2, 1996

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

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OFFICE OF SECRETARY  
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BRANCH

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

**INTERVENOR'S RESPONSE TO GEORGIA POWER'S MOTION  
FOR RECONSIDERATION**

For the reasons set forth below, Intervenor hereby supports the motion for reconsideration filed by Georgia Power Company.

The controlling regulation on this issue is 10. C.F.R. § 2.759. Under this regulation, the Commission encourages parties to reach settlement of contested licensing issues. No review or approval of a settlement agreement is required by this regulation.

In this case, the parties have reached a confidential settlement which is conditioned upon the termination of this proceeding without issuance of a decision on the merits of the

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underlying contention. Pursuant to this settlement, Intervenor is withdrawing his intervention and contention. Given the fact that intervenor is voluntarily foregoing his right to a hearing and further proceedings in this matter, the requirements of 42 U.S.C. §2239 are fully met.

Consequently, it is in the public interest, as set forth in 10 C.F.R. § 2.750 for this Board to terminate this proceeding on the basis of intervenor's withdrawal.<sup>1/</sup>

Respectfully submitted,



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Washington, D.C. 20001

Attorneys for Intervenor

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<sup>1/</sup> Additionally, Intervenor wishes to make it clear that Mr. Mosbaugh has raised all of his safety or regulatory concerns with the NRC. In addition, Mr. Mosbaugh remains free to communicate any additional or new concerns with the NRC, and nothing in the proposed settlement would interfere with the free flow of information to the NRC.

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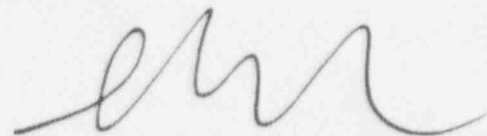
) Docket Nos. 50-424-OLA-3  
50-425-OLA-3

) Re: License Amendment  
(transfer to Southern Nuclear)

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

CERTIFICATE OF SERVICE

I hereby certify that a copy of Intervenor's Response to Georgia Power's Motion for Reconsideration, dated August 2, 1996, was served by first class mail, upon the persons in the attached service list on this 2nd day of August 1996.



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