



UNITED STATES
NUCLEAR REGULATORY COMMISSION
OFFICE OF INVESTIGATIONS FIELD OFFICE, REGION II
101 MARIETTA STREET NW, SUITE 2800
ATLANTA, GEORGIA 30323

May 29, 1991

Mr. Joe D. Whitley
United States Attorney
Northern District of Georgia
Richard B. Russell Building
75 Spring Street, S.W.
Atlanta, Georgia 30335

Dear Mr. Whitley:

The purpose of this letter is to introduce our investigative organization, the Office of Investigations (OI) of the U.S. Nuclear Regulatory Commission (NRC), to your office, and to request your assistance with regard to the provision of information pertaining to the Southern Company.

NRC OI is charged with the investigation of allegations or indications of intentional wrongdoing on the part of those individuals, companies, or corporations that have been licensed by NRC for the commercial use of nuclear material. This OI responsibility is an integral portion of the overall mission of the NRC to protect the health and safety of the public citizen by the regulation of this commercial use of nuclear energy. The authority for this regulation is set forth in the Atomic Energy Act of 1954, as amended, and in Title 10 of U.S. Code of Federal Regulations.

Obviously the integrity, professionalism, and dedication of these NRC licensees to this protection of the public health and safety is of the utmost importance. When there are indications that any of these licensee employees, particularly those in middle to upper level management positions, are conducting activities that brings their integrity into question, it is a matter of grave concern to the NRC, regardless of whether or not these activities are directly related to their management of nuclear power.

Our office has observed in the media over the past year or so, that your office has been looking into issues such as tax fraud, illegal campaign contributions, and questionable payments on consulting contracts on the part of various entities of the Southern Company. A number of these entities are also NRC licensees. These licensees are required by regulation to submit various filings to the NRC. The NRC does not verify all of these filings by inspection or investigation. The licensee must be able to be relied upon to provide complete, accurate, and truthful information in these filings. The combination of our own investigations and the aforementioned issues being addressed by your office has caused us to look more closely at the filings and activities of some of the licensees that are part of the Southern Company.

Therefore, we respectfully request that your office provide to us as much information as is possible regarding issues of wrongdoing or questionable integrity on the part of the Southern Company and its subsidiaries. The

Mr. Joe D. Whitley

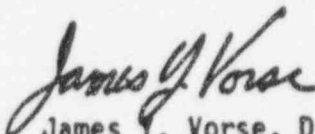
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possible consequences of a nuclear power plant being operated and/or managed by anyone with less than the utmost integrity are not pleasant to contemplate. We are aware, of course, that the provisions of the Federal Rules of Criminal Procedure with respect to Federal Grand Jury (6e) material may apply to portions of this information, but in the interest of the health and safety of the American public the NRC sincerely appreciates any assistance your office may be able to render.

You may contact me or Investigator Larry L. Robinson by telephone at FTS 841-6502 or 331-6502 (commercial).

Sincerely,



James Y. Vorse, Director
Office of Investigations
Field Office, Region II

cc: James E. Fagan, Jr., AUSA
(Northern District of Georgia)



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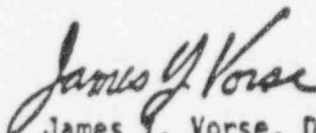
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ATLANTA, GEORGIA 30308
TEL. (404) 865-0170

March 8, 1996

Cher Simmons
U.S. Attorney's Office
1800 Richard Russell building
75 Spring Street SW
Suite 1800
Atlanta, Georgia 30335

FOIA/PA REQUEST

Case No: 96-412
Date Rec'd: 10-16-96
Action Off: _____
Related Case: Referred by DOJ

Dear Ms. Simmons:

Under the provisions of the Freedom of Information Act, 5 U.S.C. 552, I am requesting access to any and all records related to your closed investigation of Southern Company which began around 1988 and extended several years.

If you find it suitable, I am willing to view these records in your office in Atlanta before selecting which I may want to copy.

I would like to have access to any and all investigative and grand jury records within the custody of the U.S. Attorney. Since this investigation also involved several federal agencies, including the Internal Revenue Service, the Federal Bureau of Investigation, and the Office of Labor Racketeering, please let me know if some records may lie outside of your custody.

I appreciate your help and look forward to hearing from you.

Thanks and regards,

Martha Brannigan

Martha Brannigan
Staff Reporter

Phone: 404-865-4359
FAX: 404-865-4365