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September 17, 1985

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

Gentlemen:

By letter dated September 4, the Board requested that Joint Intervenor respond to the schedule, proposed by Applicants and endorsed by the NRC Staff, for discovery on emergency planning contentions. That schedule was set forth in Applicants' August 26 letter to the Board. We received today "Intervenors' Proposal for Emergency Response Discovery Schedule," which would extend discovery on these contentions at least into April 1986.

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Administrative Judges  
Sept. 17, 1985  
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As compared to other issues, the emergency planning contentions are being litigated relatively late in this proceeding. Accordingly, it would be reasonable to establish an expeditious schedule rather than a protracted schedule, such as that proposed by Joint Intervenors. For example, Joint Intervenors have proposed October 15 as the deadline for filing first round discovery requests. However, the Board's "Memorandum and Order (Ruling On Joint Intervenors' Proposed Contentions on Emergency Planning)" was issued on August 12, 1985. Thus, Joint Intervenors have already had more than four weeks to frame discovery requests on admitted emergency planning contentions.

Similarly, Joint Intervenors propose that answers to first round discovery requests would be due "within sixty days after receipt of the discovery requests." This is a marked contrast to the Commission's Rules of Practice, which normally provide for the service of answers to interrogatories "within 14 days after service of the interrogatories." See 10 C.F.R. § 2.740b(b). The schedule proposed by Applicants is thus more generous than that specified in the regulations. Under Applicants' proposal, answers to discovery requests would be due within 20 days after service of the request.

For these reasons, Applicants urge the Board to establish a schedule which conforms as closely as possible to Applicants' proposal (adjusted as necessary to reflect the passage of September 16, which Applicants had proposed as the deadline for filing first round discovery requests).

Sincerely yours,



Bruce W. Churchill  
Counsel for Applicants

cc: Service List (attached)

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

In the Matter of	)	
	)	
GEORGIA POWER COMPANY, <u>et al.</u>	)	Docket Nos. 50-424
	)	50-425
(Vogtle Electric Generating Plant,	)	
Units 1 and 2)	)	

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