

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED 04/26/99

COMMISSIONERS:

SERVED 04/26/99

Shirley Ann Jackson, Chairman
Greta Joy Dicus
Nils J. Diaz
Edward McGaffigan, Jr.
Jeffrey S. Merrifield

In the Matter of)
)
NORTH ATLANTIC ENERGY SERVICE CORP. et)
al.)
)
(Seabrook Station, Unit 1))
)
_____)

Docket No. 50-443-LT

CLI-99-16
MEMORANDUM AND ORDER

The Montaup Electric Company ("Montaup") seeks to transfer its ownership interest in Seabrook Station, Unit 1, to the Little Bay Power Corporation ("Little Bay"). On Montaup's behalf, the North Atlantic Energy Service Corporation (Seabrook's operator), submitted the transfer application to the Commission for approval. Such approval is required pursuant to Section 184 of the Atomic Energy Act, 42 U.S.C. 2234. Two co-owners -- New England Power Company ("NEP") and United Illuminating Company ("United")-- filed intervention petitions opposing the transfer application. In CLI-99-6, 49 NRC ____ (March 5, 1999), we granted NEP's petition and denied United's petition.

The applicants and NEP have settled their differences and, on April 15th, NEP filed a notice of withdrawal. Under Commission case law, the withdrawal of all intervenors brings a licensing proceeding to a close. Florida Power and Light Co. (Turkey Point Nuclear Generating Plant, Units 3 and 4), CLI-91-13, 34 NRC 185, 188 n.1 (1991); Public Serv. Co. of Colo. (Fort St. Vrain Independent Spent Fuel Storage Installation), [no CLI number], 34 NRC 190 (1990). As the sole intervenor has withdrawn, this proceeding is terminated.

IT IS SO ORDERED.

For the Commission
Original signed by
Annette L. Vietti-Cook

Annette L. Vietti-Cook
Secretary of the Commission

Dated at Rockville, Maryland,
this 26th day of April, 1999.