

IN RESPONSE, PLEASE
REFER TO: M940407B

April 8, 1994

MEMORANDUM FOR: Stephen G. Burns, Director
Office of Commission Appellate Adjudication

FROM: John C. Hoyle, Assistant Secretary \s\

SUBJECT: STAFF REQUIREMENTS - AFFIRMATION/DISCUSSION
AND VOTE, 11:30 A.M., THURSDAY, APRIL 7,
1994, COMMISSIONERS' CONFERENCE ROOM, ONE
WHITE FLINT NORTH, ROCKVILLE, MARYLAND (OPEN
TO PUBLIC ATTENDANCE)

I. SECY-94-094 - Georgia Power Company -- Staff's Motion for
Stay and Petition for Review of LBP-94-06

The Commission, by a 4-0* vote, approved an order responding to the NRC staff's motion for a stay and petition for review of LBP-94-06. The order directs the NRC staff, (1) to make available to the parties within seven (7) days for inspection and copying the documents and material identified in the list of exhibits to the OI report, and (2) at the time of issuance of an enforcement action (or upon a decision to take no enforcement action) the NRC staff shall make available to the parties for inspection and copying OI's report of investigation.

(Subsequently, on April 7, 1994, the Assistant Secretary signed the Order.)

cc: The Chairman
Commissioner Rogers
Commissioner Remick
Commissioner de Planque
OGC
EDO
OCA
OIG
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)
PDR - Advance
DCS - P1-24

* Section 201 of the Energy Reorganization Act, 42 U.S.C. Section 5841, provides that action of the Commission shall be determined by a "majority vote of the members present." Commissioner de Planque was not present when this item was affirmed. Accordingly, the formal vote of the Commission was 3-0 in favor of the decision. Commissioner de Planque, however, had

previously indicated that she should approve this paper and had she been present she would have affirmed her prior vote.