

IN RESPONSE, PLEASE
REFER TO: M920429

May 5, 1992

MEMORANDUM FOR: William C. Parler, General Counsel
FROM: Samuel J. Chilk, Secretary /S/
SUBJECT: STAFF REQUIREMENTS - AFFIRMATION/DISCUSSION
AND VOTE, 11:30 A.M., WEDNESDAY, APRIL 29,
1992, COMMISSIONERS' CONFERENCE ROOM, ONE
WHITE FLINT NORTH, ROCKVILLE, MARYLAND (OPEN
TO PUBLIC ATTENDANCE)

I. SECY-92-089 - Revisions to Procedures to Issue Orders:
Challenges to Orders That are Made Immediately Effective
- 10 CFR Part 2

The Commission, by a 5-0* vote, approved amendments to 10 CFR Part 2 which will specifically allow challenges to the immediate effectiveness of an order to be made at the outset of a proceeding and provide procedures for the expedited consideration and disposition of such challenges.

The Federal Register Notice should be revised as noted in the attachment, reviewed by the Regulatory Publications Branch, ADM, and returned for signature and publication.

(OGC)

(SECY Suspense: 5/29/92)

Attachment:
As stated

* Section 201 of the Energy Reorganization Act, 42 U.S.C. §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 4-0 in favor of the decision. Commissioner de Planque, however, had previously indicated that

she would approve this paper and had she been present she would have affirmed her prior vote.

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cc: The Chairman
Commissioner Rogers
Commissioner Curtiss
Commissioner Remick
Commissioner de Planque
OCAA
OIG
EDO
ACRS
PDR - Advance
DCS - P1-24

PLEASE REFER TO THE ORIGINAL SRM TO VIEW THE ATTACHMENT.