

RAS 2455

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED 12/04/00
SERVED 12/04/00

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

Charles Bechhoefer, Chairman
Dr. Richard F. Cole
Ann Marshall Young

In the Matter of

FIRST ENERGY OPERATING COMPANY,
FENOC

(Perry Nuclear Power Plant, Unit 1;
Operating License No. NPF-58)

Docket No. 50-440-CivP

ASLBP No. 01-784-01-CivP

EA 99-012

December 4, 2000

MEMORANDUM AND ORDER
(Further Suspension of Proceeding)

In its Memorandum and Order dated November 7, 2000, the Atomic Safety and Licensing Board for this civil-penalty proceeding granted the request for a hearing of the Licensee, First Energy Operating Co. (FENOC), and, at the request of all parties, suspended the proceeding until December 18, 2000, to accommodate settlement negotiations. The Board required a report as to the progress of negotiations to be filed by December 1, 2000.

On November 30, 2000, the parties filed a joint status report indicating that (1) informal negotiations had taken place; (2) meetings of the principals of all parties (including the NRC Region III Regional Administrator), had been scheduled for the week of December 18, 2000; and (3) in light of the holiday season and "other pending (and related) matters involving these parties," the parties jointly requested a further suspension of the proceedings to January 19, 2001, with a second status report to be filed by January 9, 2001. (The NRC Staff additionally requested a similar deferral to the conclusion of the suspension period for providing

the Licensing Board with copies of certain requested documents, assuming settlement is not reached.)

Good cause having been shown, the parties' joint motion and request is hereby granted. The proceeding shall remain suspended until January 19, 2001, with a further status report to be filed by January 9, 2001.

IT IS SO ORDERED.

For the Atomic Safety and
Licensing Board

/RA/

Charles Bechhoefer, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland
December 4, 2000

[Copies of this Memorandum and Order were transmitted this date by e-mail to counsel for each of the parties.]

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
)
FIRSTENERGY NUCLEAR OPERATING) Docket No. 50-440-CIVP
COMPANY)
)
(Perry Nuclear Power Plant, Unit 1))

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB MEMORANDUM AND ORDER (FURTHER SUSPENSION OF PROCEEDING) have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

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Docket No. 50-440-CIVP
LB MEMORANDUM AND ORDER
(FURTHER SUSPENSION OF PROCEEDING)

[Original signed by Evangeline S. Ngbea]

Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 4th day of December 2000