

UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555

July 12, 1989

MEMORANDUM FOR: William C. Parler, General Counsel  
FROM: Samuel J. Chilk, Secretary  
SUBJECT: STAFF REQUIREMENTS - AFFIRMATION/DISCUSSION  
AND VOTE, 11:00 A.M., FRIDAY, JULY 7, 1989,  
COMMISSIONERS' CONFERENCE ROOM, ONE WHITE  
FLINT NORTH, ROCKVILLE, MARYLAND (OPEN TO  
PUBLIC ATTENDANCE)

I. SECY-89-200A - Revision to Order in Response to  
Philadelphia Electric Company Request for Clarification  
of Licensing Status of Limerick, Unit 2

The Commission, by a 4-0 vote, \* approved an order responding to  
a motion of Applicant Philadelphia Electric Company ("PECO")  
for clarification of the licensing status of the Limerick  
Generating Station, Unit 2.

The order found that the NRC staff, upon making the appropriate  
finding pursuant to 10 CFR Sec. 50.57, may issue a low power  
license. The order also indicated that the Commission is  
deferring its ruling regarding full power authorization until  
it conduct its immediate effectiveness review for Limerick,  
Unit 2, in accordance with 10 CFR Sec. 2.764 (f)(2).

(Subsequently, on July 7, 1989, the Secretary signed the  
Order.)

cc. Chairman Carr  
Commissioner Roberts  
Commissioner Rogers  
Commissioner Curtiss  
EDO  
GPA  
PDR - Advance  
DCS - P1-24

\* Section 201 of the Energy Reorganization Act, 42 U.S.C. Sec. 5841, provides that action of the Commission shall be determined by a "majority vote of the members present." Commissioner Roberts was not present when this item was affirmed. Accordingly, the formal vote of the Commission was 3-0 in favor of the decision. Commissioner Roberts, however, had previously indicated that he would approved this paper and had he been present he would have affirmed his prior vote.