

RAS 2825

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED 03/06/01
SERVED 03/07/01

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judge:

Charles Bechhoefer
Presiding Officer

In the Matter of

POWER AUTHORITY OF THE STATE OF
NEW YORK and ENTERGY NUCLEAR
FITZPATRICK LLC, ENTERGY NUCLEAR
INDIAN POINT 3 LLC, and ENTERGY
NUCLEAR OPERATIONS, INC.

(James A. FitzPatrick Nuclear Power Plant
and Indian Point Nuclear Generating Unit No.
3)

Docket Nos. 50-333-LT
and 50-286-LT
(consolidated)

ASLBP No. 01-785-02-LT

March 6, 2001

MEMORANDUM AND ORDER
(Response to Motion to Strike)

On March 5, 2001, the Licensees filed a Motion to Strike Portions of CAN's Initial Statement of Position on Issue 3 and Supporting Testimony. During the afternoon of March 6, 2001, CAN's representative telephoned the Presiding Officer seeking an extension of time within which to respond.

Because of the imminence of the March 13, 2001 hearing, and the necessity for me to review the response prior to leaving for New York on Monday, March 12, CAN must file its response no later than 11:59 p.m. on Sunday, March 11, 2001. At the outset of the oral hearing on March 14, I will hear oral argument from both parties concerning the motion.

IT IS SO ORDERED.

/RA/

Charles Bechhoefer, Presiding Officer
ADMINISTRATIVE JUDGE

Rockville, Maryland

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
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POWER AUTHORITY OF THE STATE OF)
NEW YORK, ET AL.)
)
(James A. FitzPatrick Nuclear Power Plant) Docket Nos. 50-333-LT and
and Indian Point Nuclear Generating) 50-286-LT
Unit No. 3) (consolidated)

CERTIFICATE OF SERVICE

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

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Docket Nos. 50-333-LT and 50-286-LT
(consolidated)
LB MEMORANDUM AND ORDER
(RESPONSE TO MOTION TO STRIKE)

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[Original signed by Evangeline S. Ngbea]

Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 7th day of March 2001