

**UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION**

**Before the Atomic Safety and Licensing Board**

In the Matter of	)
	) Docket No. 50-440-CIVP
FIRSTENERGY NUCLEAR OPERATING	)
COMPANY	) ASLBP No. 01-784-01-CivP
	)
(Perry Nuclear Power Plant, Unit 1;	) EA 99-012
Operating License No. NPF-58)	)

**JOINT STATUS REPORT**

This joint status report is filed in response to the Memorandum and Order of this Board, dated March 16, 2001, granting the joint request of the Licensee and the NRC Staff for: (1) the appointment of a settlement judge; and (2) continuation of the suspension period until May 4, 2001. By Memorandum and Order dated March 16, 2001, the Chief Administrative Judge appointed Administrative Judge Alan S. Rosenthal to serve as a settlement judge in this proceeding. See Rockwell International Corporation (Rocketdyne Division ), CLI-90-05, 30 NRC 337, 340 (1990).

Settlement discussions conducted by the settlement judge with both parties have been conducted and are continuing. Such discussions are scheduled to continue beyond the current date for conclusion of the suspension period, which is May 4, 2001.

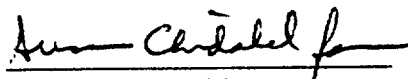
Accordingly, the parties hereby request the continuation of the suspension period for another forty-five (45) days until June 19, 2001, in order to allow sufficient time for the continuation of such settlement discussions. (The documents requested by this Board,

assuming settlement has not been reached, to similarly be deferred until the conclusion of the revised suspension period.)

Respectfully submitted,



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Dated at Rockville, MD this 15<sup>th</sup> day of  
May, 2001.

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NUCLEAR REGULATORY COMMISSION**

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In the Matter of

**FIRSTENERGY NUCLEAR OPERATING  
COMPANY**

**(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

)

**CERTIFICATE OF SERVICE**

I hereby certify that on this 15<sup>th</sup> day of May, 2001, copies of the foregoing "Joint Status Report" have been served upon the following persons by U.S. mail, first class or by NRC internal distribution.

Office of Commission Appellate  
Adjudication  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Administrative Judge  
Charles Bechhoefer, Chairman  
Atomic Safety and Licensing Board  
Panel  
Mail Stop – T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

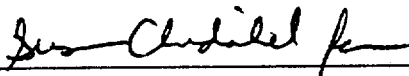
Administrative Judge  
Dr. Richard F. Cole  
Atomic Safety and Licensing Board  
Panel Mail Stop – T-3 F23  
U.S. Nuclear Regulatory Commission  
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Administrative Judge  
Ann Marshall Young  
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John K. Wood  
Vice President  
Perry Nuclear Power Plant  
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Administrative Judge  
3203 Kent Street  
Kensington, MD 20895

Dated at Rockville, MD this  
15<sup>th</sup> day of May, 2001 .

  
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Dennis C. Dambly