

RAS 3036

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED 05/08/01
SERVED 05/08/01

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

G. Paul Bollwerk, III, Chairman
Dr. Jerry R. Kline
Dr. Peter S. Lam

In the Matter of

PRIVATE FUEL STORAGE, L.L.C.

(Independent Spent Fuel Storage Installation)

Docket No. 72-22-ISFSI

ASLBP No. 97-732-02-ISFSI

May 8, 2001

ORDER

(Schedule for Response to Motion to Compel)

Upon consideration of the May 7, 2001 motion of applicant Private Fuel Storage, L.L.C. (PFS) for entry of an order compelling intervenor Ohngo Gaudadeh Devia (OGD) to answer specified PFS discovery requests, it is

ORDERED, that intervenor OGD shall have up to and including Monday, May 14, 2001, within which to respond to the May 7, 2001 PFS motion to compel.

Absent a representation in OGD's responsive filing that it has provided interrogatory answers that are acceptable to PFS, in that filing OGD shall address the merits of the arguments made by PFS relative to the PFS interrogatories in question.¹

FOR THE ATOMIC SAFETY
AND LICENSING BOARD²

/RA/

G. Paul Bollwerk, III
ADMINISTRATIVE JUDGE

Rockville, Maryland

May 8, 2001

¹ The Board also would observe that, in the absence of some explicit directive, an order scheduling a response to a motion to compel discovery generally would not abrogate any pre-existing agreement between the parties regarding the timing of discovery responses.

² Copies of this order were sent this date by Internet e-mail transmission to counsel for (1) applicant PFS; (2) intervenors Skull Valley Band of Goshute Indians, OGD, Confederated Tribes of the Goshute Reservation, Southern Utah Wilderness Alliance, and the State of Utah; and (3) the NRC staff.

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CERTIFICATE OF SERVICE

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

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Docket No. 72-22-ISFSI
LB ORDER (SCHEDULE FOR RESPONSE
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[Original signed by Evangeline S. Ngbea]

Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 8th day of May 2001