

**RAS 4305**

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION  
ATOMIC SAFETY AND LICENSING BOARD

**DOCKETED 04/12/02**

**SERVED 04/12/02**

Before Administrative Judges:

Thomas S. Moore, Chairman  
Dr. Peter S. Lam  
Dr. Thomas S. Elleman

In the Matter of

TENNESSEE VALLEY AUTHORITY

(Sequoyah Nuclear Plant, Units 1 & 2;  
Watts Bar Nuclear Plant, Unit 1)

Docket Nos.50-327-OLA, 50-328-OLA,  
50-390-OLA

ASLBP No. 02-796-01-OLA

April 12, 2002

**ORDER**

(Denying Petitioner Jeannine Honicker's Request to File a Reply)

On April 9, 2002, Petitioner Jeannine Honicker filed by e-mail a request to reply to the response of the Tennessee Valley Authority (TVA) to her proposed contentions. TVA opposes her motion arguing that Mrs. Honicker has failed to make the necessary good cause showing that her motion should be granted.<sup>1</sup>

Mrs. Honicker's motion for leave to file a reply is denied. Pursuant to the Commission's Rules of Practice, there is no right to file a reply and Mrs. Honicker's motion fails to

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<sup>1</sup> By a telephone call on April 11, 2002, NRC Staff Counsel informed the Atomic Safety and Licensing Board Panel's Chief Counsel that the NRC Staff would not be filing a response to Mrs. Honicker's motion. Although it would not think such an admonition should be necessary, the Board nevertheless reminds Staff Counsel that, absent extraordinary circumstances, all communications with the Board in the proceedings must be made on the record. A telephone call does not suffice and is inappropriate in the circumstances presented here. In the future, the Board expects the Staff, as a party to the proceeding, to file written pleadings stating its position, or lack thereof, on any matters before the Board. The Board trusts that it will not need to address this subject again.

demonstrate good cause why the Board should act favorably upon her request.

It is so ORDERED.

For the Atomic Safety and Licensing Board\*

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Thomas S. Moore, Chairman  
ADMINISTRATIVE JUDGE

Rockville, Maryland  
April 12, 2002

\*Copies of this Order have been transmitted this date by e-mail or fax to counsel or other representative for each of the parties.

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of	)	
	)	
TENNESSEE VALLEY AUTHORITY	)	Docket Nos. 50-327-OLA, 50-328-OLA,
	)	and 50-390-OLA
(Sequoyah Nuclear Plant, Units 1 & 2 and	)	
Watts Bar Nuclear Plant, Unit 1)	)	

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB ORDER (DENYING PETITIONER JEANNINE HONICKER'S REQUEST TO FILE A REPLY) have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

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Washington, DC 20555-0001

Administrative Judge  
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Administrative Judge  
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Docket Nos. 50-327-OLA, 50-328-OLA,  
and 50-390-OLA  
LB ORDER (DENYING PETITIONER JEANNINE  
HONICKER'S REQUEST TO FILE A REPLY)

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[Original signed by Evangeline S. Ngbea]

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Office of the Secretary of the Commission

Dated at Rockville, Maryland,  
this 12<sup>th</sup> day of April 2002