

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 01-1073

September Term, 2001

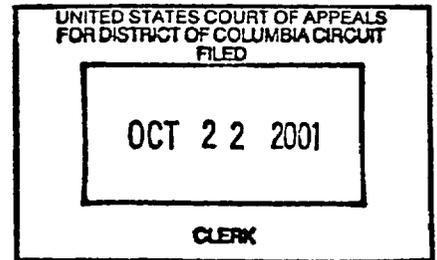
Filed On:

Orange County, North Carolina,
Petitioner

v.

Nuclear Regulatory Commission and United States of
America,
Respondents

Carolina Power & Light Company,
Intervenor



01-1246

Orange County, North Carolina,
Petitioner

v.

Nuclear Regulatory Commission and United States of
America,
Respondents

Carolina Power & Light Company,
Intervenor

BEFORE: Rogers and Tatel, Circuit Judges; Williams, Senior Circuit Judge

ORDER

Upon consideration of the motion to reactivate No. 01-1073 and to consolidate No. 01-1073 with No. 01-1246, the oppositions thereto, and the reply; the motions to dismiss No. 01-1073, the opposition thereto, and the replies; and the motion to continue to hold No. 01-1073 in abeyance, the opposition thereto, and the reply, it is

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ORDERED that the motion to reactivate No. 01-1073 and to consolidate No. 01-1073 with No. 01-1246 be granted, and the motion to continue to hold No. 01-1073 in abeyance be denied. It is

FURTHER ORDERED that the motions to dismiss No. 01-1073 be referred to the merits panel to which these cases are assigned. The parties are directed to address in their briefs the issues presented in the motions to dismiss rather than incorporate those arguments by reference. It is

FURTHER ORDERED, on the court's own motion, that the parties show cause within thirty (30) days of the date of this order why the following briefing format should not apply in these cases:

1. Brief for petitioner (not to exceed 14,000 words).
2. Brief for respondents (not to exceed 14,000 words).
3. Brief for intervenor in support of respondents (not to exceed 8,750 words).
4. Reply brief (not to exceed 7,000 words).
5. Deferred appendix.
6. Final briefs.

The parties may also suggest an alternative briefing format to reduce the number of pages submitted to the court. In so doing, the parties should keep in mind that the court looks with extreme disfavor on repetitious submissions and will, where appropriate, require a joint brief of aligned parties with total words not to exceed the standard allotment for a single brief. The parties are directed to provide detailed justifications for any request to file separate briefs or to exceed the standard word allotment. Requests to exceed the standard word allotment must specify the word allotment necessary for each issue. The parties should further keep in mind that the court need not review the arguments pertaining to No. 01-1073 unless the court first decides to reverse and remand the order on review in No. 01-1246.

Per Curiam

WR

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