

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

RAS 7283

DOCKETED 01/30/04  
SERVED 01/30/04

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In the Matter of )

DUKE ENERGY CORP. )

(Catawba Nuclear Station, Units 1 & 2) )

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Docket Nos. 50-413-OLA &  
50-414-OLA

**ORDER**

Earlier today, we received a motion from the NRC Staff requesting that we stay a Memorandum that the Licensing Board issued in this proceeding on January 29, 2004. The Board's Memorandum granted intervenor Blue Ridge Environmental Defense League's ("BREDL") request for a Need-To-Know Determination regarding access to certain safeguards information, and also granted, in part, BREDL's request for an extension of time within which to file security contentions. The Board instructed the NRC Staff to make the safeguards information available to both BREDL's attorney and its security expert no later than Monday, February 2, 2004. The Staff has also informed us that it intends to submit a petition for interlocutory review of the Board's order later this afternoon.

To give Duke Energy Corporation ("Duke") and BREDL a sufficient opportunity to respond to the Staff's two pleadings, we hereby issue a "housekeeping stay"<sup>1</sup> of the Board's

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<sup>1</sup> See, e.g., *Yankee Atomic Elec. Co.* (Yankee Nuclear Power Station), 1996 WL 627,640 (N.R.C.) (Oct. 2, 1996).

order until February 13, 2004. Duke and BREDL should submit their responses to both Staff pleadings no later than Friday, February 6, 2004.

IT SO ORDERED.

For the Commission,

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Annette L. Vietti-Cook  
Secretary of the Commission

Dated at Rockville, Maryland,  
this 30<sup>th</sup> day of January, 2004.

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of )  
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DUKE ENERGY CORPORATION ) Docket Nos. 50-413-OLA  
 ) 50-414-OLA  
Catawba Nuclear Station, Units 1 and 2) )

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing COMMISSION ORDER DATED JANUARY 30, 2004 have been served upon the following persons by deposit in the U.S. mail, first class, or through NRC internal distribution with copies by electronic mail as indicated.

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COMMISSION ORDER DATED JANUARY 30, 2004

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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 30<sup>th</sup> day of January 2004