

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD PANEL

Before Administrative Judges:

Thomas S. Moore, Presiding Officer
Dr. Richard F. Cole, Special Assistant
Dr. Robin Brett, Special Assistant

In the Matter of

HYDRO RESOURCES, INC.
(PO Box 15910,
Rio Rancho, New Mexico 87174)

Docket No. 40-8968-ML

ASLBP No. 95-706-01-ML

February 27, 2004

MEMORANDUM AND ORDER

The Presiding Officer will hold a short status and scheduling telephone conference with the parties to this proceeding on Thursday March 4, 2004 at 2 p.m. EST. Counsel for all parties shall participate. To participate, counsel for each of the parties shall call 1-800-638-8081 (301- 231-5539 for local callers) and enter passcode 3627 at a few minutes before 2 p.m. EST on the date of the telephone conference.

In the event any party's counsel is unable to participate in the March 4, 2002, telephone conference, counsel should inform the Presiding Officer by close of official NRC business hours (i.e., 4:30 p.m. EST) Tuesday March 2, 2004, by e-mail (tsm@nrc.gov and acr2@nrc.gov) or facsimile notice (301-415-5599) and provide the Presiding Officer an alternative date and time on either March 9, the afternoon of March 10, or March 11, acceptable to all other counsel for holding the conference. In any event, the parties should inform the Presiding Officer who will

be participating in the conference by close of official NRC business hours Tuesday March 2, 2004, by e-mail (tsm@nrc.gov and acr2@nrc.gov or facsimile notice (301-415-5599).

At the telephone conference, the NRC Staff should be prepared to discuss whether the Hearing File is current or whether, pursuant to 10 C.F.R. §2.1231(c), the Staff must supplement further the Hearing File. It is the Presiding Officer's current intention to adopt a schedule incorporating the same filing intervals set forth in the May 25, 2001 Order. All parties should be prepared to discuss whether anything has occurred while the proceeding was being held in abeyance for settlement negotiations that would impact the schedule.

It is so ORDERED.

BY THE PRESIDING OFFICER¹

/RA/

Thomas S. Moore
ADMINISTRATIVE JUDGE

Rockville, Maryland
February 27, 2004

¹ Copies of this memorandum and order were sent this date by e-mail or facsimile transmission to counsel for each of the parties.

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB MEMORANDUM AND ORDER DATED FEBRUARY 27, 2004 have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

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Docket No. 40-8968-ML
LB MEMORANDUM AND ORDER DATED
FEBRUARY 27, 2004

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[Original signed by Evangeline S. Ngbea]

Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 27th day of February 2004