

RAS 8373

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
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August 23, 2004 (12:48PM)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

SERVED August 23, 2004

In the Matter of)
)
DOMINION NUCLEAR CONNECTICUT, INC.)
)
(Millstone Nuclear Power Station, Units 2 and 3)
)

Docket Nos. 50-336-LR and
50-423-LR

ORDER

The Connecticut Coalition Against Millstone (CCAM) recently filed with the Commission a Notice of Appeal of the Licensing Board's Memorandum and Order, LBP-04-15 (July 28, 2004), and simultaneously filed with the Licensing Board a Motion for Reconsideration of LBP-04-15. The Commission does not review appeals while motions for reconsideration are pending before the Board that issued the appealed order.¹ Therefore, pursuant 10 C.F.R. § 2.346(a), the Commission holds CCAM's appeal in abeyance pending Board action on the Motion for Reconsideration. The filing deadlines for appellate filings are suspended until further notice from the Commission.

IT IS SO ORDERED.

For the Commission



Annette L. Vietti-Cook
Secretary of the Commission

Dated at Rockville, Maryland,
this 23rd day of August, 2004.

¹ *Private Fuel Storage, L.L.C.* (Independent Spent Fuel Storage Installation), CLI-01-1, 53 NRC 1, 3 (2001); *International Uranium (USA) Corp.* (White Mesa Uranium Mill), CLI-97-9, 46 NRC 23, 24-25 (1997).

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing COMMISSION ORDER HOLDING THE CONNECTICUT COALITION AGAINST MILLSTONE'S APPEAL IN ABEYANCE PENDING THE LICENSING BOARD'S ACTION ON THE MOTION FOR RECONSIDERATION 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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Docket Nos. 50-336-LR and
50-423-LR

COMMISSION ORDER HOLDING THE
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MILLSTONE'S APPEAL IN ABEYANCE
PENDING THE LICENSING BOARD'S
ACTION ON THE MOTION FOR RECONSIDERATION

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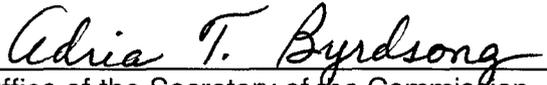
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Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 23rd day of August 2004