**RAS 9024**

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

**DOCKETED 12/21/04**
**SERVED 12/21/04**

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

**ORDER**

Yesterday, we received a motion from the NRC Staff requesting that we stay the effect of an order the Licensing Board issued in this proceeding on December 17, 2004. The Staff has indicated that it also intends to submit a petition for interlocutory review of the Board's order. Pursuant to authority under 10 C.F.R. § 2.772, we deny the "housekeeping" stay[1] the Staff has requested.

IT IS SO ORDERED.

For the Commission

***/RA/***

Annette L. Vietti-Cook
Secretary of the Commission

Dated at Rockville, Maryland,
this 21st day of December, 2004.

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

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing COMMISSION ORDER DENYING THE NRC STAFF'S MOTION TO STAY THE EFFECT OF AN ORDER ISSUED BY THE LICENSING BOARD ON 12/17/04 have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution, with copies by electronic mail as indicated.

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[Original signed by Evangeline S. Ngbea]

Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 21st day of December 2004