

RAS 9422

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED 02/28/05
SERVED 02/28/05

In the Matter of)
)
)
PRIVATE FUEL STORAGE, L.L.C.) Docket No. 72-22-ISFSI
)
)
(Independent Spent Fuel)
Storage Installation))
)

ORDER

On February 24, 2005, the Atomic Safety and Licensing Board announced “the conclusion of substantive Licensing Board proceedings” in this case, thereby leaving for the Commission “the question whether to issue a license ... pursuant to 10 C.F.R. § 2.764(c).” See Licensing Board Order (Publicly Available Version), at p. C-2 (Feb. 24, 2005). Pursuant to my authority under 10 C.F.R. § 2.772(a), I hereby grant all parties to this proceeding fourteen (14) calendar days from today to file comments with the Commission on whether it should direct issuance of an immediately effective license under section 2.764(c). Comments shall not exceed ten pages, double spaced.

The opportunity to comment on issuing an immediately effective license is separate from any petition for Commission review of the Board’s latest substantive decisions. Such petitions for review should be filed under 10 C.F.R. § 2.786. Pursuant to my authority under 10 C.F.R. § 2.772(k), I hereby authorize 25-page petitions for review and responses, in lieu of the 10-page

limits in sections 2.786(a)(2) and (a)(3).¹

IT IS SO ORDERED.

For the Commission

/RA/

Andrew L. Bates
Acting Secretary of the Commission

Dated at Rockville, Maryland,
this 28th day of February, 2005

¹This order refers to the rule designations in our former Part 2, which now has been substantially revised and renumbered. See *Final Rule: Changes to Adjudicatory Process*, 69 Fed. Reg. 2182 (Jan. 14, 2004). The former Part 2 applies to this proceeding.

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing COMMISSION SCHEDULING ORDER have been served upon the following persons by electronic mail followed by deposit in the U.S. mail, first class, or through NRC internal distribution.

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[Original signed by Evangeline S. Ngbea]

Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 28th day of February 2005