

RAS 9567

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD

DOCKETED 03/18/05

SERVED 03/18/05

Before Administrative Judges:

Dr. Paul B. Abramson, Chairman
Dr. Anthony J. Baratta
Dr. David L. Hetrick

In the Matter of

EXELON GENERATION COMPANY, LLC

(Early Site Permit for Clinton ESP Site)

Docket No. 52-007-ESP

ASLBP No. **04-821-01-ESP**

March 18, 2005

ORDER

On March 17, 2005, Exelon Generation Co., LLC (EGC) filed a Motion for Summary Disposition of Contention 3.1. Pursuant to 10 C.F.R. § 2.710, the NRC Staff and the Intervenor, Environmental Law and Policy Center, Blue Ridge Environmental Defense League, Nuclear Energy Information Service, Nuclear Information and Resource Service, and Public Citizen have twenty (20) days to file a response (i.e. all responses are due in our offices on or before noon on April 6, 2005). If any of such responses contain new facts or arguments supporting the motion, any party opposing the motion shall respond thereto within ten (10) days after such response has been served.

In addition, we call to the attention of all Intervenor that the Draft Environmental Impact Statement for the Clinton ESP Permit (NUREG 1815 DRAFT) was issued by the staff under cover letter dated March 8, 2005, and that late filing of amendment of contentions (and the filing

of new contentions) based upon information therein contained will be required to satisfy both the standard for late filing set forth in 10 C.F.R. § 2.309(c) and the general contention admissibility requirements of 10 C.F.R. § 2.309(f).

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD¹

/RA/

Paul B. Abramson
ADMINISTRATIVE JUDGE

Rockville, MD
March 18, 2005

¹ Copies of this order were sent this date by Internet e-mail transmission to counsel for (1) applicant EGC; (2) the Intervenor; and (3) the NRC Staff.

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB ORDER DATED MARCH 18, 2005 have been served upon the following persons by deposit in the U.S. mail, first class, or through NRC internal distribution.

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Docket No. 52-007-ESP
LB ORDER DATED MARCH 18, 2005

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[Original signed by Adria T. Byrdsong]

Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 18th day of March 2005