

**RAS 10604**

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

**DOCKETED 10/18/05**

**SERVED 10/18/05**

ATOMIC SAFETY AND LICENSING BOARD PANEL

Before Administrative Judges:

Ann Marshall Young, Chair  
Michael C. Farrar  
Peter S. Lam

In the Matter of

DAVID H. HAWES  
(Reactor Operator License for  
Vogtle Electric Generating Plant)

Docket No. 55-22685-SP

ASLBP No. 05-840-01-SP

October 18, 2005

ORDER

(Noting Potential Settlement Discussed in October 6, 2005, Telephone Conference,  
and Granting Staff Request to Hold Proceeding in Abeyance)

During an October 6 telephone conference in this proceeding, NRC Staff counsel and Mr. David Hawes stated that they had reached agreement on settling the matter, subject to final details being worked out, in part dependent on the agreement of the Southern Company. The parties expected to finalize this settlement agreement by October 14, 2005. On October 17, NRC Staff counsel in an e-mail transmission notified the Board that the parties are still trying to work out the details of a settlement, that one or two issues remain to be resolved, and that on this basis it was requested that the matter be held in abeyance for one week.

Staff counsel's request is granted, for good cause shown.

FOR THE ATOMIC SAFETY  
AND LICENSING BOARD

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Ann Marshall Young, Chair  
ADMINISTRATIVE JUDGE

Rockville, Maryland  
October 18, 2005<sup>1</sup>

<sup>1</sup>Copies of this Order were sent this date by e-mail transmission to all parties.

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of	)	
	)	
DAVID H. HAWES	)	Docket No. 55-22685-SP
	)	
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(Reactor Operator License for	)	
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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB ORDER (NOTING POTENTIAL SETTLEMENT DISCUSSED IN OCTOBER 6, 2005, TELEPHONE CONFERENCE, AND GRANTING STAFF REQUEST TO HOLD PROCEEDING IN ABEYANCE) have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

Office of Commission Appellate  
Adjudication  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Administrative Judge  
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[Original signed by Evangeline S. Ngbea]

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Office of the Secretary of the Commission

Dated at Rockville, Maryland  
this 18<sup>th</sup> day of October 2005