

RAS 11376
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RAS 11378

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARDS
Before Administrative Judges:

DOCKETED 03/20/06

SERVED 03/20/06

Michael C. Farrar, Chairman
E. Roy Hawkens
Nicholas G. Trikouros

In the Matter of
DAVID GEISEN

Docket No. IA-05-052
ASLBP No. 06-845-01-EA
March 20, 2006

In the Matter of
DALE L. MILLER

Docket No. IA-05-053
ASLBP No. 06-846-02-EA
March 20, 2006

In the Matter of
STEVEN P. MOFFITT

Docket No. IA-05-054
ASLBP No. 06-847-03-EA
March 20, 2006

NOTICE OF CONFERENCE CALL

Separate Licensing Boards (each consisting of the same Chairman and Members) were established this past Thursday, March 16, 2006 to preside over each of the three above-entitled proceedings. Please take NOTICE that, in light of the requests for an expeditious hearing in all three of the proceedings, those Licensing Boards are CONVENING A CONFERENCE CALL, to be held this Wednesday, March 22, 2006, at 2:00 PM, and to cover each of three proceedings contemporaneously.

The call is intended to be very preliminary in nature, simply to obtain indications from counsel as to certain procedural and/or logistical matters, such as: (1) whether any consideration should be given to consolidating one or more of the proceedings for some or all purposes (see 10 C.F.R. § 2.317); (2) whether the parties are aware of any potential intervention petitions that might be submitted in any of the proceedings; (3) whether there are any other related matters pending that arguably might have any impact on the scheduling of any of these proceedings; (4) what, if any, impact the government investigations that have already occurred might have on the discovery process and schedule; (5) what plans, if any, the parties may have for the filing of preliminary motions or other pleadings¹; (6) whether a schedule can be set for any prehearing aspects of the proceedings, including the timing of any filings and of the next conference call or in-person conference; (7) how the location of the parties, their counsel, and prospective witnesses might affect the eventual selection of a venue for the hearing(s); and (8) any other matters that counsel may wish to bring to the Boards' attention at that time. The Boards anticipate that all these matters can be covered in 90 minutes or less.

Counsel should notify Karen Valloch of the Licensing Board Panel's administrative staff at 301-415-7405 (e-mail: ksv@nrc.gov) of their availability to participate in the call at the scheduled time. If unavailable for the call at that time, each counsel should advise as to the times later this week he/she would be available.

To connect to the call, counsel should dial 1-888-323-2714 and enter the pass code you will be given by Ms. Valloch. When you contact her, please advise as to the number of separate locations from which you and any colleagues or associates will be calling in, so that she may reserve an appropriate number of phone lines.

¹ Just prior to issuance of this Notice, the Boards received from the NRC Staff Answers to, and Notices of Appearance respecting, the Miller and Moffitt hearing requests.

After the call, the Boards will issue a Memorandum memorializing the outcome of any matters discussed during the call. At that point, we will append a standard set of instructions for counsel regarding administrative matters, including such topics as notices of appearance, various types of service, motions and replies, page limits, extensions of time, and the like.

It is SO ORDERED.

THE ATOMIC SAFETY
AND LICENSING BOARD

/RA/

Michael C. Farrar, Chairman
ADMINISTRATIVE JUDGE

/RA/

E. Roy Hawkens
ADMINISTRATIVE JUDGE

/RA/

Nicholas G. Trikouros
ADMINISTRATIVE JUDGE

Rockville, Maryland
March 20, 2006

Copies of this Notice of Conference Call were sent this date by e-mail transmission to counsel for: (1) Mr. Geisen; (2) Messrs. Miller and Moffitt; and (3) the NRC Staff.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
)
DAVID GEISEN) Docket No. IA-05-052
)
)
(Enforcement Action))

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB NOTICE OF CONFERENCE CALL 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
Michael C. Farrar, Chair
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Administrative Judge
E. Roy Hawken
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Administrative Judge
Nicholas G. Trikouros
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Bradley W. Jones, Esq.
Office of the General Counsel
Mail Stop - O-15 D21
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Richard A. Hibey, Esq.
Miller & Chevalier Chtd.
655 Fifteenth Street, NW, Suite 900
Washington, DC 20005-5701

[Original signed by Evangeline S. Ngbea]

Office of the Secretary of the Commission

Dated at Rockville, Maryland
this 20th day of March 2006

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
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DALE L. MILLER) Docket No. IA-05-053
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Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Sara E. Brock, Esq.
Mary C. Baty, Esq.
Office of the General Counsel
Mail Stop - O-15 D21
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Jane Gowen Penny, Esq.
Killian & Gephart LLP
218 Pine Street
P.O. Box 886
Harrisburg, PA 17108-0886

[Original signed by Evangeline S. Ngbea]

Office of the Secretary of the Commission

Dated at Rockville, Maryland
this 20th day of March 2006

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
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STEVEN P. MOFFITT) Docket No. IA-05-054
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