

RAS 11431

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

DOCKETED 03/29/06

SERVED 03/29/06

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

In the Matter of

DAVID GEISEN

Docket No. IA-05-052

ASLBP No. 06-845-01-EA

March 29, 2006

ORDER

Confirming the phone message left yesterday by the Licensing Board's law clerk, the Board is treating as MOOT Mr. Geisen's March 28 consent motion regarding the page limits for his response to the Staff's March 20 Motion to hold the proceeding in abeyance. The intent of the Board's reference -- in the second line of § D.1 of the "Standard Practice Manual" appended to the Board's Memorandum and Order of yesterday -- to responses to "such a motion" was to apply the page limits only to responses to motions that were filed hereafter, not to the response already pending from Mr. Geisen to an earlier motion, so no relief is needed.

In that regard, as the March 28 Motion implicitly recognized (¶ 6), it would not have been our intention to place page limits on a responding party when the moving party had not been so limited. In any event, the Board notes with approval the attention paid to the Manual's provisions, and awaits Mr. Geisen's response, of approximately the length suggested.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD

Rockville, Maryland
March 29, 2006

/RA/
By Michael C. Farrar, Chairman

Copies of this Order were sent this date by e-mail transmission to counsel for Mr. Geisen and for 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 ORDER have been served upon the following persons by 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 29th day of March 2006