

RAS 11543

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April 12, 2006 (8:27am)

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

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Before Administrative Judges:
E. Roy Hawkens, Chair
Dr. Paul B. Abramson
Dr. Anthony J. Baratta

| | | |
|--|---|-------------------|
| In the Matter of: |) | |
| |) | April 12, 2006 |
| AmerGen Energy Company, LLC |) | |
| |) | Docket No. 50-219 |
| (License Renewal for Oyster Creek Nuclear Generating Station) |) | |
| |) | |

**JOINT MOTION TO EXTEND THE TIME FOR FILING MOTIONS TO COMPEL
RELATED TO INITIAL MANDATORY DISCLOSURES**

Pursuant to 10 CFR § 2.323, AmerGen Energy Company, LLC (AmerGen), Citizens,¹ and the NRC Staff hereby jointly request that the Atomic Safety and Licensing Board (Board) in the above proceeding issue an Order directing that any motions to compel discovery arising out of the initial mandatory disclosures made by AmerGen, Citizens, and the NRC Staff on April 3, 2006 be served on the Board and the parties to this proceeding no later than Friday, May 5, 2006. The Motion is based upon the parties' desire to attempt to amicably resolve any potential discovery disputes that may arise out of the August 3, 2006 initial disclosures. This Motion does not address potential disputes over whether any documents listed in the initial disclosures are properly categorized as proprietary. Any such disputes remain subject to the time limits set forth in the Commission's Rules of Practice that begin to run from the date those documents are

¹ Citizens are comprised of the following six groups: Nuclear Information and Resource Service ("NIRS"), Jersey Shore Nuclear Watch, Inc. ("JSNW"), Grandmothers, Mothers and More for Energy Safety ("GRAMMES"), New Jersey Public Interest Research Group ("NJPIRG"), New Jersey Sierra Club ("NJ Sierra Club"), and New Jersey Environmental Federation ("NJEF").

produced under a Protective Order and Non-Disclosure Agreement. The form of a proposed Order is attached to this Motion.

Respectfully submitted,



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April 12, 2006

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

**Before Administrative Judges:
E. Roy Hawkens, Chair
Dr. Paul B. Abramson
Dr. Anthony J. Baratta**

| | | |
|--|---|-------------------|
| In the Matter of: |) | |
| |) | April 12, 2006 |
| AmerGen Energy Company, LLC |) | |
| (License Renewal for Oyster Creek Nuclear Generating Station) |) | Docket No. 50-219 |

ORDER

Pursuant to 10 CFR §§ 2.319(p), and (q) and in response to the “Joint Motion to Extend The Time for Filing Motions to Compel Related to Initial Mandatory Disclosures” submitted today by AmerGen Energy Company, LLC, Citizens,¹ and the NRC Staff (“the parties”), it is hereby ordered that any motions to compel discovery arising out of the initial mandatory disclosures made by the parties on April 3, 2006 must be served on the Board and the parties to this proceeding no later than Friday, May 5, 2006. This Order expressly does not cover potential disputes over whether any documents are properly categorized in the initial mandatory disclosures as proprietary. Any such disputes remain subject to the time limits set forth in the

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Commission's Rules of Practice that begin to run from the date those documents are produced under a Protective Order and Non-Disclosure Agreement.

It is so ORDERED.

FOR THE ATOMIC SAFETY AND
LICENSING BOARD

E. Roy Hawkens, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland
April 12, 2006

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE COMMISSION

In the Matter of:)

April 12, 2006

AmerGen Energy Company, LLC)

Docket No. 50-219

(License Renewal for Oyster Creek Nuclear)
Generating Station))
_____)

CERTIFICATE OF SERVICE

I hereby certify that copies of Joint Motion To Extend The Time For Filing
Motions To Compel Related To Initial Mandatory Disclosures and a Proposed Order
were served this day upon the persons listed below, by E-mail and first class mail, unless
otherwise noted.

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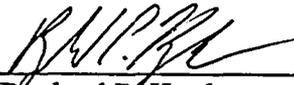
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* Original and 2 copies
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