

June 8, 2006

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)
SYSTEM ENERGY RESOURCES, INC.) Docket No. 52-009-ESP
)
(Early Site Permit for Grand Gulf ESP Site))

NRC STAFF MOTION FOR HOUSEKEEPING STAY

INTRODUCTION

On May 31, 2006, the Atomic Safety and Licensing Board (“Board”) in this proceeding issued an Order¹ granting in part and denying in part the NRC Staff’s Motion for Reconsideration and Clarification.² Pursuant to 10 C.F.R. § 2.323, the NRC Staff (“Staff”) respectfully requests a “housekeeping” stay of the effectiveness of this Order for the reason set forth herein.

DISCUSSION

In its Order, the Board directed the Staff to submit certain documents on or before June 12, 2006, including any Staff analyses of the applicant’s replies to Requests for Additional Information and certain Advisory Committee on Reactor Safeguards (“ACRS”) records. Order at 11. Because of the imminence of this date, the Staff requests a stay of the effectiveness of

¹ Unpublished Order, dated May 31, 2006.

² NRC Staff Motion for Reconsideration and Clarification of Board Order (Request for Documents and Briefing) Dated April 19, 2006 (May 1, 2006). The Order also granted in part and denied in part a Motion for Clarification filed by the applicant, System Energy Resources, Inc. (SERI), on May 1, 2006.

this Order until such time as the Commission has ruled on the petition for review that the Staff intends to file within the time provided by 10 C.F.R. § 2.341, *viz.*, no later than June 15, 2006.³

Pursuant 10 C.F.R. § 2.323, the Staff has contacted the Applicant regarding this Motion; the Applicant has no objection to the Staff's motion for a stay.

CONCLUSION

For the reason set forth herein, the Staff respectfully requests a stay of the effectiveness of the Board's Order until the Commission has ruled on the Staff's forthcoming petition for review.

Respectfully submitted,

/RA/

Patrick A. Moulding
Counsel for NRC Staff

Dated at Rockville, Maryland
this 8th day of June, 2006

³ Notwithstanding this stay request, and pending Commission action on the Staff's review petition, the Staff will by June 12 provide the Board with an index of Staff documents provided to the ACRS and copies of ACRS documents received by the Staff. Order at 6-7. The Staff will also provide the Board with copies of the ACRS meeting summaries and transcripts relevant to the application, as requested in Part C of the Order. *Id.* at 6-7. With respect to the documents requested in Part A of the Order, *id.* at 5, the Staff notes that SERI has already provided them to the Board. See Letter from Paul Bessette to Administrative Judges, dated June 5, 2006.

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NOTICE OF APPEARANCE

Notice is hereby given that the undersigned attorney enters an appearance in the above-captioned matter. In accordance with 10 C.F.R. § 2.314(b), the following information is provided:

Name: Patrick A. Moulding
Address: U.S. Nuclear Regulatory Commission
Office of the General Counsel
Washington, D.C. 20555
Telephone Number: 301-415-2549
Fax: 301-415-3725
E-mail Address: PAM3@nrc.gov
Admissions: State of Maryland
Name of Party: NRC Staff

Respectfully submitted,

/RA/

Patrick A. Moulding
Counsel for NRC Staff

Dated at Rockville, Maryland
this 8th day of June, 2006

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CERTIFICATE OF SERVICE

I hereby certify that copies of the "NRC STAFF MOTION FOR HOUSEKEEPING STAY" and "NOTICE OF APPEARANCE" of Patrick A. Moulding in the above-captioned proceeding have been served on the following by electronic mail and with copies by deposit in the Nuclear Regulatory Commission's internal mail system, or, as indicated by an asterisk (*), through electronic mail with copies by deposit in the U.S. Mail on this 8th day of June, 2006:

Lawrence G. McDade, Chair*
Atomic Safety and Licensing Board
Mail Stop: T-3F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
(E-mail: LGM1@nrc.gov)

Office of the Secretary
ATTN: Docketing and Service
Mail Stop: 0-16C1
U.S. Nuclear Regulatory Commission
Washington, DC 20555
(E-mail: HEARINGDOCKET@nrc.gov)

Dr. Nicholas G. Trikouros*
Administrative Judge
Atomic Safety and Licensing Board
Mail Stop: T-3F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
(E-mail: NGT@nrc.gov)

Kathryn Sutton, Esq.*
Patricia L. Campbell, Esq.*
Paul M. Bessette, Esq.
Morgan, Lewis & Bockius LLP
1111 Pennsylvania Ave., N.W.
Washington, DC 20004
(E-mail: ksutton@morganlewis.com)
(E-mail: pcampbell@morganlewis.com)
(E-mail: pbessette@morganlewis.com)

Dr. Richard E. Wardwell*
Administrative Judge
Atomic Safety and Licensing Board
Mail Stop: T-3F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
(E-mail: REW@nrc.gov)

Debra A. Wolf
Law Clerk
Atomic Safety & Licensing Board Panel
Mail Stop: T-3F23
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
(E-mail: DAW1@nrc.gov)

Office of Commission Appellate
Adjudication
Mail Stop 0-16C1
U.S. Nuclear Regulatory Commission
Washington, DC 20555
(E-mail: OCAAMAIL@nrc.gov)

/RA/

Patrick A. Moulding
Counsel for NRC Staff