

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

\_\_\_\_\_) )  
In the Matter of ) )  
DAVID GEISEN ) ) Docket No. IA-05-052  
\_\_\_\_\_) )

**ORDER**

On September 2, 2009, the NRC Staff filed a motion for extension of time until September 21, 2009, within which to file both its Petition for Review and its Application for Stay of the Licensing Board's Initial Decision, LBP-09-24, 70 NRC \_\_\_\_ (Aug. 28, 2009) (slip op.). The Staff argues that the stays are appropriate given the exceptional length of the decision and dissenting opinion, the voluminous record, and the absence of two out of the three Staff attorneys who litigated the case (including the lead attorney). Pursuant to my authority under 10 C.F.R. § 2.346(b), the time within which the Staff may file its Petition for Review and Application for Stay is hereby extended until September 21, 2009.

IT IS SO ORDERED.

For the Commission

**[SEAL]**

**/RA/**

\_\_\_\_\_  
Annette L. Vietti-Cook  
Secretary of the Commission

Dated at Rockville, Maryland,  
This 4<sup>th</sup> day of September, 2009.

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of  
DAVID GEISEN

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Docket No. IA-05-052

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing ORDER OF THE SECRETARY (GRANTING EXTENSION OF TIME – LBP-09-24) have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

Office of Commission Appellate  
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Washington, DC 20555-0001

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Michael C. Farrar, Chair

Administrative Judge  
E. Roy Hawkens

Administrative Judge  
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[Original signed by Christine M. Pierpoint]

\_\_\_\_\_  
Office of the Secretary of the Commission

Dated at Rockville, Maryland  
this 4<sup>th</sup> day of September 2009