

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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In the Matter of	)	
	)	
STP NUCLEAR OPERATING COMPANY	)	Docket Nos. 52-012-COL
	)	52-013-COL
(South Texas Project, Units 3 and 4)	)	
	)	

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**ORDER**

On August 27, 2009, the Atomic Safety and Licensing Board in this matter issued a decision on standing and contention admissibility (LBP-09-21, 70 NRC \_\_ (Aug. 27, 2009)(slip op.)), in which it determined that petitioners Sustainable Energy and Economic Development Coalition, the South Texas Association for Responsible Energy, and Public Citizen (together, Intervenors) established representational standing to intervene as of right, and ruled on the admissibility of nineteen contentions, admitting one. The Board did not address the admissibility of nine other contentions, stating its intent to issue a subsequent order addressing their admissibility. Also currently pending before the Board is Intervenors' August 14, 2009, filing proposing seven late-filed contentions.

Applicant STP Nuclear Operating Company (STPNOC) has requested that the Commission extend the deadline for STPNOC to appeal the Board's decision in LBP-09-21, until such time as the Board has ruled on all pending contentions. The Commission will address the extension request in a separate decision. Pursuant to my authority under 10 C.F.R. § 2.346(j), I toll the running of the time for STPNOC to file a notice of appeal of LBP-09-21 until further order of the Commission.

IT IS SO ORDERED.

For the Commission

*/RA/*

**[SEAL]**

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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 )  
 )  
SOUTH TEXAS PROJECT NUCLEAR ) Docket Nos. 52-012-COL and 52-013-COL  
OPERATING COMPANY )  
 )  
(South Texas Project Units 3 and 4) )  
 )

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing ORDER OF THE SECRETARY RESPONDING TO EXTENSION REQUEST OF THE APPLICANT have been served upon the following persons by the Electronic Information Exchange.

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Docket Nos. 52-012-COL and 52-013-COL  
 ORDER OF THE SECRETARY RESPONDING TO EXTENSION REQUEST  
 OF THE APPLICANT

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[Original signed by Nancy Greathead] \_\_\_\_\_  
 Office of the Secretary of the Commission

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