

UNITED STATES OF AMERICA
ATOMIC ENERGY COMMISSION

11-7-73

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
METROPOLITAN EDISON COMPANY, et al) Docket No. 50-289
(Three Mile Island Nuclear Station,)
Unit 1))

JOINT MOTION TO DISMISS PROCEEDING

Pursuant to the Stipulation of the parties appended hereto and in accordance with its provisions, Intervenors, Applicants and the Staff hereby move the Board to enter an Order approving the withdrawal of Intervenors as parties in this proceeding.

Applicants and the Staff move the Board to enter an Order dismissing this proceeding upon the entry of such an Order approving Intervenors' withdrawal from this proceeding. A proposed form of Order is attached hereto.

Respectfully submitted,

For Intervenors:

Laurence E. ...

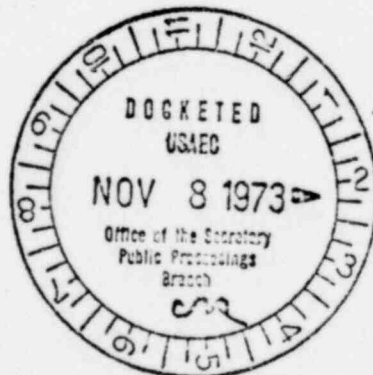
For Applicants:

Henry T. ...

For the Staff:

Richard P. ...
Douglas K. Olson

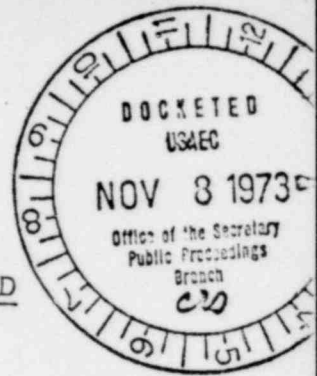
Perry B. Sellers



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METROPOLITAN EDISON COMPANY, et al)
(Three Mile Island Nuclear Station,))
Unit 1))

Docket No. 50-289

JOINT PROPOSED ORDER DISMISSING PROCEEDING

In a Joint Motion dated November _____, 1973, Applicants, Intervenors and the Staff moved this Board for an order approving the withdrawal of Intervenors in accordance with a Stipulation entered into among the three parties. In view of said agreement and since all three parties, including Intervenors have moved for the Board's acceptance of Intervenors' withdrawal from this proceeding, the Board accordingly accepts the withdrawal of Intervenors as a party to this proceeding.

In the same motion, the remaining parties, Applicants and the Staff, moved the Board for an order dismissing the proceeding. The withdrawal of Intervenors as a party removes all controversy in dispute between the parties in this proceeding. The Board sees no other reason to continue any of said issues and has concluded that the public interest would be served by terminating this proceeding. Accordingly, the Joint Motion to dismiss the proceedings is hereby granted and the proceeding

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before this Board will be terminated. Dismissal of this proceeding is consistent with the Commission regulations which do not contemplate a hearing on an application for an operating license or pursuant to Appendix D, Section C of 10 CFR 50 in the absence of any matters in controversy, 10 CFR 2.104, 2.105 and 50.58(d), and with the general powers of the presiding officer in 2.718.

Therefore, it is ORDERED that the proceeding before this Board noticed in the Commission's Notice of Hearing in this proceeding dated February 26, 1973, be, and it hereby is, dismissed.

ATOMIC SAFETY AND LICENSING BOARD

/s/ _____ Member

/s/ _____ Member

/s/ _____ Chairman

November _____, 1973.

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