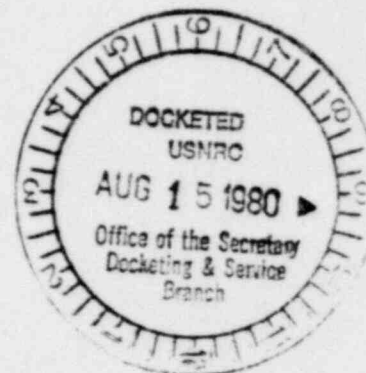


UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING APPEAL BOARD

Alan S. Rosenthal, Chairman  
Dr. John H. Buck  
Richard S. Salzman



In the Matter of )

DUKE POWER COMPANY )

(Perkins Nuclear Station, Units 1,  
2 and 3) )

Docket Nos. STN 50-488  
50-489  
50-490

ORDER

August 14, 1980

In ALAB-597, 11 NRC \_\_\_ (June 20, 1980), we extended the time for the filing of exceptions to the February 22, 1980 partial initial decision of the Licensing Board <sup>1/</sup> to await (1) action by that Board on Mr. Springer's late petition for intervention and the intervenors' motion for reconsideration (or alternatively to reopen the record) pending before it; and (2) further order of this Board. Today, the Licensing Board entered an order in which it denied both the petition

1/ LBP-80-9, 11 NRC 310.

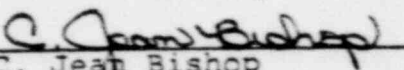
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and the motion. In that circumstance, there is no apparent reason why the appellate review of the February 22 decision should not now go forward. Accordingly, any exceptions to that decision are to be filed on or before August 29, 1980.

It is so ORDERED.

FOR THE APPEAL BOARD

  
C. Jean Bishop  
Secretary to the  
Appeal Board