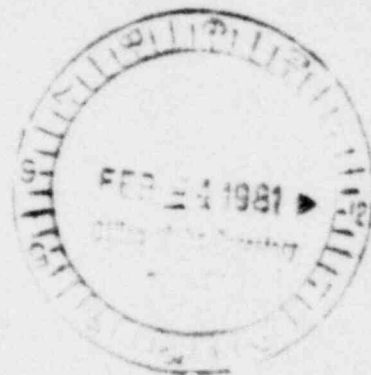


UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:
Marshall E. Miller, Chairman
B. Paul Cotter, Jr.
Robert M. Lazo



SERVED FEB 4, 1981

In the Matter of

DUKE POWER CO., NORTH CAROLINA ELECTRIC
MEMBERSHIP CORP., SALUDA RIVER ELECTRIC
COOPERATIVE

(Catawba Nuclear Station,
Units 1 and 2 - Antitrust)

Docket Nos. 50-413A
50-414A

February 4, 1981

ORDER
(Dismissing Proceeding)

On January 13, 1981, this Licensing Board entered an Order denying the request for an antitrust hearing filed on December 15, 1980 by Harvard G. Ayers. Leave was granted Mr. Ayers to file by January 30, 1981, an amended petition for leave to intervene and request for an antitrust hearing, which would comply with the requirements of 10 CFR §2.714 and 42 U.S.C. §2135(c)(5).

No amended petition has been filed by Mr. Ayers within the allotted time. Accordingly, it is this 4th day of February 1981

ORDERED



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That our Order of January 13, 1981 is affirmed, and the petition of Harvard G. Ayers requesting an antitrust hearing is denied with prejudice.

THE ATOMIC SAFETY AND
LICENSING BOARD

Marshall E. Miller

Marshall E. Miller
Administrative Judge

B. Paul Cotter, Jr.

B. Paul Cotter, Jr.
Administrative Judge

Robert M. Lazo.

Robert M. Lazo
Administrative Judge