

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

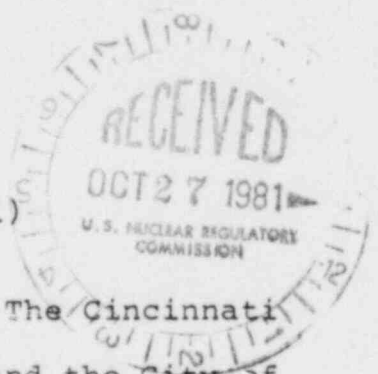


Before Administrative Judges:
John H. Frye, III, Chairman
Dr. Frank F. Hooper
Dr. M. Stanley Livingston

In the Matter of)
)
The Cincinnati Gas & Electric) Docket No. 50-358
Company, et al.)
)
Wm. H. Zimmer Nuclear Power)
Station, Operating License)
Proceeding)

ORDER

(Approving Settlement Agreement
Dismissing the City of Cincinnati)



In a joint motion dated October ____, 1981, The Cincinnati Gas & Electric Company, et al., ("Applicants") and the City of Cincinnati, ("City"), a party-intervenor moved this Board for an order approving the withdrawal of the City from this proceeding in accordance with the Settlement Agreement entered into by them on October ____, 1981.

The Board, in accordance with 10 C.F.R. §2.759 which encourages the settlement of contested licensing proceedings and the Commission's Statement of Policy on Conduct of Licensing Proceedings, 46 Fed. Reg. 28533 (May 27, 1981) which encourages negotiations to resolve contentions, approves the Settlement Agreement. Furthermore, the Board accepts the withdrawal of the City as a party to this proceeding and dismisses the City's contentions, both with prejudice.

DS03
S
1/0

IT IS SO ORDERED this ___ day of October, 1981.

FOR THE ATOMIC SAFETY AND
LICENSING BOARD

John H. Frye, III, Chairman
ADMINISTRATIVE JUDGE