

14828

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

DOCKETED  
USNRC

\_\_\_\_\_  
In the Matter of )  
 )  
GEORGIA POWER COMPANY )  
 )  
(Vogtle Electric Generating )  
Plant, Units 1 & 2 )  
\_\_\_\_\_ )

'94 MAR 25 P3:50

Docket Nos. 50-424-OIA-1  
50-424-OIA-2  
OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

SERVED MAR 25 1994

ORDER

On March 24, 1994, the NRC staff filed a petition for review and/or motion for directed certification of the Atomic Safety and Licensing Board's order, LBP-94-06. The staff had earlier filed a motion for stay of the Board's directives in LBP-94-06, which is under active consideration by the Commission. The Commission entered a "housekeeping" stay on March 17 to preserve the status quo ante while the staff's motion could be considered.

Under the usual circumstances, the Commission's rules provide the other parties 10 days to answer in support of or opposition to the staff's March 24 petition and, if the petition is granted, the rules normally contemplate a further opportunity to address the issues accepted for review. See 10 C.F.R. §§ 2.786((b)(3) & (d)). However, strict adherence to that sequence of filings in these circumstances would not serve the parties' interests, because it would delay the Commission's resolution of these issues. Moreover, the parties' arguments regarding the merits of the staff's position on the issues for which review is sought have been substantially addressed by the answers to the staff's stay motion.

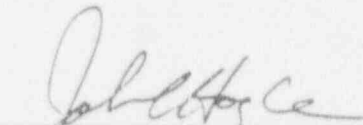
D502

Pursuant to my authority in 10 C.F.R. § 2.772 and in consideration of the unique circumstances presently before the Commission, the parties other than the staff may file an answer to the staff's petition for review by means that will ensure that the answer is received by the Office of the Secretary by close of business (4:15 pm Eastern Time) on Wednesday, March 30, 1994. The answer may address any matter raised in the staff's petition with respect to either the propriety of Commission review or the merits of the staff's position on the issues. For purposes of this matter only, the page limitation set forth in section 2.786(b)(3) is suspended.

It is so ORDERED.



For the Commission

  
\_\_\_\_\_  
John C. Hoyle  
Assistant Secretary  
of the Commission

Dated at Rockville, Maryland,  
this 25<sup>th</sup> day of March 1994.

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of

GEORGIA POWER COMPANY, ET AL.

(Vogtle Electric Generating Plant,  
Units 1 and 2)

Docket No.(s) 50-424/425-OLA-3

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing COMM ORDER RE STAFF PET FR RVW have been served upon the following persons by U.S. mail, first class, except as otherwise noted and in accordance with the requirements of 10 CFR Sec. 2.712.

Office of Commission Appellate  
Adjudication  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Administrative Judge  
Peter B. Bloch, Chairman  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Administrative Judge  
Thomas D. Murphy  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Administrative Judge  
James H. Carpenter  
933 Green Point Drive, Oyster Point  
Sunset Beach, NC 28468

\*\* Mitzi A. Young, Esq.  
Office of the General Counsel  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

\* John Lamberski, Esq.  
Counsel for Georgia Power Company  
Troutman Sanders  
Suite 5200, 600 Peachtree Street, N.E.  
Atlanta, GA 30308

\* Ernest L. Blake, Jr., Esq.  
David R. Lewis, Esq.  
Shaw, Pittman, Potts & Trowbridge  
2300 N Street, N.W.  
Washington, DC 20037

\* Michael D. Kohn, Esq.  
Stephen M. Kohn, Esq.  
Kohn, Kohn & Colapinto, P. C.  
517 Florida Avenue, N.W.  
Washington, DC 20001

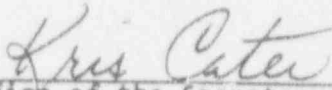
\* FAXED

\*\* HAND DELIVERY

Docket No.(s)50-424/425-OLA-3  
COMM ORDER RE STAFF PET FR RVW

C. K. McCoy  
V. President Nuclear, Vogtle Project  
Georgia Power Company  
Post Office Box 1295  
Birmingham, AL 35201

Dated at Rockville, Md. this  
25 day of March 1994

  
Office of the Secretary of the Commission