

14805

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNRC

COMMISSIONERS:

Ivan Selin, Chairman
Kenneth C. Rogers
Forrest J. Remick
E. Gail de Planque

'94 MAR 18 12:14

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

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

SERVED MAR 18 1994

Docket Nos. 50-424-OLA-3
50-425-OLA-3

ORDER

The NRC staff has filed before the Commission a motion for a stay of the Atomic Safety and Licensing Board's order in LBP-94-06 (served March 4, 1994). The Commission has issued an order scheduling the filing of answers from the other parties.¹ To maintain the status quo ante during the Commission's review of the motion, the Commission hereby temporarily stays the

¹ The Commission received in today's mail a copy of "Intervenor's Motion to Strike NRC Staff Motion for a Stay of the Licensing Board Order Releasing the Office of Investigations Report" which was dated March 15, 1994, a day before the Secretary's scheduling order was issued and telefaxed to the parties. The intervenor suggests that we strike staff's motion on the basis of a number of asserted procedural defects or, alternatively, permit the intervenor to file a responsive brief. We are not prepared to strike the staff's motion at this time, but we have effectively granted intervenor's alternative request by scheduling answers to the staff's motion to be filed on March 22. Without ruling on the merits of the intervenor's position, we note that the intervenor may have relied in its motion on an outdated version of 10 C.F.R. § 2.788. The current text may be found in the 1993 codification of Title 10 of the Code of Federal Regulations.

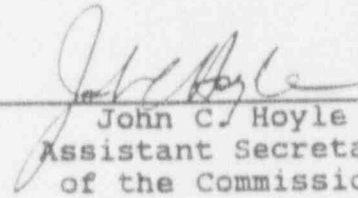
D502

effectiveness of LBP-94-06, pending a Commission ruling on staff's motion.

It is so ORDERED.



For the Commission²


John C. Hoyle
Assistant Secretary
of the Commission

Dated at Rockville, Maryland,
this 18th day of March 1994.

² Commissioner Remick was not present for the affirmation of this order; if he had been present he would have approved it.

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 COMMISSION ORDER DATED 3/18/94 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

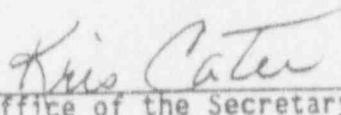
* FAXED

** HAND DELIVERY

Docket No.(s)50-424/425-OLA-3
COMMISSION ORDER DATED 3/18/94

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

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


Office of the Secretary of the Commission