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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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OFFICE OF SECRETARY
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BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
LONG ISLAND LIGHTING COMPANY)	Docket No. 50-322 OLA
(Shoreham Nuclear Power Station, Unit 1))	(Confirmatory Order
)	Modification, Security Plan
)	Amendment and Emergency
)	Preparedness Amendment)

NRC STAFF RESPONSE TO PETITIONERS'
APPLICATION FOR STAY OF LBP-91-1 AND
LILCO'S MOTION TO DISMISS STAY APPLICATION

On January 8, 1991, the Licensing Board issued LBP-91-1, which denied separate intervention petitions filed by Scientists and Engineers For Secure Energy, Inc. ("SE2") and Shoreham-Wading River Central School District ("District") (jointly referred to as "Petitioners") regarding the three licensing actions at issue in this proceeding on the grounds that Petitioners failed to establish standing under 10 C.F.R. § 2.714(a)(2). LBP-91-1 gave Petitioners 20 days to file amended intervention petitions. On January 23, 1991, Petitioners applied for a stay LBP-91-1.¹ Specifically, Petitioners ask the Licensing Board to stay the 20 day period for Petitioners to amend their petitions in this proceeding until after the Commission decision on Petitioners' Appeal of LBP-91-1, "or after the Commission's decision on the pending Petition for Reconsideration, whichever is later." Stay at 1.

¹Application for Stay of the Board's Order of January 8, 1991, dated January 23, 1991. ("Stay")

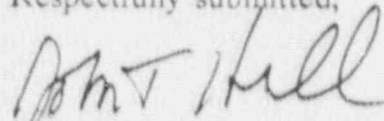
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On February 4, 1991, Petitioners filed six amended intervention petitions. This action mooted their application for a stay of the time to file these amended petitions.

On February 5, 1991, the Long Island Lighting Company ("LILCO") filed a motion to dismiss Petitioners' stay application on the ground that the filing of the amended petitions mooted Petitioners' stay application.

The Licensing Board should deny Petitioners' stay application and should grant LILCO's motion to dismiss, as the application for a stay of the time to file amended petitions is now moot.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "John T. Hull".

John T. Hull
Counsel for NRC Staff

Dated at Rockville, Maryland
this 7th day of February, 1991

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In the Matter of)	
LONG ISLAND LIGHTING COMPANY)	Docket No. 50-322-OLA
(Shoreham Nuclear Power Station, Unit 1))	(Confirmatory Order
)	Modification, Security Plan
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CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF RESPONSE TO PETITIONERS' APPLICATION FOR STAY OF LBP-91-1 AND LILCO'S MOTION TO DISMISS STAY APPLICATION" in the above captioned proceeding have been served on the following by deposit in the United States mail, first class, or, as indicated by an asterisk, by deposit in the Nuclear Regulatory Commission's internal mail system, this 7th day of February, 1991:

Morton B. Margulies, Chairman*
Administrative Judge
Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory Commission
Washington, DC 20555

George A. Ferguson
Administrative Judge
5307 Al Jones Drive
Columbia Beach, MD 20764

Jerry R. Kline*
Administrative Judge
Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Stephen A. Wakefield, Esq.
General Counsel
U.S. Department of Energy
1000 Independence Ave., SW
Room 6A245
Washington, DC 20585

James P. McGranery, Jr., Esq.
Dow, Lohnes & Albertson
1255 23rd Street, N.W.
Suite 500
Washington, D.C. 20037

W. Taylor Reveley, III, Esq.
Donald P. Irwin, Esq.
Hunton & Williams
707 East Main Street
P.O. Box 1535
Richmond, Virginia 23212

Michael R. Deland, Chairman
Executive Office of the President
Council on Environmental Quality
722 Jackson Place, N.W.
Washington, D.C. 20503

Office of the Secretary (2)*
Attn: Docketing and Service
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Atomic Safety and Licensing Board
Panel (1)*
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Nicholas S. Reynolds
David A. Repka
Winston & Strawn
1400 L Street, N.W.
Washington, DC 20005

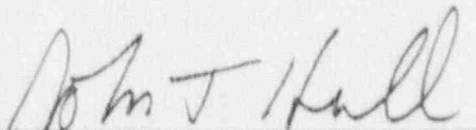
Stanley B. Klimberg, Esq.
Executive Director and General Counsel
Long Island Power Authority
200 Garden City Plaza, Suite 201
Garden City, NY 11530

Samuel A. Cherniak, Esq.
NYS Department of Law
Bureau of Consumer
Frauds and Protection
120 Broadway
New York, NY 10271

Carl R. Schenker, Jr., Esq.
O'Melveny & Myers
555 13th Street, N.W.
Washington, DC 20004

Atomic Safety and Licensing
Appeal Panel (6)*
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Gerald C. Goldstein, Esq.
Office of the General Counsel
New York Power Authority
1633 Broadway
New York, NY 10019



John T. Hull
Counsel for NRC Staff