

Commission itself. Moreover, we believe that the Court's opinion does not require or even contemplate an adjudicatory hearing on this issue.

The parties shall be the applicants and the intervenors. Applicants shall have any supplemental statements on exigent circumstances they may wish to file in the Commission's hands no later than December 15, 1982. Intervenors shall have any reply in the Commission's hands no later than December 21, 1982. Applicants may submit a rebuttal to be in the Commission's hands no later than December 28, 1982.

The sole issue shall be whether the Applicants have demonstrated "exigent circumstances" as the Commission has interpreted that term for purposes of an exemption pursuant to 10 CFR 50.12. In discussing exigent circumstances, the parties shall also refer to those portions of the Commission's decision of August 17, 1982, which they believe relevant.

Notwithstanding any Commission action on the exemption issue, the Licensing Board shall continue its proceeding on the Applicant's request for an LWA.

Commissioner Roberts' separate views and Commissioner Gilinsky's dissenting views are attached.

Commissioner Ahearne abstained from the vote on this order.