

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING APPEAL BOARD

Administrative Judges:

Alan S. Rosenthal, Chairman  
Thomas S. Moore  
Howard A. Wilber

February 23, 1984

DOCKETED  
USNRC

'84 FEB 24 A10:04

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

SERVED FEB 24 1984

In the Matter of )

DUKE POWER COMPANY, ET AL. )

(Catawba Nuclear Station,  
Units 1 and 2) )

Docket Nos. 50-413  
50-414

ORDER

The Licensing Board issued a memorandum and order today in which it referred to us certain oral rulings with regard to intervenors' three-part contention on the subject of the reliability of the Catawba facility's diesel generators. Before taking any action on the referral, we wish to obtain the views of the parties on the following questions:

1. Should the referral be accepted?
2. Assuming that the referral is accepted, how should we decide the issues that it poses? (In this connection, the parties should address, inter alia, the Licensing Board's conditional request for guidance contained in the paragraph of its memorandum and order beginning at the bottom of page 7 and concluding at the middle of page 8.)

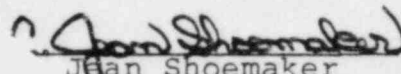
8402280208 840223  
PDR ADOCK 05000413  
Q PDR

DS02

The memoranda of the parties on the foregoing questions are to be filed and served no later than March 9, 1984.

It is so ORDERED.

FOR THE APPEAL BOARD

  
Jean Shoemaker  
etary to the  
Appeal Board