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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

LOCKETED
USNRC

ATOMIC SAFETY AND LICENSING BOARD

'92 FEB -7 P4:10

Before Administrative Judges:

Marshall E. Miller, Chairman
Charles Bechhoefer
G. Paul Bollwerk, III

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

SERVED FEB 07 1992

In the Matter of

Docket Nos. 50-440-A
50-346-A

OHIO EDISON COMPANY
(Perry Nuclear Power Plant,
Unit 1, Facility Operating
License No. NPF-58)

(Suspension of
Antitrust Conditions)

THE CLEVELAND ELECTRIC
ILLUMINATING COMPANY
THE TOLEDO ON COMPANY
(Perry Nuclear Power Plant,
Unit 1, Facility Operating
License No. NPF-58)
(Davis-Besse Nuclear Power
Station, Unit 1, Facility
Operating License No. NPF-3)

ASLBP No. 91-644-01-A

February 7, 1992

ORDER

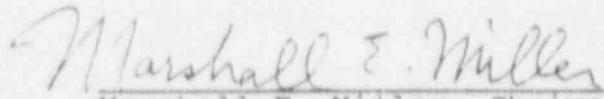
(Ruling on City of Cleveland Motion to
Amend Summary Disposition Schedule)

Upon consideration of the City of Cleveland's
(Cleveland) January 16, 1992 "Motion to Amend the Schedule
for Summary Disposition Motions"; the responses of the
Applicants and the NRC Staff to that motion, dated
January 24, 1992, and February 5, 1992, respectively; the
lack of any NRC procedural provision providing for the "as

to a cross-motion for summary disposition, and Cleveland's reply to responses to its cross-motion for summary disposition shall be by overnight express mail (or other comparable method of service).

It is so ORDERED.

FOR THE ATOMIC SAFETY AND
LICENSING BOARD



Marshall E. Miller, Chairman
ADMINISTRATIVE JUDGE

Bethesda, Maryland

February 7, 1992

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of

OHIO EDISON CO., CLEVELAND ELECTRIC
ILLUMINATING CO. & TOLEDO EDISON CO
(Perry Nuclear Power Plant and
Davis-Besse Nuclear Power Station)

Docket No.(s) 50-440/346-A

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing , ORDER DATED 2/7/92
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.

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Washington, DC 20555

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Docket No.(s)50-440/346-A
LB ORDER DATED 2/7/92

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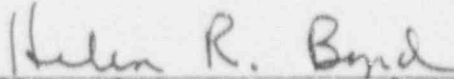
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Dated at Rockville, Md. this
7 day of February 1992


Office of the Secretary of the Commission