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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING APPEAL BOARD

Administrative Judges:

Christine N. Kohl, Chairman
Dr. W. Reed Johnson
Gary J. Edles

DOCKETED
USNRC

July 13, 1984

'84 JUL 16 AIO:27

In the Matter of)
)
CLEVELAND ELECTRIC ILLUMINATING)
COMPANY, ET AL.)
)
(Perry Nuclear Power Plant,)
Units 1 & 2))
_____)

OFFICE OF SECRETARY
DOCKETING & SERVICES
BRANCH

Docket Nos. 50-440 OL
50-441 OL

SERVED JUL 16 1984

ORDER

In our order of June 6, 1984, we scheduled oral argument on the pending appeal of Sunflower Alliance for August 8, 1984. By letter dated July 3, 1984, counsel for Sunflower Alliance "waive[s]" oral argument. Accordingly, the oral argument scheduled in this proceeding for August 8, 1984, is cancelled.* Sunflower Alliance's appeal will be decided on the basis of the briefs.

It is so ORDERED.

FOR THE APPEAL BOARD

C. Jean Shoemaker
C. Jean Shoemaker
Secretary to the
Appeal Board

* We point out, however, that oral argument is scheduled as a matter of our discretion and generally because one or more board members have questions for the parties. See 10 C.F.R. § 2.763; Wisconsin Electric Power Co. (Point Beach Nuclear Plant, Units 1 and 2), ALAB-666, 15 NRC 277 (1982). Thus, if our review of the case demonstrates such is necessary, we will reschedule oral argument or submit written questions to the parties.