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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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USNRC

Before Administrative Judges:

84 OCT 11 P1:46

Peter B. Bloch, Chairman
Dr. Kenneth A. McCollom
Dr. Walter H. Jordan

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SERVED OCT 11 1984

In the Matter of

Docket Nos. 50-445 oc
50-446 2

TEXAS UTILITIES ELECTRIC COMPANY, et al.

(Application for
Operating License)

(Comanche Peak Steam Electric Station,
Units 1 and 2)

October 10, 1984

MEMORANDUM
(CASE'S MOTION REGARDING J.J. LIPINSKY)

On October 6, 1984, Citizens Association for Sound Energy (CASE) moved to "refuse" Applicants' Motion for Summary Disposition of September 29, 1984, concerning the Trip Report of J.J. Lipinsky. We interpret CASE's motion to be a response to the Motion for Summary Disposition and to amount to a request for an extension of time in which to respond to the Summary Disposition motion. Since we consider the Summary Disposition motion to be too narrowly focused, because it addresses only one narrow subissue of the coatings program, we grant CASE's motion and will permit it to defer its response until after the quality of coatings is ripe for determination as a single, integrated issue. In particular, we do not anticipate requiring CASE to respond to motions relating to this issue until after the Brookhaven National Laboratory's report on coatings is issued.

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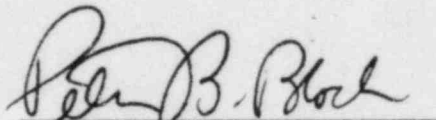
O R D E R

For all the foregoing reasons and based on consideration of the entire record in this matter, it is this 10th day of October 1984

ORDERED:

That Citizens Association for Sound Energy (CASE) need not respond to Applicants' September 29, 1984 motion for summary disposition until after the entire coatings issue is ripe for determination. We will thereafter set an appropriate response date on motion.

FOR THE
ATOMIC SAFETY AND LICENSING BOARD


Peter B. Bloch, Chairman
ADMINISTRATIVE JUDGE

Bethesda, Maryland