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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD <sup>105</sup> OCT 13 A9:39

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In the Matter of )  
Gulf States Utilities Co., et al. )  
(River Bend Station, Unit 1) )

Docket No. 50-458-OLA  
ASLBP No. 93-680

JOINT MOTION TO EXTEND  
HEARING DATE AND SCHEDULING ORDER

Introduction

On July 25, 1995, the Atomic Safety and Licensing Board ("Board") established a Revised Prehearing Schedule which provided deadlines for Pre-hearing activities and a hearing date. Pursuant to that schedule, depositions were to be completed by October 23, 1995, prehearing testimony was to be filed by November 13, 1995, and hearing was to commence on November 28, 1995. For the reasons stated below, Gulf States Utilities Company ("GSU") and Ralph R. Mabey, the Chapter 11 Trustee (the "Trustee") for Cajun Electric Power Cooperative Inc. ("Cajun") move this Board to extend the pre-hearing deadlines established in the scheduling order and the date of the hearing of this matter.

Discussion

On December 21, 1994, Cajun filed a petition seeking protection under Chapter 11 of the United States Bankruptcy Code. On August 1, 1995, the United States District Court for the Middle District of Louisiana (the "District Court") ordered the

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appointment of a Chapter 11 Trustee for Cajun. On August 23, 1995, the District Court approved the appointment of Ralph R. Mabey as the Chapter 11 trustee. On August 30, 1995, Ralph R. Mabey qualified to serve as the Chapter 11 trustee for Cajun. Pursuant to Rule 2012(a) of the Federal Rules of Bankruptcy Procedure, the Trustee, upon his appointment, automatically was substituted for the debtor in possession as the party to all pending litigation, including this matter. Additionally, the Trustee assumed the powers and duties of Cajun's Board of Directors and management and is now the party authorized and empowered to act for and in behalf of Cajun. Commodity Futures Trading Comm'n v. Weintraub, 471 U.S. 343, 352-53 (1985) (quoting H.R. Rep. No. 595, 95th Cong 1st Sess. 220-221 (1977)); see 11 U.S.C. § 1108.

It is necessary for the Trustee to familiarize himself with the facts and issues in this proceeding, as well as all other litigation in which Cajun is involved. It is anticipated that this will take some period of time, and the Trustee and GSU believe it would be prudent and beneficial to the parties and to the Board to extend the prehearing schedule dates and the hearing date to allow the Trustee an appropriate amount of time to familiarize himself with the issues involved in this case before proceeding further.

The NRC Staff concurs with the Trustee and GSU in this matter, and has no objection to this Motion.

Relief Sought

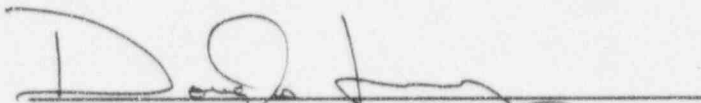
For the foregoing reasons, the Trustee and GSU request that the prehearing schedule and hearing schedule be revised as follows:

1. All depositions are to be completed by January 23, 1996.
2. All pre-filed testimony is to be filed by February 12, 1996.
3. The hearing will be held no earlier than February 27, 1996, or at such later date as established by the Board after consultation with the parties.

Because of the approach of certain deadlines in the Revised Pre-hearing Schedule, the parties to this Joint Motion request an expedited review and ruling on this Motion.

**Dated:** October 10, 1995.

Respectfully submitted,



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CERTIFICATE OF SERVICE

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I, THOMAS L. RUDEBUSCH, do hereby certify that I have <sup>95</sup>sent <sup>06</sup>13 A9:39  
day caused to be mailed by United States Mail, postage prepaid, a  
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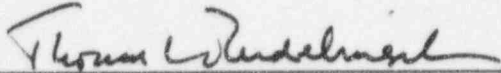
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DATED this the 12<sup>th</sup> day of October, 1995.

  
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THOMAS L. RUDEBUSCH