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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD

BEFORE ADMINISTRATIVE JUDGES:

Lawrence Brenner, Chairman
Dr. Richard F. Cole
Dr. Peter A. Morris

DOCKETED
USNRC

'84 SEP -7 P1:57

In the Matter of
PHILADELPHIA ELECTRIC COMPANY
(Limerick Generating Station,
Units 1 and 2)

Docket Nos. 50-352-0L
50-353-0L

September 7, 1984

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

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ORDER REGARDING FOE MOTION TO SET ASIDE PARTIAL
INITIAL DECISION AND MOTION TO REOPEN RECORD

FOE filed a motion to set aside the August 29, 1984 Second Partial Initial Decision and to reopen the record on its pipeline accident Contentions V-3a and 3b based on an NRC Staff Board Notification (BN-84-142, dated August 20, 1984). FOE's motion is dated September 1, 1984, but is postmarked September 3 and was received through regular mail by the Board on September 6, 1984.

The one page motion does not by its terms request a stay, although this may have been the intent of FOE. (FOE's pro se representative has had occasion in this case to know how to expressly request a stay, and to know what the criteria for a stay are.) In any event, FOE presents

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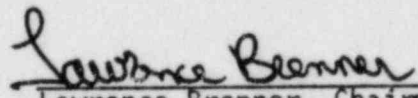
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no basis to support a stay, and we perceive none. Accordingly, our decision remains in effect.

The NRC Staff's and Applicant's answers to FCE's motion to reopen shall update the information, by affidavits of appropriate officials with knowledge of the facts, contained in the Board Notification.

IT IS SO ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD


Lawrence Brenner, Chairman
ADMINISTRATIVE JUDGE

Bethesda, Maryland
September 7, 1984

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COURTESY NOTIFICATION

As circumstances warrant from time to time, the Board will mail copies of its memoranda and orders directly to each party, petitioner or other interested participant. This is intended solely as a courtesy and convenience to those served to provide extra time. Official service will be separate from the courtesy notification and will continue to be made by the Office of the Secretary of the Commission. Unless otherwise stated, time periods will be computed from the official service.

I hereby certify that I have today mailed copies of the Board's "Order Regarding FOE Motion to Set Aside Partial Initial Decision and Motion to Reopen Record" to the persons designated on the attached Courtesy Notification List.

Valarie M. Lane

Valarie M. Lane
Secretary to Judge Brenner
Atomic Safety and Licensing
Board Panel

Bethesda, Maryland

Attachment

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