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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION SEP 18 P 3:20

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:
Hugh K. Clark, Chairman
Dr. George A. Ferguson
Dr. Oscar H. Paris

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In the Matter of
ILLINOIS POWER COMPANY, et al.
(Clinton Power Station, Unit No. 1)

Docket No. 50-461-OL

September 17, 1984

MEMORANDUM AND ORDER
(Commission's Final Rule on Financial Qualifications)

In our Memorandum and Order (Stating Significant Developments Since Memorandum and Order dated November 10, 1982) dated April 26, 1984 we indicated that the Commission was, at that time, considering the effect of New England Coalition on Nuclear Pollution v. NRC, No. 82-1581 (D.C. Cir., Feb. 7, 1984) on pending OL proceedings, and we stated that we would advise the parties to this proceeding of the Commission's decision when it was issued. The Commission's final rule was issued September 12, 1984 (Elimination of Review of Financial Qualifications of Electric Utilities in Operating License Review and Hearings for Nuclear Power Plants, 49 Fed. 35747 (1984)). In that decision, the Commission amended 10 C.F.R. Parts 2 and 50 to eliminate financial qualification review and findings in OL proceedings, but it reinstated a requirement

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for financial qualification review and findings for electric utilities applying for construction permits.

ORDER

In consideration of the foregoing it is hereby

ORDERED

That this Board's order dismissing Contention 3 in Memorandum and Order, LBP-82-103, 16 NRC 1603 (1982), at 1607, is affirmed.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD

Oscar H. Paris

Administrative Judge

for: Hugh K. Clark, Chairman
Administrative Judge

Dated at Bethesda, Maryland
this 17th day of September, 1984.