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USNRC

UNITED STATES OF AMERICA '84 SEP 24 A10:08  
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING APPEAL BOARD  
SECRETARY  
DOCKETING & SERVICE  
BRANCH

Administrative Judges:

Alan S. Rosenthal, Chairman  
Thomas S. Moore  
Dr. Reginald L. Gotchy

SERVED SEP 24 1984  
September 21, 1984

\_\_\_\_\_)  
In the Matter of )  
 )  
KANSAS GAS AND ELECTRIC COMPANY, ) Docket No. 50-482 OL  
 ET AL. )  
 )  
(Wolf Creek Generating Station, )  
 Unit 1) )  
\_\_\_\_\_)

ORDER

According to a notice published in the Federal Register on September 19, 1984,<sup>1</sup> the effective date of the Commission's new financial qualifications rule is October 12, 1984, rather than September 12, 1984 as previously announced. In light of this development, the first full paragraph on page three of the slip opinion in ALAB-784, 20 NRC \_\_\_\_ (September 13, 1984), and the footnote at the conclusion of that paragraph, are amended to read as follows:

In response to the remand, the Commission has now promulgated a new rule, which will take effect on October 12, 1984. By its terms, financial qualifications issues may be raised in construction permit proceedings. But, as under

<sup>1</sup> 49 Fed. Reg. 36,631.

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the replaced 1982 rule, such issues are not to be litigated in operating license proceedings.<sup>5</sup>


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<sup>5</sup> 49 Fed. Reg. 35,747, as corrected, 49 Fed. Reg. 36,631 (1984). That the new rule is not as yet effective is of no present moment. In a statement of policy issued on June 7, 1984, the Commission determined that "the March 31, 1982 rule will continue in effect until finalization of the Commission's response to the Court's remand." The appeal and licensing boards were directed "to proceed accordingly." 49 Fed. Reg. 24,111 (1984).

The published version of ALAB-784 will reflect this amendment.

It is so ORDERED.

FOR THE APPEAL BOARD

  
C. Jean Shoemaker  
Secretary to the  
Appeal Board

Mr. Moore did not participate in this order.