

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETING
USNRC

ATOMIC SAFETY AND LICENSING BOARD⁸⁴ SEP 28 P2:32

Before Administrative Judges:

Herbert Crossman, Chairman
Dr. James H. Carpenter
Dr. Peter A. Morris

DOCKETING & SERVICE
BRANCH

SERVED OCT 1 1984

In the Matter of
MISSISSIPPI POWER & LIGHT COMPANY, et al.
(Grand Gulf Nuclear Station, Unit No. 1)

Docket No. 50-416 OLA
(ASLBP No. 84-497-04 OL)
September 28, 1984

MEMORANDUM AND ORDER
(Terminating Proceeding)

On August 30, 1984, the Licensing Board issued a Show Cause Order requiring the sole Intervenor, Jacksonians United for Livable Energy Policies (JULEP), to show cause why its contentions should not be dismissed for its failure to prosecute the intervention. JULEP had taken no discovery and had failed to file a status report by August 1, 1984, as ordered by the Board, or thereafter.

On September 20, 1984, the Board received a written confirmation from JULEP of its decision to withdraw from the proceeding, which it had previously expressed to NRC Staff counsel.

The withdrawal of the only intervenor removes both the need and the occasion for evidentiary hearings in this proceeding. There are no longer any matters which the parties wish to resolve in this proceeding and, consequently, there is no issue to be heard by the Board.

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Dismissal of this proceeding would be consistent with the Commission's requirements which do not contemplate a hearing on a application for an amendment to an operating license in the absence of any matters in controversy or any request for hearing by interested persons (see 10 C.F.R. §§ 2.104, 2.105, 2.714, 50.58(b) and 50.91) and is consistent with the general powers of the presiding officer under 10 C.F.R. § 2.718.


ORDER

For all of the foregoing reasons and based upon the entire record in this proceeding, it is, this 28th day of September, 1984,

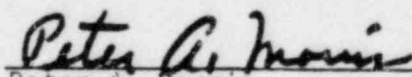
ORDERED

That this proceeding, begun with the publication of a notice of opportunity for hearing on October 26, 1983 at 48 Fed. Reg. 49608, is hereby terminated.

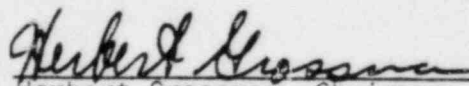
THE ATOMIC SAFETY AND LICENSING BOARD



 James H. Carpenter
 ADMINISTRATIVE JUDGE



 Peter A. Morris
 ADMINISTRATIVE JUDGE



 Herbert Grossman, Chairman
 ADMINISTRATIVE JUDGE

September 28, 1984,
 Bethesda, Maryland.