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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

'85 FEB 27 10:18

ATOMIC SAFETY AND LICENSING APPEAL BOARD

Administrative Judges:

Alan S. Rosenthal, Chairman
Dr. W. Reed Johnson
Gary J. Edles

OFFICE OF SECRETARY
DOCKETING & SERVI.
BRANCH

February 26, 1985

SERVED FEB 27 1985

_____)
In the Matter of)
)
CLEVELAND ELECTRIC ILLUMINATING)
COMPANY, ET AL.)
)
(Perry Nuclear Power Plant,)
Units 1 and 2))
_____)

Docket Nos. 50-440 OL
50-441 OL

ORDER

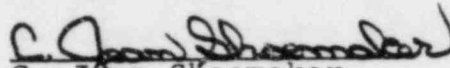
Before us is the appeal of intervenor Sunflower Alliance, Inc. (Sunflower) from the Licensing Board's January 10, 1985 memorandum and order (unpublished) in this operating license proceeding, as amended in a January 14, 1985 erratum. On January 31, 1985, we ordered Sunflower to show cause by February 15, 1985, why that appeal should not be dismissed on the ground that all of the rulings contained in the January 10 memorandum and order are wholly interlocutory in character. Sunflower has not responded to that order. Accordingly, its appeal is dismissed. See 10 CFR 2.730(f); Puget Sound Power and Light Co. (Skagit/Hanford Nuclear Power Project, Units 1 and 2), ALAB-712, 17 NRC 81, 82 (1983), and cases there cited.

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It is so ORDERED.

FOR THE APPEAL BOARD



C. Jean Shoemaker
Secretary to the
Appeal Board