

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

COMMISSIONERS:

Gregory B. Jaczko, Chairman
Kristine L. Svinicki
George Apostolakis
William D. Magwood, IV
William C. Ostendorff

In the Matter of)
)
U.S. DEPARTMENT OF ENERGY) Docket No. 63-001
)
(High-Level Waste Repository))
)
)
)

CLI-11-15

MEMORANDUM AND ORDER

Before us is the Timbisha Shoshone Tribal Council's (Tribal Council) petition for review of the Board's decision declining the Tribal Council's request to be recognized as the sole authorized representative of the Timbisha Shoshone Tribe in this case, and seeking other relief.¹ This proceeding has been suspended.² Given the posture of the case, we decline to decide the Tribal Council's petition now. Should the proceeding be reactivated at a future time, the Tribal Council may file a motion to reinstate its petition for review.

¹ See generally *Timbisha Shoshone Tribe's Petition for Review of the Atomic Safety and Licensing Board Order of September 28, 2011* (Oct. 10, 2011); Order (Dismissing Timbisha Shoshone Tribal Council's Motion) (Sept. 28, 2011) (unpublished).

² See LBP-11-24, 74 NRC __ (Sept. 30, 2011) (slip op.).

IT IS SO ORDERED.³

For the Commission

[NRC SEAL]

/RA/

Annette L. Vietti-Cook
Secretary of the Commission

Dated at Rockville, Maryland,
this 22nd day of December, 2011.

³ Commissioner Apostolakis has recused himself from this adjudication and, therefore, did not participate in this matter. See Notice of Recusal (July 15, 2010).