

January 29, 1999

MEMORANDUM FOR: John F. Cordes, Acting Director Office of Commission Appellate Adjudication
FROM: Annette Vietti-Cook, Secretary /s/
SUBJECT: STAFF REQUIREMENTS - AFFIRMATION SESSION, 11:30 A.M., FRIDAY, JANUARY 29, 1999,
COMMISSIONERS' CONFERENCE ROOM, ONE WHITE FLINT NORTH, ROCKVILLE,
MARYLAND (OPEN TO PUBLIC ATTENDANCE)

I. SECY-99-026 - Hydro Resources Inc.:Presiding Officer's Scheduling Orders Dated January 21, 1999, and January 25, 1999

The Commission⁽¹⁾ approved a Memorandum and Order dealing with a scheduling matter in the Hydro Resources proceeding. The Commission exercised sua sponte supervisory authority related to a scheduling order issued on January 21, 1999 and reaffirmed on January 25, 1999. This order vacates these two scheduling orders and requires intervenors to file their briefs by February 16, 1999.

(Subsequently, on January 29, 1999, the Secretary signed the Order.)

Attachment: As stated

cc: Chairman Jackson
Commissioner Dicus
Commissioner Diaz
Commissioner McGaffigan
Commissioner Merrifield
EDO
OGC
CIO
CFO
OCAA
OCA
OIG
OPA
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)
PDR - Advance
DCS - P1-17

1. Section 201 of the Energy Reorganization Act, 42 U.S.C. Section 5841, provides that action of the Commission shall be determined by a "majority vote of the members present." Commissioners Dicus and Merrifield were not present when this item was affirmed. Accordingly the formal vote of the Commission was 3-0 in favor of the decision. Commissioners Dicus and Merrifield, however, had previously indicated that they would approve this paper and had they been present they would have affirmed their prior vote.