

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555

July 12, 1989

MEMORANDUM FOR: William C. Parler, General Counsel

FROM: Samuel J. Chilk, Secretary

SUBJECT: STAFF REQUIREMENTS - AFFIRMATION/DISCUSSION
AND VOTE, 11:00 A.M., FRIDAY, JULY 7, 1989,
COMMISSIONERS' CONFERENCE ROOM, ONE WHITE
FLINT NORTH, ROCKVILLE, MARYLAND (OPEN TO
PUBLIC ATTENDANCE)

- I. SECY-89-200A - Revision to Order in Response to
Philadelphia Electric Company Request for Clarification
of Licensing Status of Limerick, Unit 2

The Commission, by a 4-0 vote, * approved an order responding to
a motion of Applicant Philadelphia Electric Company ("PECO")
for clarification of the licensing status of the Limerick
Generating Station, Unit 2.

The order found that the NRC staff, upon making the appropriate
finding pursuant to 10 CFR Sec. 50.57, may issue a low power
license. The order also indicated that the Commission is
deferring its ruling regarding full power authorization until
it conduct its immediate effectiveness review for Limerick,
Unit 2, in accordance with 10 CFR Sec. 2.764 (f)(2).

(Subsequently, on July 7, 1989, the Secretary signed the
Order.)

cc. Chairman Carr
Commissioner Roberts
Commissioner Rogers
Commissioner Curtiss
EDO
GPA
PDR - Advance
DCS - P1-24

* Section 201 of the Energy Reorganization Act, 42 U.S.C. Sec. 5841, provides that action of the Commission shall be determined by a "majority vote of the members present." Commissioner Roberts was not present when this item was affirmed. Accordingly, the formal vote of the Commission was 3-0 in favor of the decision. Commissioner Roberts, however, had previously indicated that he would approved this paper and had he been present he would have affirmed his prior vote.