

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION**

Before the Atomic Safety and Licensing Board

In the Matter of

**FIRSTENERGY NUCLEAR OPERATING
COMPANY**

**(Perry Nuclear Power Plant, Unit 1;
Operating License No. NPF-58)**

)

) **Docket No. 50-440-CIVP**

)

) **ASLBP No. 01-784-01-CivP**

)

) **EA 99-012**

)

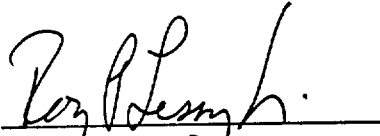
JOINT STATUS REPORT

This joint status report is in response to this Board's Order of February 8, 2001, granting the parties additional time, up to and including March 20, 2001, to engage in settlement negotiations. That Order also requested the parties to file a further report on the status of negotiations by March 8, 2001.

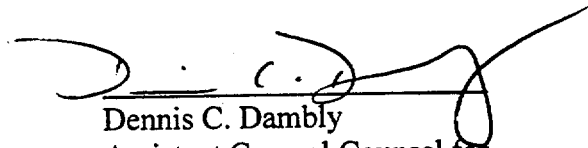
While the parties have reached an oral agreement in principle regarding settlement of the above-captioned matter, and good progress has been made in the negotiation of a formal written settlement agreement, it is believed that the parties would benefit from the appointment by this Board of a separate settlement judge, consistent with both the Commission's decision in Rockwell International Corporation, CLI-90-05, 30 NRC 337 (1990) and the NRC regulation which encourages settlements, 10 C.F.R. § 2.759. Accordingly, the parties hereby request: (1) the appointment of a settlement judge, consistent with the above-referenced authority; and (2) continuation of the suspension period for another forty-five (45) days until May 4, 2001, in order to allow

sufficient time for both the appointment and involvement in the settlement negotiations by such a settlement judge. (The documents requested by this Board, assuming settlement has not been reached, to similarly be deferred until the conclusion of the revised suspension period.)

Respectfully submitted,



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Dated at Rockville, MD this 8th day of
MARCH, 2001.

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CERTIFICATE OF SERVICE

I hereby certify that on this 8th day of March, 2001, copies of the foregoing "Joint Status Report" have been served upon the following persons by U.S. mail, first class or by NRC internal distribution.

Office of Commission Appellate
Adjudication
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

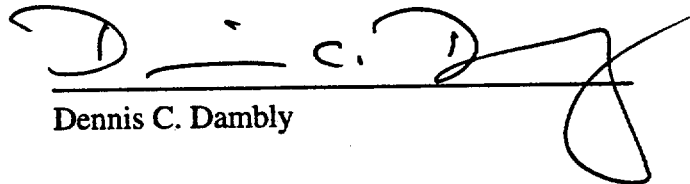
Administrative Judge
Charles Bechhoefer, Chairman
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Panel
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Administrative Judge
Dr. Richard F. Cole
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Administrative Judge
Ann Marshall Young
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John K. Wood
Vice President
Perry Nuclear Power Plant
10 Center Road
Perry, OH 44081

Dated at Rockville, MD this
8th day of March, 2001.



Dennis C. Dambly