

**RAS 4182**

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

**DOCKETED 03/28/02**

**SERVED 03/28/02**

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

Charles Bechhoefer, Chairman  
Dr. Richard F. Cole  
Dr. Charles N. Kelber

In the Matter of

DOMINION NUCLEAR CONNECTICUT, INC.

(Millstone Nuclear Power Station, Unit No. 3;  
Facility Operating License NPF-49)

Docket No. 50-423-LA-3

ASLBP No. 00-771-01-LA-R

March 28, 2002

MEMORANDUM AND ORDER  
(Procedure at Oral Argument)

At the April 2, 2002, oral argument, each party's presentation on the single contention at issue should be one hour or less, with a one hour limit for rebuttal by the Intervenor. Because the burden of establishing a dispute of fact warranting an evidentiary hearing is on the Intervenor, their presentation will be heard first, followed by the Licensee and Staff. The Intervenor will then be permitted rebuttal. It is anticipated that, following preliminary matters, the Intervenor's and Licensee's presentations will be heard before lunch, and the Staff presentation and Intervenor's rebuttal after lunch. If necessary, the Board may adjust these times at oral argument.

IT IS SO ORDERED.

**/RA/**

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Charles Bechhoefer, Chairman  
ADMINISTRATIVE JUDGE

Rockville, Maryland  
March 28, 2002

[Copies of this Memorandum and Order have been transmitted this date by e-mail to counsel for each party.]

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NUCLEAR REGULATORY COMMISSION

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB MEMORANDUM AND ORDER (PROCEDURE AT ORAL ARGUMENT) have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

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Washington, DC 20555-0001

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Docket No. 50-423-LA-3  
LB MEMORANDUM AND ORDER  
(PROCEDURE AT ORAL ARGUMENT)

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[Original signed by Adria T. Byrdsong]

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Office of the Secretary of the Commission

Dated at Rockville, Maryland,  
this 28<sup>th</sup> day of March 2002