

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

DOCKETED  
USNRC

ATOMIC SAFETY AND LICENSING BOARD

'98 AUG 13 P2:58

Before Administrative Judges:

Thomas S. Moore, Chairman  
Dr. Jerry R. Kline  
Frederick J. Shon

OFFICE  
RULE  
ADJUDICATING

In the Matter of  
  
COMMONWEALTH EDISON COMPANY  
  
(Zion Nuclear Power Station,  
Units 1 and 2)

Docket Nos. 50-295/304-LA

ASLBP No. 98-744-04-LA

August 13, 1998

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ORDER

The Applicant, Commonwealth Edison Company, has filed a motion to postpone the time for filing its answer to the numerous and lengthy proffered contentions contained in the supplemental intervention petition of the Petitioner, Edwin D. Dienethal. The Applicant seeks an extension of time until after the Licensing Board rules on the Petitioner's standing to intervene. The Applicant argues that filing an answer to the proffered contentions at this time is inefficient and imposes substantial unnecessary costs upon the Applicant because the Board might rule that the Petitioner lacks standing thereby obviating the Applicant's need to respond to the Petitioner's contentions. The NRC Staff concurs in the Applicant's motion and requests similar relief. The Petitioner opposes the Applicant's motion.

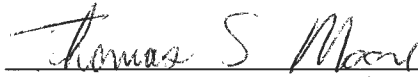
In light of the length and complexity of the Petitioner's proffered contentions and the corresponding time, effort, and expense

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the Applicant and the Staff will incur in filing answers to them at this time, the Board finds that the most efficient manner of proceeding is to postpone the filing of answers to the Petitioner's contentions until after the Applicant and the Staff file their replies addressing the standing issue and the Board rules upon that issue. Accordingly, the Applicant's motion is granted. If necessary, the Board will issue a subsequent scheduling order.

It is so ORDERED.

FOR THE ATOMIC SAFETY AND  
LICENSING BOARD

  
\_\_\_\_\_  
Thomas S. Moore, Chairman  
Administrative Judge

Rockville, Maryland  
August 13, 1998

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of

COMMONWEALTH EDISON COMPANY

(Zion Nuclear Power Station,  
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Docket No.(s) 50-295/304-LA

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB ORDER GRANTING MOTION have been served upon the following persons by U.S. mail, first class, except as otherwise noted and in accordance with the requirements of 10 CFR Sec. 2.712.

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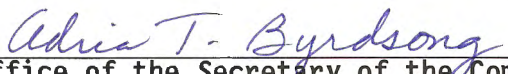
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Docket No.(s)50-295/304-LA  
LB ORDER GRANTING MOTION

Dated at Rockville, Md. this  
13 day of August 1998

  
Office of the Secretary of the Commission