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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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USNRC

ATOMIC SAFETY AND LICENSING BOARD 85 AUG 13 A10:40

Before Administrative Judges:

Lawrence Brenner, Chairman
Dr. A. Dixon Callihan
Dr. Richard F. Cole

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In the Matter of

COMMONWEALTH EDISON COMPANY

(Braidwood Nuclear Power Station,
Units 1 and 2)

Docket Nos. 50-45602
50-45702

August 12, 1985

ORDER GRANTING COMMONWEALTH EDISON'S MOTION FOR
SUMMARY DISPOSITION OF NEINER FARMS CONTENTION 1

Upon consideration of the pleadings before us, the Board grants Commonwealth Edison's June 11, 1985 motion for summary disposition of Neiner Farms Contention 1 (operational effects of 765 kV transmission line). Accordingly, this contention will not be litigated at the upcoming evidentiary hearing and no written direct testimony, which had been scheduled for receipt by September 13, 1985, shall be filed.

The Board will issue a memorandum in the future which will set forth the rationale for our ruling and discuss whether any operating license conditions are appropriate to: 1) assure the future accuracy of

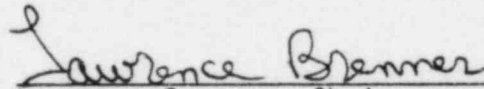
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the uncontested facts deemed material to our ruling, and (2) to protect the future rights of Intervenor Neiner Farms in light of our denial of their present efforts to litigate the contention.

IT IS SO ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD



Lawrence Brenner, Chairman
ADMINISTRATIVE JUDGE

Bethesda, Maryland
August 12, 1985