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USNRC

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

'00 MAR 24 P1:29

In the Matter of)
)
PRIVATE FUEL STORAGE L.L.C.)
)
(Independent Spent Fuel)
Storage Installation))

C. T. ...
ADJ. ...

Docket No. 72-22-ISFSI

SERVED MAR 24 2000

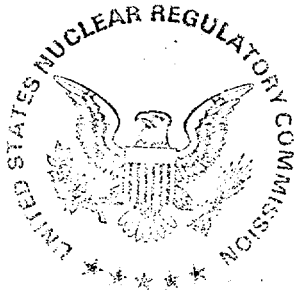
ORDER

On March 10, 2000, the Licensing Board issued its Memorandum and Order Granting in Part, Denying in Part, and Referring Ruling on Summary Disposition Regarding Contention Utah E/Confederated Tribes F (LBP-00-06). The Board has asked the Commission's guidance relating to whether the financial assurance requirement of 10 C.F.R. § 72.22(e) is met by a license condition prohibiting the licensee from beginning construction or operation before it has sufficient funding to cover necessary costs. Utah has requested the Commission's permission to brief the ruling referred by the Licensing Board for the Commission's review.

Pursuant to my authority under 10 C.F.R. § 2.772(a), the time for filing briefs is set as follows: Utah's brief is due by close of business April 5, 2000; responsive briefs by Private Fuel Storage and the NRC staff are due April 17, 2000, and any reply brief by Utah is due April 24, 2000. Principal briefs shall not exceed 25 pages and Utah's reply brief shall not exceed 15 pages. The briefs shall address the question of whether review is appropriate under 10 C.F.R. § 2.786 (g) and the merits of the referred ruling. It is further ordered that the parties furnish electronic copies of the briefs to the other parties in accordance with this schedule to avoid delays associated with service by mail.

DS02

IT IS SO ORDERED.



For the Commission

A handwritten signature in cursive script, reading "Annette L. Vietti-Cook".

Annette L. Vietti-Cook
Secretary of the Commission

Dated at Rockville, Maryland,
this 24 day of March 2000.

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NUCLEAR REGULATORY COMMISSION

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing COMMISSION ORDER RE SCHEDULE FOR FILING BRIEFS have been served upon the following persons by deposit in the U.S. mail, first class, as indicated by an asterisk (*) or through deposit in the Nuclear Regulatory Commission's internal mail system as indicated by double asterisks (**), with copies by electronic mail as indicated.

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 COMMISSION ORDER
 RE SCHEDULE FOR FILING BRIEFS

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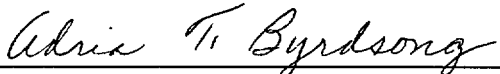
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 Office of the Secretary of the Commission

Dated at Rockville, Maryland,
 this 24th day of March 2000