

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

E. Roy Hawkens, Chairman
Dr. Paul B. Abramson
Dr. Anthony J. Baratta

In the Matter of	Docket No. 50-0219-LR
AMERGEN ENERGY COMPANY, LLC	ASLBP No. 06-844-01-LR
(Oyster Creek Nuclear Generating Station)	May 1, 2007

ORDER

(Granting AmerGen's Request for Leave to File Motion to Strike)

On April 30, 2007, AmerGen Energy Company, LLC ("AmerGen"), submitted to the Licensing Board in the above-captioned proceeding a request for leave to file a motion to strike¹ portions of Citizens' April 26 Answer² to AmerGen's March 30 Motion for Summary Disposition.³

The motion is granted. AmerGen may submit no later than Friday, May 4, 2007, a motion not to exceed ten (10) pages in length. The motion shall identify with precision those portions of Citizens' Answer that AmerGen believes should be stricken and provide an accompanying explanation of why, in AmerGen's view, the material should not be considered. In no circumstance may AmerGen use its motion as an opportunity to attempt to address or rebut the substance of the assertions in Citizens' April 26 Answer.

¹ Notice of, or in the Alternative, Request for Leave to File Motion to Strike Portions of Citizens' Answer to AmerGen's Motion for Summary Disposition (Apr. 30, 2007).

² Citizens' Answer Opposing AmerGen's Motion for Summary Disposition (Apr. 26, 2007).

³ AmerGen Energy Company, LLC Motion for Summary Disposition on Citizens' Drywell Contention (Mar. 30, 2007).

Citizens and the NRC Staff may respond to AmerGen's motion no later than Friday, May 11, 2007, and their responses may not exceed ten (10) pages in length.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD⁴

/Original signed by/

E. Roy Hawkens, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland
May 1, 2007

⁴ Copies of this Order were sent this date by e-mail to counsel for: (1) AmerGen; (2) Citizens; (3) the NRC Staff; and (4) New Jersey.