

license to authorize construction and operation of a Low-Enriched Uranium Nitrate Storage Building at the NFS site in Erwin, Tennessee, and to increase the U²³⁵ possession limit. The notice of environmental assessment performed by the staff, finding of no significant impact, and opportunity for a hearing were published in the **Federal Register** on July 9, 2002 (67 FR 45,555).

The Presiding Officer in this proceeding is Administrative Judge Alan S. Rosenthal. Pursuant to the provisions of 10 CFR 2.722, 2.1209, Administrative Judge Richard F. Cole has been appointed to assist the Presiding Officer in taking evidence and in preparing a suitable record for review.

All correspondence, documents, and other materials shall be filed with Judges Rosenthal and Cole in accordance with 10 CFR 2.1203. Their addresses are:

Administrative Judge Alan S. Rosenthal,
Presiding Officer, Atomic Safety and
Licensing Board Panel, U.S. Nuclear
Regulatory Commission, Washington,
DC 20555-0001;

Administrative Judge Richard F. Cole,
Special Assistant, Atomic Safety and
Licensing Board Panel, U.S. Nuclear
Regulatory Commission, Washington,
DC 20555-0001.

Issued at Rockville, Maryland, this third day of September, 2002.

G. Paul Bollwerk III,

*Chief Administrative Judge, Atomic Safety
and Licensing Board Panel.*

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NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-338 AND 50-339]

Virginia Electric and Power Company; Notice of Withdrawal of Application for Amendments to Facility Operating Licenses

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of Virginia Electric and Power Company (the licensee) to withdraw its July 18, 2000, application, for proposed amendments to Facility Operating License Nos. NPF-4 and NPF-7 for the North Anna Power Station, Unit Nos. 1 and 2, located in Louisa County, Virginia.

The proposed amendments would have revised the Facility Operating Licenses to delay the implementation of Improved Technical Specifications to no later than December 20, 2002.

The Commission had previously issued a Notice of Consideration of

Issuance of Amendments published in the **Federal Register** on July 25, 2002 (67 FR 48679), and repeated the notice in the **Federal Register** on August 6, 2002 (67 FR 50962). However, by letter dated August 26, 2002, the licensee stated they had implemented ITS on August 20, 2002. As such the proposed amendment is no longer needed.

For further details with respect to this action, see the application for amendments dated July 18, 2002, and the licensee's letter dated August 26, 2002, which withdrew the application for license amendments. Documents may be examined, and/or copied for a fee, at the NRC's Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the Agencywide Documents Access and Management Systems (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site, <http://www.nrc.gov/reading-rm/adams/html>. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS should contact the NRC PDR reference staff by telephone at 1-800-397-4209 or 301-415-4737, or by e-mail to pdr@nrc.gov.

Dated at Rockville, Maryland, this 30th day of August, 2002.

For the Nuclear Regulatory Commission.

Stephen R. Monarque,

*Project Manager, Section 1, Project
Directorate II, Division of Licensing Project
Management, Office of Nuclear Reactor
Regulation.*

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 35-27564]

Filings Under the Public Utility Holding Company Act of 1935, as Amended ("Act")

August 30, 2002.

Notice is hereby given that the following filing(s) has/have been made with the Commission pursuant to provisions of the Act and rules promulgated under the Act. All interested persons are referred to the application(s) and/or declaration(s) for complete statements of the proposed transaction(s) summarized below. The application(s) and/or declaration(s) and any amendment(s) is/are available for public inspection through the Commission's Branch of Public Reference.

Interested persons wishing to comment or request a hearing on the application(s) and/or declaration(s) should submit their views in writing by September 24, 2002, to the Secretary, Securities and Exchange Commission, Washington, DC 20549-0609, and serve a copy on the relevant applicant(s) and/or declarant(s) at the address(es) specified below. Proof of service (by affidavit or, in the case of an attorney at law, by certificate) should be filed with the request. Any request for hearing should identify specifically the issues of facts or law that are disputed. A person who so requests will be notified of any hearing, if ordered, and will receive a copy of any notice or order issued in the matter. After September 24, 2002, the application(s) and/or declaration(s), as filed or as amended, may be granted and/or permitted to become effective.

The Southern Company, et al. (70-9771)

The Southern Company ("Southern"), 270 Peachtree Street, NW., Atlanta, Georgia 30303, a registered holding company, and its wholly owned subsidiaries, Mobile Energy Services Holdings, Inc. ("Holdings") and Mobile Energy Services Company, L.L.C. ("Mobile Energy")¹ both of 1155 Perimeter Center West, Atlanta, Georgia 30338 (collectively, "Applicants"), have filed an amended and restated application-declaration ("Application") under sections 6(a), 7, 11(f), 11(g), 12(a), 12(b), 12(d), 12(e), 12(f) and rules 44, 45, 54, 62, 63 and 64 of the Act.

The Commission issued an initial notice of the filing of the Application on October 16, 2000 (HCAR No. 27254), which described the First Amended Joint Plan of Reorganization dated September 15, 2000 ("First Plan"). On April 11, 2001 the Commission issued a supplemental notice (HCAR No. 27377) that described the Second Amended Joint Plan of Reorganization dated February 21, 2001 ("Second Plan"). This supplemental notice describes the Third Joint Plan of Reorganization, as Modified ("Third Plan"). The Third Plan supercedes the First Plan and the Second Plan although it contains numerous similarities.

Applicants propose that the Commission issue: (1) An order under section 11(f) of the Act approving the Third Plan and certain related

¹ Mobile Energy is a wholly owned limited liability company subsidiary of Holdings to which Holdings transferred all of its assets other than its equity interest in Mobile Energy in July 1995. Mobile Energy is an electric utility company within the meaning of section 2(a)(3) of the Act.