NOTE: This order is nonprecedential.

United States Court of Appeals for the Federal Circuit

2008-5037, -5041

NORTHERN STATES POWER COMPANY,

Plaintiff-Cross Appellant,

v.

UNITED STATES,

Defendant-Appellant.

Appeal from the United States Court of Federal Claims
98-CV-484, Senior Judge John P. Wiese.

ON MOTION

Before PROST, Circuit Judge.

ORDER

Northern States Power Company (Northern States) submits a status report in response to this court's April 1, 2008 order and moves to lift the stay of proceedings and direct the United States to file its initial brief. The United States also submits a status report and opposes lifting the stay of proceedings until this court disposes of the United States' motions for reconsideration to recall the mandates in the consolidated appeals of Yankee Atomic Electric Co. v. United States, Nos. 2007-5025, -5026, -5027, -5031, -5032, -5033, Pacific Gas & Electric Co. v. United States, No. 2007-5046, and Sacramento Municipal Utility District, Nos. 2007-5052, -5097 (the Yankee Atomic cases).

Upon consideration thereof,

IT IS ORDERED THAT:

Northern States' motion to lift the stay of proceedings is denied.

FOR THE COURT

FEB 2 2009

Date

/s/ Jan Horbaly
Jan Horbaly
Clerk

FILED
U.S. COURT OF APPEALS FOR
THE FEDERAL CIRCUIT

FEB 02 2009

JAN HORBALY
CLERK

cc: Alexander D. Tomaszczuk, Esq.
Andrew P. Averbach, Esq.

s19