

CCASE:
EMERY MINING, UTAH POWER & LIGHT V. MSHA, UMWA
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FEDERAL MINE SAFETY & HEALTH REVIEW COMMISSION
WASHINGTON, D.C.
March 24, 1989

EMERY MINING CORPORATION
and UTAH POWER & LIGHT
COMPANY, MINING DIVISION

v. Docket Nos. WEST 87-130-R, et al.

SECRETARY OF LABOR,
MINE SAFETY AND HEALTH
ADMINISTRATION (MSHA)

and

UNITED MINE WORKERS OF
AMERICA (UMWA)

ORDER

Counsel for the cross-petitioners Secretary of Labor and Utah Power and Light Company, Mining Division ("UP&L") have filed a joint motion seeking a stay of briefing and further proceedings before the Commission in this matter until after final disposition by the Commission administrative law judge of related proceedings below involving Emery Mining Corporation ("Emery"). The motion states that it is possible that review by the Commission in the present matter may be rendered unnecessary by the final resolution of the proceedings below involving Emery.

Upon consideration of the motion, it is granted and briefing and other proceedings in this matter are stayed until further notice of the Commission. The hearing on the merits involving Emery is scheduled to commence before the judge on May 16, 1989, and the parties are directed to provide the Commission with a written notification concerning the procedural status of those proceedings no later than May 31, 1989.

For the Commission:

Ford B. Ford, Chairman

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Distribution

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