

December 7, 1998

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION**

Before the Atomic Safety and Licensing Board

In the Matter of)	
)	
PRIVATE FUEL STORAGE L.L.C.)	Docket No. 72-22
)	
(Private Fuel Storage Facility))	ASLBP No. 97-732-02-ISFSI

**APPLICANT'S RESPONSE TO STATE OF UTAH'S REQUEST
FOR EXTENSION OF INFORMAL DISCOVERY PERIOD**

Applicant Private Fuel Storage L.L.C. ("Applicant" or "PFS") hereby submits its response to the "State of Utah's Request for Extension of Informal Discovery Period," dated December 1, 1998. As the Board knows based on the Staff's letter of November 24, 1998 to the Board and the parties, the Staff intends to send a second round of Requests for Additional Information (RAIs) to the Applicant which will include questions that relate to issues raised in both the Group I and Group II contentions as categorized by the Board for hearing. The Staff states in its letter that its statement of a final position on those contentions having related RAIs is "likely to require prior receipt and review of the Applicant's responses to the RAIs." Thus, while the Staff expects to state a position on "some Group I and Group II contentions by the dates established under the current schedule, its position on many other Group I and Group II contentions will need to be deferred until the Staff has received and reviewed the Applicant's responses to RAIs."

Based on discussion with counsel for the Staff, Applicant understands that the Staff would be in a position to go to hearing with respect to only one or two of the contentions currently scheduled for hearing in August (although some others might be subject to summary disposition on legal grounds). Although certainly desirous of a hearing in August, Applicant does not believe that it is worthwhile to hold a hearing for just one or two issues. Rather, it would make more sense to postpone any hearing until a greater number of the contentions can be heard and decided.

Counsel for the Applicant has discussed this matter with counsel for both the Staff and the State and they are in general agreement that the August hearing should be postponed until a greater number of the contentions can be heard. Counsel are currently discussing among themselves what alternate schedule might be reasonable given the present status of the Staff's review and intend to be in a position to propose jointly, at the pre-hearing conference scheduled for this Friday, a revised schedule for the Board's consideration.

Accordingly, counsel believe that any extension of discovery should be considered in light of the overall revision to the schedule. In this regard, counsel for the State has authorized Applicant to say that the State does not require or request Board resolution

of its motion outside of or prior to the Board's consideration of the overall scheduling issues discussed above.

Respectfully submitted,



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Dated: December 7, 1998

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CERTIFICATE OF SERVICE

I hereby certify that copies of the "Applicant's Response to State of Utah's Request for Extension of Informal Discovery Period" were served on the persons listed below (unless otherwise noted) by e-mail with conforming copies by U.S. mail, first class, postage prepaid, this 7th day of December 1998.

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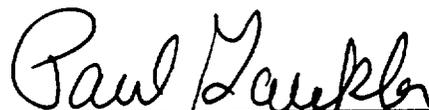
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