

November 22, 1999

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))

**APPLICANT'S UNOPPOSED REQUEST FOR EXTENSION OF
TIME TO RESPOND TO STATE OF UTAH'S PETITION FOR
INTERLOCUTORY REVIEW OF LBP-99-43**

Private Fuel Storage L.L.C. ("Applicant") hereby requests an extension of time in which to file an answer to the State of Utah's Petition for Interlocutory Review of LBP-99-43 (State's Petition"). In its November 19, 1999 petition, the State asks the Commission for interlocutory review of LBP-99-43, Memorandum and Order (Denying Request for Admission of late-filed Amended Contention Utah C), dated November 4, 1999. State's Petition at 1. Applicant intends to answer the State's Petition, and contest the State's assertions that interlocutory review is warranted and that the Licensing Board misapplied the "good cause" standard of 10 C.F.R. § 2.714(a)(1). Under the 10 day time limit established for filing responses by 10 C.F.R. § 2.786(b)(3), Applicant's answer would be due Monday, November 29, 1999. Having to answer within the 10 day time limit of 10 C.F.R. § 2.786(b)(3) would greatly burden the Applicant, given the

intervening four day Thanksgiving holiday weekend. Because the State's Petition was filed the Friday afternoon before Thanksgiving, Applicant would, as a practical matter, have only 4 business days to prepare its answer.

Applicant therefore requests an extension of time of four days to Friday, December 3, 1999 to file its answer to the State's Petition. Applicant has conferred with counsel for the State, who does not oppose this request for an extension. The Applicant has also conferred with the NRC Staff, who does not oppose this request, as long as it receives the same extension for its response.

Wherefore, the Applicant requests that it and the NRC Staff be allowed to file their responses to the State's Petition through December 3, 1999.

Respectfully submitted,



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Dated: November 22, 1999

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NUCLEAR REGULATORY COMMISSION

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Applicant's Unopposed Request for Extension of Time to Respond to State of Utah's Petition for Interlocutory Review of LBP-99-43 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 22th day of November 1999.

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