

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of:)	Docket No. 72-22-ISFSI
)	
PRIVATE FUEL STORAGE, LLC)	ASLBP No. 97-732-02-ISFSI
(Independent Spent Fuel)	
Storage Installation))	October 21, 1999

**STATE OF UTAH'S MOTION FOR LEAVE TO REPLY TO
APPLICANT'S AND STAFF'S RESPONSES TO
STATE OF UTAH'S REQUEST FOR ADMISSION OF
LATE-FILED AMENDED UTAH CONTENTION V**

The State of Utah hereby moves for leave to reply to the Applicant's and NRC Staff's responses to State of Utah's Request for Admission of Late-filed Amended Utah Contention V. The State's Request was filed on October 4, 1999. The NRC Staff and the Applicant filed responses to the State's Contentions on October 18, 1999. The State seeks leave to file a reply in order to respond to various arguments made by the Applicant and the Staff that Amended Utah Contention V lacks a legal or factual basis and does not satisfy the Commission's criteria for late-filing. It is important that the State be allowed to respond in order to provide the Licensing Board with a complete record upon which to decide whether to admit the contention.

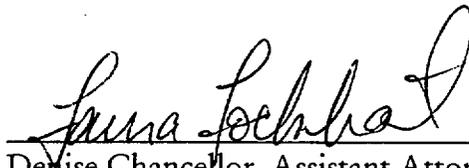
Pursuant to Board's Memorandum and Order of February 2, 1998 (Memorializing Initial Prehearing Conference Directives), a reply by the State would be due within ten days of the date the Staff and Applicant filed their responses. Order

at 4, n. 3. If granted leave, the State intends to file its reply on or before Thursday, October 28, 1999. The State would limit its reply to ten pages or fewer.

Counsel for the Applicant and the NRC Staff do not oppose this Motion.

DATED this 21st day of October, 1999.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that a copy of STATE OF UTAH'S MOTION FOR LEAVE TO REPLY TO APPLICANT'S AND STAFF'S RESPONSES TO STATE OF UTAH'S REQUEST FOR ADMISSION OF LATE-FILED AMENDED UTAH CONTENTION V was served on the persons listed below by electronic mail (unless otherwise noted) with conforming copies by United States mail first class, this 21st day of October, 1999:

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