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RULEMAKINGS AND
ADJUDICATIONS STAFF

January 2, 2001

Administrative Judge G. Paul Bollwerk, Chairman
Administrative Judge Jerry R. Kline
Administrative Judge Peter S. Lam
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

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

Dear Chairman Bollwerk and Judges Kline and Lam:

This letter concerns scheduling issues regarding Applicant's motions for summary disposition of Contentions Utah K and Utah L. As reflected by the time of its electronic service, Applicant's Motion for Summary Disposition of Utah Contention L was not served electronically until 1:42 AM December 31, 2000 (with the declarations served at 12:06 AM and the Statement of Material Facts served at 12:21 AM),after the 11:59 P.M December 30, 2000 deadline. Further, because of their volume, the exhibits were not served electronically and, because of the holiday, could not be served on the State by the next business day. With the exception of the Geomatrix and Bay Geophysical reports (which both the State and the Staff have and which have taken additional time to copy because of the holidays and the large color plates involved), the exhibits were served by Federal Express on the State today so as to be received Wednesday, January 3, and will be hand delivered to the Board and the NRC Staff at White Flint to be received first thing Wednesday morning. Counsel for Applicant has spoken with both counsel for the State and for the NRC Staff, and neither have expressed concern regarding the above, albeit the State, because of the length of the two motions, has requested additional time to respond to them. As correctly noted by the State in its request, Applicant does not object to the State's request for additional time for it (and the NRC Staff) to respond to Applicant's motions.

Respectfully,

Paul Gaukler

Paul A. Gaukler
Counsel for Applicant

cc: Service List

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