

RAS 3494

STATE OF UTAH  
OFFICE OF THE ATTORNEY GENERAL

DOCKETED  
USNRC

October 15, 2001 (2:36PM)

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF



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October 12, 2001

Administrative Judges,  
G. Paul Bollwerk, III, Chairman  
Dr. Jerry Kline  
Dr. Peter S. Lam  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

re: In the Matter of Private Fuel Storage (ISFSI), Docket No. 72-22-ISFSI  
Notice of Oversight in Not Electronically Filing Motion

Dear Administrative Judges:

On Wednesday, October 10, 2001 the State filed various documents with the Board and the Commission, all of which we thought were served electronically. We have now discovered that the State's October 10<sup>th</sup> Motion to Compel NRC Staff to Respond to State's Twelfth Set of Discovery Requests (Contention L, Part B) was not served electronically. In accordance with the Certificate of Service, the Motion was mailed by regular first class mail on October 10<sup>th</sup>.

The State is now electronically serving the said Motion and an amended Certificate of Service. The oversight occurred, in part, because on October 10<sup>th</sup> we were working under extremely difficult conditions; that day a virus had infected both our word processing and e-mail systems. Under these circumstance the State requests the Board find the State's Motion timely served.

Sincerely,

Denise Chancellor  
Assistant Attorney General

cc: PFS Service List

Template = SECY-043

SECY-02

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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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 12, 2001

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AMENDED CERTIFICATE OF SERVICE

I hereby certify that a copy of STATE OF UTAH'S MOTION TO COMPEL NRC STAFF TO RESPOND TO STATE'S TWELFTH SET OF DISCOVERY REQUESTS was served by regular United States first class mail on the persons listed below on October 10, 2001 but due to an oversight and computer problems, was served by electronic mail (unless otherwise noted) this 12<sup>th</sup> day of October, 2001:

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State of Utah