

**Constellation**  
Nuclear

**Nine Mile Point  
Nuclear Station**

*A Member of the  
Constellation Energy Group*

March 18, 2002  
NMP1L 1654

U. S. Nuclear Regulatory Commission  
Washington, DC 20555

**ATTENTION:** Mr. Samuel J. Collins, Director, Office of Nuclear Reactor Regulation

**SUBJECT:** Nine Mile Point Unit Nos. 1 and 2  
Docket Nos. 50-220 & 50-410  
Facility Operating License Nos. DPR-63 and NPF-69  
Request for Extension of Time to Submit an Answer and Request a Hearing

Section IV of the Nuclear Regulatory Commission's (NRC) February 25, 2002 Order Modifying Licenses (Order) states that, in accordance with 10 CFR 2.202, a Licensee must submit an answer to the Order and may request an extension of time in which to submit an answer or to request a hearing on the Order within 20 days of the date of the Order. In addition, the Order states, "[w]here good cause is shown, consideration will be given to extending the time to request a hearing."

For the following reasons, Nine Mile Point Nuclear Station, LLC (NMPNS), hereby requests an extension of time to supplement the Answer to the Order submitted March 18, 2002 and to request a hearing.

We have responded to Conditions B.1 and B.2 by identifying requirements with which compliance is unnecessary in NMPNS' specific circumstances. As required by Condition C.1 of the Order, NMPNS' response identifies specific actions to be taken to comply with each applicable requirement and provides a schedule for implementation.

In a few instances, as detailed in the March 18, 2002 submittal from Raymond L. Wenderlich to the NRC, we are unable to complete the necessary evaluations within the 20-day response time to determine what actions are appropriate and the appropriate schedule for implementation. Because we will be unable to ascertain the appropriate actions in the context of meeting the NRC's intent for these measures, we will be unable to determine whether it is necessary to request a hearing until we have completed the analyses and/or actions with respect to these matters.

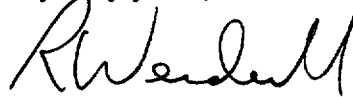
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Because of the unique nature of the situation that precipitated issuance of the Order, pursuant to Section IV of the Order, NMPNS requests (1) an extension of time to file an answer for Interim Compensatory Measures B.1.b, B.1.c, B.1.d, B.2.a(1), and B.2.a(2) until the dates identified in our March 18, 2002 submittal for completing the analysis and/or other actions with respect to those Interim Compensatory Measures, and (2) a comparable extension of time to file a request for hearing with respect to those matters.

Good cause exists for this request. Several complex analyses are being performed related to these measures. Until these analyses required to respond to the Order are complete, NMPNS cannot know if it is able to comply with the Order in these respects, if compliance is necessary in the circumstances, or if compliance would cause NMPNS to be in violation of NRC regulations or the facility license. Accordingly, NMPNS cannot know at this time how its interests will be affected by the Order and cannot determine at this time whether a request for a hearing would be appropriate. Thus, as noted above, NMPNS requests an extension of time to file an answer to certain Interim Compensatory Measures, and similarly requests an extension of time for requesting a hearing on that portion of the Order that relates to these certain Interim Compensatory Measures.

Should you have questions regarding this matter, we will be pleased to discuss them with you.

Very truly yours,



Raymond L. Wenderlich  
Vice President  
Nine Mile Point Nuclear Station, LLC

RLW/JP

Mr. Samuel J. Collins  
March 18, 2002  
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