

June 18, 2002

Mark Langer, Clerk
U.S. Court of Appeals for the
District of Columbia Circuit
333 Constitution Avenue, N.W.
Washington, D.C. 20001-2873

RE: State of Nevada v. Nuclear Regulatory Commission, No. 02-0116

Dear Mr. Langer:

Please file the enclosed motion for a one-week extension of time to file a reply. We have submitted an original and four copies.

Please date stamp the enclosed copy of this letter to indicate date of receipt and return it to me in the enclosed envelope, postage pre-paid, at your convenience.

Thank you for your cooperation.

Sincerely,

/R/

John F. Cordes
Solicitor
Office of the General Counsel

Enclosure: As stated

cc: service list

UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

STATE OF NEVADA, et al.,)
)
Petitioners,)
)
v.)
)
NUCLEAR REGULATORY COMMISSION)
and THE UNITED STATES OF AMERICA,)
)
Respondents.)
_____)

No. 02-1116

**FEDERAL RESPONDENTS' UNOPPOSED MOTION FOR A ONE-WEEK
EXTENSION OF TIME TO FILE A REPLY**

Pursuant to District of Columbia Circuit Rule 27(h), the Nuclear Regulatory Commission and the United States seek a one-week extension of time to file a reply to petitioners' response to our motion to dismiss. We have consulted counsel for petitioners and counsel for a prospective intervenor, the Nuclear Energy Institute. Both have consented to this extension. We ask that our motion be granted for the following reasons.

1. On May 28, 2002, we filed a motion to dismiss this petition for review for lack of jurisdiction. Petitioners responded on June 13, serving their response by mail. Our reply is currently due on June 24. See F.R.A.P. 26(a), (c), 27(a)(4). The case is not yet set for briefing or oral argument. Hence, a one-week extension of our reply deadline, to and including July 1, 2002, will not affect the schedule of the case.

2. Petitioners have filed a twenty-page response to our motion to dismiss. The response raises issues not addressed in our motion. Extending our reply deadline by a week will allow sufficient time to complete our review of petitioners' response and to perform any necessary research.

3. The NRC lawyers with principal responsibility for this case are working on other time-urgent matters this week. Extending our reply deadline by a week will enable them to complete their current work and have sufficient time to draft a reply.

4. All parties have consented to a one-week extension of time.

For the foregoing reasons, we respectfully ask this Court to grant this motion for a one-week extension of time to file a reply, to and including July 1, 2002.

Respectfully submitted,

JOHN BRYSON
RONALD M. SPRITZER
Attorneys, Appellate Section
Environment & Natural Resources
Division
U.S. Department of Justice
P.O. Box 23795
Washington, D.C. 20026-3795

JOHN F. CORDES
Solicitor
Office of the General Counsel
U.S. Nuclear Regulatory Commission

E. LEO SLAGGIE
Deputy Solicitor
Office of the General Counsel
U.S. Nuclear Regulatory Commission

STEVEN F. CROCKETT
Senior Attorney
Office of the General Counsel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555
301-415-1622

June 18, 2002

CERTIFICATE OF SERVICE

I hereby certify that on June 18, 2002, copies of the foregoing motion for extension of time were served by mail, postage prepaid, upon the following counsel:

Frankie Sue Del Papa, Attorney General
Marta A. Adams, Sr. Deputy Attorney General
State of Nevada
100 North Carson Street
Carson City, Nevada 89701

Joseph R. Egan
Egan & Associates
7918 Jones Branch Drive, Suite 600
McLean, Va. 22102

Charles J. Cooper
Robert J. Cynkar
Vincent J. Colatrisano
Cooper & Kirk, L.L.P.
1500 K Street, N.W., Suite 200
Washington, D.C. 20001

William H. Briggs, Jr.
Ross, Dixon & Bell, L.L.P.
2001 K Street, N.W.
Washington, D.C. 20006-1040

Elizabeth A. Vibert, Deputy District Attorney
Clark County, Nevada
500 South Grand Central Parkway
Las Vegas, NV 89106

Bradford R. Jerbic, City Attorney
William P. Henry, Senior Litigation Counsel
City of Las Vegas, Nevada
400 Stewart Avenue
Las Vegas, NV 89101

Michael A. Bauser
Nuclear Energy Institute, Inc.
1776 I Street, N.W. Suite 400
Washington, D.C. 20006

John F. Cordes

