

April 2, 2004

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNRC

Before the Atomic Safety and Licensing Board

April 7, 2004 (9:34AM)

In the Matter of)
)
PRIVATE FUEL STORAGE L.L.C.)
)
(Private Fuel Storage Facility))

Docket No. 72-22

ASLBP No. 97-732-02-ISFSI

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

APPLICANT'S MOTION FOR AN EXTENSION OF
TIME IN WHICH TO FILE A REQUEST FOR A STAY

On March 31, 2004, the Atomic Safety and Licensing Board ("Board") issued a Memorandum and Order¹ ruling on redactions requested by Private Fuel Storage, L.L.C. ("PFS") of proprietary and confidential information from the evidentiary and decisional materials relating to Contentions Utah E/Confederated Tribes F ("Utah E") and Utah S. In its Memorandum and Order, the Board ordered that any party requesting a stay pending Commission review of the release of any evidentiary or decisional material encompassed by the Memorandum and Order is to file its request on or before April 7, 2004. Petitions for review to the Commission are due April 15, 2004.

PFS is in the process of reviewing the Board's Memorandum and Order and the materials ordered to be disclosed to determine whether it will seek Commission review regarding any of the materials ordered to be disclosed by the Board. Should PFS decide to seek Commission review on the disclosure of any such materials, it would request a stay of the release of those materials pending Commission review. PFS will not be able to make a final determination on whether to seek Commission review on the disclosure of any of the materials until some time next week. To allow sufficient time thereafter to file a request for a stay, PFS requests that the

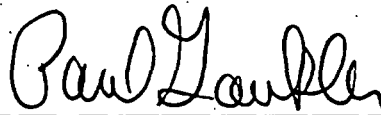
¹ Memorandum and Order (Disclosure/Redaction of Evidentiary and Decisional Materials Relating to Contentions Utah E/Confederated Tribes F and Utah S; Adopting Transcript Corrections Relating to Contentions Utah E/Confederated Tribes F and Utah S) (March 31, 2004).

time to file a request for a stay pending Commission review of the release of any evidentiary or decisional material encompassed by the Board's March 31, 2004 Memorandum and Order be extended to Tuesday, April 13, 2004.

Counsel for PFS has contacted counsel for the NRC Staff and for the State of Utah and is authorized to represent that neither object to the requested extension with the understanding that their time for filing responses to PFS's request would be extended to Tuesday April 20, 2004.

Wherefore, PFS respectfully requests that the time for filing a request for a stay pending Commission review of the release of any evidentiary or decisional material encompassed by the Board's March 31, 2004 Memorandum and Order be extended to Tuesday, April 13, 2004 and that the time for responses thereto be extended to Tuesday, April 20, 2004.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that copies of the Applicant's Motion for an Extension of Time In Which To File A Request For A Stay were served on the persons listed below (unless otherwise noted) by e-mail with conforming copies by U.S. mail, first class, postage prepaid, this 2nd day of April 2004.

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Office of the Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
Attention: Rulemakings and Adjudications
Staff
e-mail: hearingdocket@nrc.gov
(Original and two copies)

* Adjudicatory File
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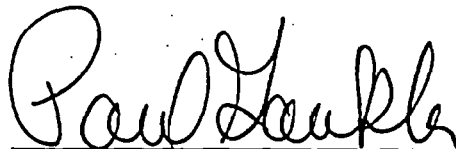
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