

November 16, 2004 (3:59pm)

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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In the Matter of:	}	Docket No. 72-22-ISFSI
PRIVATE FUEL STORAGE, LLC (Independent Spent Fuel Storage Installation)	}	ASLBP No. 97-732-02-ISFSI
	}	November 16, 2004

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STATE OF UTAH'S REQUEST FOR AN EXTENSION OF TIME TO FILE  
SUPPLEMENT TO CONTENTION UTAH UU

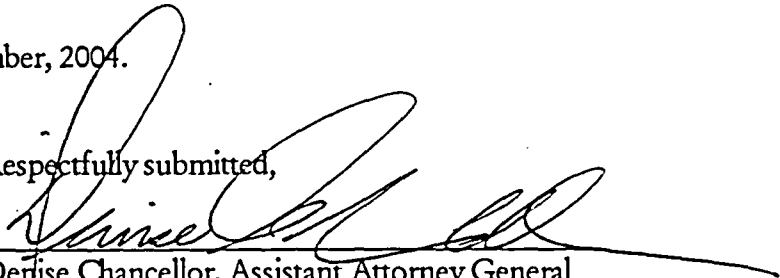
The State requests an extension of time until Monday, November 29, 2004, to file a supplement to Contention Utah UU, as today ordered by the Board. The State has good cause for making this request.

The Board correctly notes that the State did not request an extension of time to file the current contention, even though the filing period occurred during the particularly demanding time of drafting Reply Findings for the Utah K aircraft crash hearing. Under the Board's Order, however, the State would need to take even more time away from drafting its Reply Findings or alternatively have only three days in which to draft and file its supplement. Furthermore, not anticipating any filing being due, lawyers and support staff have already made arrangements to take well-earned time off during the Thanksgiving week. Finally, the issues the State must address in its supplement form a small component of the issues that PFS and the Staff need to address in their responses. Therefore, giving PFS one week, and the Staff eleven days, to review and respond to the State's supplement is reasonable.

The State has contacted counsel for the Applicant and the Staff. Counsel for PFS assumes that the State's requested extension of time will not affect the Board's schedule for resolving Contention Utah UU and, therefore, does not object to the State's request. Likewise, counsel for the Staff does not object to the State's request. Accordingly the State requests that the date for electronically filing its supplement relating to Contention Utah UU be extended to Monday, November 29, 2004.

DATED this 16<sup>th</sup> day of November, 2004.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that a copy of STATE OF UTAH'S REQUEST FOR AN EXTENSION OF TIME TO FILE SUPPLEMENT TO CONTENTION UTAH UU was served on the persons listed below by electronic mail (unless otherwise noted) with conforming copies by United States mail first class, this 16<sup>th</sup> day of November, 2004:

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