

August 30, 2006

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

| | | |
|-------------------|---|------------------------|
| In the Matter of |) | |
| |) | |
| DAVID GEISEN |) | Docket No. IA-05-052 |
| |) | ASLBP No. 06-845-01-EA |
| |) | |
| DALE L. MILLER |) | Docket No. IA-05-053 |
| |) | ASLBP No. 06-846-02-EA |
| |) | |
| STEVEN P. MOFFITT |) | Docket No. IA-05-054 |
| |) | ASLBP No. 06-847-03-EA |
| |) | |

CONSENT MOTION FOR AN EXTENSION OF TIME

INTRODUCTION

The Staff hereby moves for a two week extension of time to update its document disclosures in accordance with 10 C.F.R. § 2.336(d). In accordance with 10 C.F.R. § 2.323 the Staff contacted Counsel to all the parties in the above captioned proceedings. All parties indicate that they have no objection to the proposed extension of time.

DISCUSSION

On Friday, August 18th, 2006 the Staff obtained five boxes of additional documents from FirstEnergy Nuclear Operating Company. A cursory review of those documents by NRC Staff indicates that some of the documents may provide support for or opposition to the Orders which are the subject of the above captioned proceedings. In accordance with § 2.336(d) the Staff intends to disclose these documents to all parties. The documents are currently in the NRC Region III Office. The documents will be shipped to NRC Headquarters today. The Staff needs an additional two weeks in order to copy and index the documents and provide them to all parties. The Staff will produce the documents as soon as possible, but no later than

September 15, 2006.

CONCLUSION

Therefore, the Staff respectfully moves for an extension of time to complete its § 2.336(d) disclosures.

Respectfully Submitted,

/RA by Sara E. Brock/

Sara E. Brock
Mary C. Baty
Michael A. Spencer
Counsel for the NRC Staff

Dated at Rockville, Maryland
this 30th day of August, 2006

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

| | | |
|-------------------|---|------------------------|
| In the Matter of |) | |
| |) | |
| DAVID GEISEN |) | Docket No. IA-05-052 |
| |) | ASLBP No. 06-845-01-EA |
| |) | |
| DALE L. MILLER |) | Docket No. IA-05-053 |
| |) | ASLBP No. 06-846-02-EA |
| |) | |
| STEVEN P. MOFFITT |) | Docket No. IA-05-054 |
| |) | ASLBP No. 06-847-03-EA |
| |) | |

CERTIFICATE OF SERVICE

I hereby certify that copies of "CONSENT MOTION FOR AN EXTENSION OF TIME" in the above captioned proceeding have been served on the following persons by deposit in the United States mail; through deposit in the Nuclear Regulatory Commission internal mail system as indicated by an asterisk (*); and by electronic mail as indicated by a double asterisk (**) on this 30th day of August, 2006.

Michael C. Farrar * **
Administrative Judge, Chair
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Mail Stop: T-3 F23
Washington, D.C. 20555-0001
E-Mail: mcf@nrc.gov

Nicholas G. Trikouros * **
Administrative Judge
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Mail Stop: T-3 F23
Washington, D.C. 20555-0001
E-Mail: ngt@nrc.gov

E. Roy Hawken * **
Chief Administrative Judge
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Mail Stop: T-3 F23
Washington, D.C. 20555-0001
E-Mail: erh@nrc.gov

Office of the Secretary * **
Attn: Rulemaking and Adjudications Staff
U.S. Nuclear Regulatory Commission
Mail Stop: O-16 C1
Washington, D.C. 20555
E-mail: hearingdocket@nrc.gov

Adjudicatory File *
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Mail Stop: T-3 F23
Washington, D.C. 20555

Jane G. Penny * **
Thomas W. Scott * **
Killian & Gephart, LLP
218 Pine Street
P.O. Box 886
Harrisburg, PA 17108-0886
E-mail: jpenny@killiangephart.com
tscott@killiangephart.com

Office of Commission Appellate Adjudication *
U.S. Nuclear Regulatory Commission
Mail Stop: O-16 C1
Washington, D.C. 20555

Libby Perch * **
Board Staff
Atomic Safety and Licensing Board Panel
Mail Stop: T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
E-mail: emp1@nrc.gov

Richard A. Hilbey, Esq. **
Charles F.B. McAleer, Jr., Esq.
Andrew T. Wise, Esq.
Mathew T. Reinhard, Esq.
Miller & Chevalier
655 Fifteenth Street, N.W., Suite 900
Washington, D.C. 20005-5701
E-Mail: rhibey@milchev.com
awise@milchev.com
mreinhard@milchev.com

/RA/

Sara E. Brock
Counsel for NRC Staff