

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
BEFORE THE SECRETARY

In the Matter of

Callaway Plant Unit 2

Docket No. 52-037

Combined Construction and License Application

NRC-2008-0556

REVISED MOTION FOR EXTENSION OF TIME TO FILE REPLY

Come now Petitioners Missouri Coalition for the Environment and Missourians for Safe Energy MCE/MSE) and pursuant to 10 CFR 2.307(a) state good cause as follows.

The Missouri Public Counsel and Missourians Against Higher Utility Rates consent to this motion. The Missouri PSC has not been heard from.

NRC Staff opposes the motion because I “have not demonstrated good cause.” AmerenUE opposes, giving no reason.

On Friday, May 1, NRC Staff and AmerenUE (UE) filed their answers to our petition. The two answers total 220 pages, and Staff and UE had a collective 50 days to prepare them. UE contests all 11 contentions; Staff contests 10 and one-half. The process of responding is highly laborious, and I have with diligence, as of 10:00 a.m. CT on May 6, progressed to the fourth of eleven contentions; the suspension of the financial qualifications review also needs to be addressed. Counsel for MCE/MSE does not believe that he can adequately reply to the numerous points made or attempted to be made in the answers in one week. This motion is not motivated

by any desire to delay the proceedings or out of laziness but from a desire to produce a quality product that does not jeopardize my clients' interest by failing to address important arguments.

We do not believe that seven days will cause any harm, especially since review of the financial qualifications of the applicant cannot, as UE admits, be continued for now and review of the COLA is, to that extent, suspended.

We therefore request an extension of seven days, until May 15, in which to file our reply.

Respectfully submitted,
Signed (electronically) by
Henry B. Robertson (Mo. Bar No. 29502)
Great Rivers Environmental Law Center
705 Olive Street, Suite 614
St. Louis, Missouri 63101
(314) 231-4181
(314) 231-4184 (facsimile)
hrobertson@greatriverslaw.org
Attorney for MCE and MSE

Dated May 6, 2009

CERTIFICATE OF SERVICE

I hereby certify that, on this 4th day of May, 2009, copies of the foregoing motion were electronically served on the following through the Electronic Information Exchange.

Office of Commission Appellate
Adjudication
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
E-mail: ocaamail@nrc.gov

Office of the Secretary of the Commission
Mail Stop O-16C1
Washington, DC 20555-0001
Hearing Docket
E-mail: hearingdocket@nrc.gov

Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Mail Stop - T-3 F23
Washington, DC 20555-0001

G. Paul Bollwerk, Chair

Administrative Judge
E-mail: gpb@nrc.gov

Richard F. Cole
Administrative Judge
E-mail: rfl@nrc.gov

Jeffrey D.E. Jeffries
Administrative Judge
E-mail: jeffrey.jeffries@nrc.gov

Lauren Bregman, Law Clerk
E-mail: lrb1@nrc.gov

Pillsbury Winthrop Shaw Pittman, LLP
2300 N Street, NW
Washington, DC 20037-1122
Jay E. Silberg

Robert B. Haemer
Jason B. Parker
Alison M. Crane
Blake J. Nelson
Stefanie M. Nelson
Michael G. Lepre
Counsel for the Applicant
E-mail: jay.silberg@pillsburylaw.com
E-mail: robert.haemer@pillsburylaw.com
E-mail: jason.parker@pillsburylaw.com
E-mail: alison.crane@pillsburylaw.com
E-mail: blake.nelson@pillsburylaw.com
E-mail: stefanie.nelson@pillsburylaw.com
E-mail: michael.lepre@pillsburylaw.com

U.S. Nuclear Regulatory Commission
Office of the General Counsel
Mail Stop - O-15 D21
Washington, DC 20555-0001
Kathryn Winsberg, Esq.
Ann Hodgdon, Esq.
Adam Gendelman, Esq.
Jessica Bielecki, Esq.
Sara Kirkwood, Esq.
Joseph Gilman, Paralegal
E-mail: klw@nrc.gov
E-mail: ann.hodgdon@nrc.gov
E-mail: adam.gendelman@nrc.gov
E-mail: jab2@nrc.gov
E-mail: jsg1@nrc.gov
E-mail: seb2@nrc.gov
OGG Mail Center: ogcmailcenter@nrc.gov

Missouri Public Service Commission

Steven Dottheim, Deputy General Counsel
Kevin A. Thompson, General Counsel
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65101
E-mail: steve.dottheim@psc.mo.gov
E-mail: kevin.thompson@psc.mo.gov

Noranda Aluminum, Inc.
Finnegan, Conrad & Peterson, L.C.
428 E. Capitol Avenue, Suite 300
Jefferson City, MO 65101
David Woodsmall, Esq.
E-mail: dwoodsmall@fcplaw.com
Noranda Aluminum, Inc.
Brownstein Hyatt Farber Schreck, LLP
410 17th Street, Suite 2200
Denver, CO 80202-4432
Hubert A. Farbes, Jr., Esq.
John A. Helfrich
Email: hfarbes@bhfs.com

Missouri Office of the Public Counsel
Lewis Mills, Director
P.O. Box 2230
Jefferson City, MO 65102
E-mail: Lewis.mills@ded.mo.gov

Tyson Smith
trsmith@winston.com

Signed (electronically) by
Henry B. Robertson (Mo. Bar No. 29502)
Great Rivers Environmental Law Center
705 Olive Street, Suite 614
St. Louis, Missouri 63101
(314) 231-4181
(314) 231-4184 (facsimile)
hrobertson@greatriverslaw.org

Attorney for MCE and MSE

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