

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE COMMISSION

In the Matter of

SOUTHERN NUCLEAR OPERATING CO.

(Early Site Permit for Vogtle ESP Site)

Docket No. 52-011-ESP

June 24, 2009

**JOINT INTERVENORS' MOTION  
FOR EXTENSION OF TIME TO FILE PETITION FOR REVIEW**

Pursuant to 10 C.F.R. § 2.307(a), Center for a Sustainable Coast, Savannah Riverkeeper, Southern Alliance for Clean Energy, Atlanta Women's Action for New Directions, and Blue Ridge Environmental Defense League (collectively, "Joint Intervenors"), each of which has intervened in the above-captioned Early Site Permit proceeding, hereby move for an extension of time to file a petition for review of the First Partial Initial Decision (contested hearing) served June 22, 2009 (the "Decision"). Joint Intervenors request leave to extend the filing deadline for their petition for review to July 22, 2009, instead of the current deadline of July 7, 2009.

(1) Joint Intervenors have sought consent of counsel for Southern Nuclear Operating Company ("SNC") and the NRC staff regarding this motion. SNC is not opposed to an extension of the filing deadline to July 15, 2009. The NRC staff is not opposed to a one or two day extension of the filing deadline because of the July 4<sup>th</sup> federal holiday.

(2) Pursuant to 10 C.F.R. § 2.307(a), Joint Intervenors submit the following "good cause" in support of their motion for an extension of time. First, the time period for

petitioning the Decision includes the July 4th federal holiday (celebrated on July 3, 2009) during which time Joint Intervenors' office will be closed and support staff will be unavailable. Thus, as a practical matter, the time for preparing Joint Intervenors' petition amounts to only ten business days. Second, the Decision is so lengthy (166 pages) as to make a petition within fifteen calendar days extremely difficult. Third, the Commission's interest in efficiency will be better served by granting an extension so as to receive higher quality briefing as opposed to a rushed petition for review. Finally, the issues raised by the Decision are both novel and complex, including legal issues on which Joint Intervenors must conduct extensive research. Thus, preparation of a meaningful petition will consume a significant amount of time. Joint Intervenors do not believe the Commission contemplated such extreme circumstances in establishing the fifteen-day time period for petitions for review in 10 C.F.R. § 2.341(b)(1). Accordingly, Joint Intervenors request that the Commission grant an additional fifteen days to Joint Intervenors to prepare their petition for review of the Decision and extend the filing deadline to July 22, 2009.

Given that the current filing deadline is rapidly approaching, Joint Intervenors respectfully request expedited treatment of this Motion.

Respectfully submitted this 24<sup>th</sup> day of June, 2009,

**/signed (electronically) by/**

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing JOINT INTERVENORS' MOTION FOR EXTENSION OF TIME TO FILE PETITION FOR REVIEW was served upon the following persons by Electronic Information Exchange and/or electronic mail.

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Dated: June 24, 2009:

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