

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE COMMISSION

_____)	
In the Matter of)	
)	
Carolina Power & Light Company)	Docket Nos. 52-022 COL
)	52-023 COL
(Shearon Harris Nuclear Power Plant,)	
Units 2 and 3))	
_____)	

MOTION TO EXTEND TIME TO FILE NOTICE OF APPEAL AND
ACCOMPANYING BRIEF
BY THE NORTH CAROLINA WASTE AWARENESS AND REDUCTION NETWORK

PURSUANT TO 10 C.F.R. §§ 2.311 and 2.307, now comes the North Carolina Waste Awareness and Reduction Network, Inc. ("NC WARN"), by and through the undersigned counsel, with motion to extend time to file notice of appeal and accompanying brief.

1. On June 30, 2009, the ASLB filed its Memorandum and Order (Ruling on Admissibility of Contention TC-1 in Response to the Commission's Remand in CLI-0908), LBP-09-08, denying the Petition to Intervene of NC WARN and terminating the proceeding. Pursuant to 10 C.F.R. §§ 2.311, notice of appeal and accompanying brief is to be filed within 10 days after service of the order.

2. Counsel for NC WARN received the Memorandum and Order late in the afternoon on June 30, 2009. He is leaving on a long-scheduled family vacation early on July 1, 2009, and not returning until late on July 12, 2009.

3. Counsel for NC WARN contacted Mr. O'Neill, Counsel for Progress Energy

Carolinas, the applicant, and left messages for Ms. Brock, Counsel for the NRC. Mr. O'Neill then contacted Mr. Fountain, Counsel for the NRC, and stated that neither party objects to extending the time for submitting a notice of appeal and brief, with the ten-day period to begin on July 13, 2009.

THEREFORE, NC WARN prays that the time for filing a notice of appeal and brief be extended until July 22, 2009.

Respectfully submitted this the 30th the day of June 2009.

_____/s/jr_____
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CERTIFICATE OF SERVICE

I hereby certify that copies of this MOTION TO EXTEND TIME TO FILE NOTICE OF APPEAL AND ACCOMPANYING BRIEF BY THE NORTH CAROLINA WASTE AWARENESS AND REDUCTION NETWORK was served via the Electronic Information Exchange.

This is the 30th day of June 2009.

_____/s/jr_____
John D. Runkle, Attorney at Law