

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)	)	
	)	

AMENDED 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 a motion to extend time to file notice of appeal and accompanying brief. This motion amends the earlier motion filed today.

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 left messages for Ms. Brock, Counsel for the NRC. Neither Ms Brock or Ms. Winsberg, Counsel for the NRC, were available. Counsel contacted Mr. O'Neill, Counsel for Progress Energy Carolinas, the applicant, who stated that Progress Energy did not object 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 30<sup>th</sup> the day of June 2009.

\_\_\_\_\_/s/jr\_\_\_\_\_  
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#### CERTIFICATE OF SERVICE

I hereby certify that copies of this AMENDED 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 30<sup>th</sup> day of June 2009.

\_\_\_\_\_/s/jr\_\_\_\_\_  
John D. Runkle, Attorney at Law