## UNITED STATES OF AMERICA NUCLEAR REGULATORY COMMISSION BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of	)	
	)	Docket No. 50-391
Tennessee Valley Authority	)	
	)	
(Watts Bar Unit 2)	)	
	)	

## SOUTHERN ALLIANCE FOR CLEAN ENERGY'S UNOPPOSED MOTION FOR EXTENSION OF TIME TO RESPOND TO TVA MOTION TO DISMISS CONTENTION 1

Pursuant to 10 C.F.R. §§ 2.323(a) and (b), Southern Alliance for Clean Energy ("SACE") hereby moves for a ten-day extension of the ten-day time period that 10 C.F.R. § 2.323(c) allows for SACE's response to Tennessee Valley Authority's ("TVA") Motion to Dismiss Southern Alliance for Clean Energy's Contention 1 as Moot (April 19, 2010). This motion is not opposed by TVA or the NRC Staff, although the Staff requests that any extension the Board grants to SACE also be granted to the NRC Staff for its own response to TVA's motion to dismiss Contention 1.

In support of this motion, SACE respectfully submits that because TVA seeks disposition of Contention 1 on substantive grounds, its motion to dismiss is akin to a summary disposition motion, for which 10 C.F.R. § 2.1205 would permit a twenty-day response period. A twenty-day response period is necessary in order to provide SACE with sufficient time to evaluate whether TVA has fully addressed its concerns or whether Contention 1 should be amended. In addition, SACE's counsel has a conflicting pre-existing obligation to reply to lengthy oppositions to a hearing request she filed on behalf of another organization in the license renewal proceeding for the Diablo Canyon nuclear power plant. The Diablo Canyon reply is due Friday April 23,

leaving SACE's counsel only four days during the following week to respond to TVA's motion to dismiss Contention 1.

Accordingly, SACE requests a ten-day extension of time to respond to TVA's motion to dismiss Contention 1, or until May 10, 2010.

Respectfully submitted,

Electronically signed by
Diane Curran
HARMON, CURRAN, SPIELBERG, & EISENBERG, L.L.P.
1726 M Street N.W., Suite 600
Washington, D.C. 20036
202-328-3500

Fax: 202-328-6918

e-mail: dcurran@harmoncurran.com

April 21, 2010

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In the Matter of	)	
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Tennessee Valley Authority	)	Docket No. 50-391
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## **CERTIFICATE OF SERVICE**

I certify that on April 21, 2010, I posted on the NRC's Electronic Information Exchange System copies of the foregoing SACE's Motion for Extension of Time to Respond to TVA Motion to Dismiss Contention 1. It is my understanding that as a result, the following parties were served:

Lawrence G. McDade, Chair	Kathryn M. Sutton, Esq.	
Paul B. Abramson	Paul M. Bessette, Esq.	
Gary S. Arnold	Morgan, Lewis & Bockius, L.L.P.	
Atomic Safety and Licensing Board Panel	1111 Pennsylvania Avenue N.W.	
U.S. Nuclear Regulatory Commission	Washington, D.C. 20004	
Mail Stop T-3F23	ksutton@morganlewis.com	
Lgm1@nrc.gov, pba@nrc.gov, wxb3@nrc.gov	pbessette@morganlewis.com	
NRC Office of the Secretary	NRC Office of Appellate Commission	
Rulemakings and Adjudications Staff	Adjudication	
U.S. Nuclear Regulatory Commission	U.S. Nuclear Regulatory Commission	
Washington, D.C. 20555	Washington, D.C. 20555	
Hearing.docket@nrc.gov	ocaamail@nrc.gov	
David E. Roth, Esq.	Edward J. Vigluicci, Esq.	
Edward Williamson, Esq.	Christopher C. Chandler, Esq.	
Andrea Jones, Esq.	Office of the General Counsel	
Office of General Counsel	Tennessee Valley Authority	
U.S. Nuclear Regulatory Commission	400 West Summit Hill Drive, WT 6A-K	
Washington, D.C. 20555	Knoxville, TN 37902	
David.roth@nrc.gov, andrea.jones@nrc.gov,	ejvigluicci@tva.gov, ccchandler0@tva.gov	
elw2@nrc.gov		

(signed electronically by)

Diane Curran