

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD PANEL

Before the Licensing Board:  
E. Roy Hawkens, Chairman  
Dr. Michael F. Kennedy  
Dr. William C. Burnett

In the Matter of	)	
	)	Docket No. 52-040 and 52-041
Florida Power & Light Company	)	
	)	ASLBP No. 10-903-02-COL
(Turkey Point Units 6 & 7)	)	
	)	
(Combined License)	)	
_____	)	

**PETITIONER’S MOTION FOR EXTENSION OF TIME TO REPLY TO  
RESPONSES TO PETITION TO INTERVENE**

Petitioner to intervene in the above-captioned Combined License (“COL”) proceeding, Citizens Allied for Safe Energy, Inc. (CASE), hereby moves for an extension of time to file replies to the Florida Power & Light Company (“FPL”) Answer Opposing Joint Petitioners’ Petition to Intervene (the “FPL Answer”) and the Nuclear Regulatory Commission (“NRC”) Staff Answer to Joint Petitioners’ Petition For Intervention (the “NRC Staff Answer”).

Petitioner requests leave to file its reply on October 4, 2010, instead of the current due date of September 20, 2010.

(1) As required by the NRC Rules of Practice, 10 C.F.R. § 2.323, Petitioner has sought consent of counsel for FPL, NRC Staff, and the other petitioners regarding this motion. Counsel for FPL opposes any extension. Counsel for the NRC Staff consents to an extension of seven days to September 27, 2010, but opposes the two-weeks requested by the petitioner. Attorneys for other petitioners in this matter, the Village of Pinecrest, Florida and the

Southern Alliance for Clean Energy, Inc do not oppose the requested extension.

(2) Joint Petitioners submit the following “good cause” in support of their motion for an extension of time. *See* Statement of Policy on Conduct of Adjudicatory Proceedings, CLI-81-8, 13 N.R.C. 452 (1981). First, the FPL Answer and the NRC Staff Answer are each voluminous, together totaling 291 pages of text, making a complete review and adequate reply within seven days impossible. Second, the many issues raised by Joint Petitioners and answered by FPL and the NRC Staff are worthy of considered and informed response discussion and analysis by CASE preparers and advisors which will require some time. Third, petitioner’s authors, expert witnesses and advisors are not all located in Miami, rather several are located throughout Florida and the nation and all have teaching or professional demands on their time since CASE, a pro se intervenor, has no paid staff or advisors all work being done voluntarily. Sufficient time is required to contact and communicate with these individuals to prepare meaningful and appropriate responses to the issues raised by FPL and NRC representatives since other commitments severely limit their ability to reply to the FPL and NRC Staff answers within the seven-day time period allotted in 10 C.F.R. § 2.309(h)(2). Fourth, September 17 and 18, 2010 are religious holidays for some CASE preparers and advisors so these days are unavailable to them do any work on this matter. The net amount of time available to them will only be about four working days. Fifth, on September 22, 2010 at 2:00 PM, Barry J. White, the CASE Appointed Representative, will have a medical procedure which will require some preparation that morning with recovery the following day. Dr. Carlos Santa Cruz, MD, Miami, FL is the physician.

For the foregoing reasons, CASE requests an additional fourteen days until October 4, 2010 to consider and prepare meaningful and appropriate responses to the important matters at hand in these proceedings regarding the safety of over 180,000 Turkey Point area residents,

workers and visitors on whose behalf CASE is working.

Respectfully submitted this 15<sup>th</sup> day of September, 2010.

\_\_\_\_\_/signed (electronically) by/\_\_\_\_\_

Barry J. White

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NUCLEAR REGULATORY COMMISSION

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In the Matter of )

Florida Power & Light Company )

Combined License Application for )  
Turkey Point Units 6 & 7 )  
\_\_\_\_\_ )

) Docket No. 52-040 and 52-041

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **MOTION FOR EXTENSION OF TIME TO REPLY TO RESPONSES TO PETITION TO INTERVENE** was served upon the following persons by Electronic Information Exchange and/or electronic mail:

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