

NUCLEAR REGULATORY COMMISSION  
ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:  
Alex S. Karlin, Chairman  
Dr. Anthony J. Baratta  
Dr. Randall J. Charbeneau

---

In the Matter of:	)	
PROGRESS ENERGY FLORIDA, INC.	)	Docket Nos.
(Levy County Nuclear Power Plant, Units 1 and 2)	)	52-029-COL, 52-030-COL
	)	August 8, 2012

---

**INTERVENORS' UNOPPOSED ANTICIPATORY MOTION FOR EXTENSION OF  
TIME TO RESPOND TO MOTIONS TO STRIKE**

Intervenors hereby make an anticipatory motion for an extension of time from August 17, 2012, to August 22, 2012, to respond to motions to strike Intervenors' testimony and exhibits. Intervenors anticipate that the motions to strike will be filed against them on August 10, 2012. This motion is unopposed.

Recently, counsel for Progress Energy Florida, Inc. ("PEF") and the U.S. Nuclear Regulatory Commission ("NRC") Staff contacted counsel for Intervenors to discuss their plans to move to strike numerous portions of Intervenors' testimony and exhibits. Despite all parties' best efforts to resolve their disagreements, they were unable to come to an agreement. Some of the issues discussed by the parties relate to questions about whether Intervenors' testimony lies within the scope of the contention as admitted by the Atomic Safety and Licensing Board ("ASLB") and questions regarding the proper interpretations of the ASLB's instructions regarding evidentiary presentations. In order to make an adequate response, Intervenors anticipate that it will be necessary to review and compare various ASLB orders and conduct some legal research.

Intervenors' counsel is leaving today for a long-planned vacation with her family and seeks a brief extension of time so that she may prepare a response after she returns to her office

on August 20. The granting of an extension is warranted because it would be very difficult for Intervenor's counsel to reschedule her family visit or to prepare a response from the location where she is vacationing. In an effort to minimize inconvenience to the other parties, Intervenor is limiting their request to only three business days past the deadline, or August 22, 2012.

Respectfully submitted,

*Signed (electronically) 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](mailto:dcurran@harmoncurran.com)

August 8, 2012