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UNITED STATES OF AMERICA NUCLEAR REGULATORY COMMISSION

10/16/79

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

PACIFIC GAS AND ELECTRIC
COMPANY

(Humboldt Bay Power Plant,

Unit No. 3)

Docket No. 50-133

NRC STAFF MOTION FOR EXTENSION OF TIME TO FILE RESPONSE TO LICENSEE'S MOTION TO HOLD PROCEEDINGS IN ABEYANCE

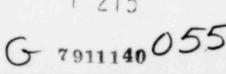


On September 27, 1979, the Pacific Gas and Electric Company, Licensee in this matter, filed a motion that all further proceedings be held in abeyance for an additional twelve months, until October 1, 1980. The motion is accompanied by a "Scope of Work" report from Licensee's consultants undertaking the geological and seismological studies.

On October 9, 1979, the Intervenors in this proceeding jointly filed a one-page statement of opposition to Licensee's motion, indicating that "within one week" they intend to "submit a memorandum setting forth in detail the grounds for their opposition". No explanation for late filing of the completed response is offered.

The NRC Staff has no objection to the submittal by Intervenors of a supplemental memorandum. However, under our Rules of Practice, the NRC Staff's response

^{1/} The Board had previously granted a motion to hold the proceedings in abeyance until October 1, 1979, conditioned upon filing by the company of status reports on their geologic investigations every 60 days.



to Licensee's motion is due to be filed on October 17, 1979. In light of indication by the Intervenors that they will file a substantial statement opposing the motion, we believe it would be preferable if we had the benefit of their views before stating our own position. Accordingly, we request an extension of time until 10 days following our receipt of Intervenors' memorandum for filing of our response. In the event that we do not receive a memorandum from Intervenors by November 1, 1979, we would then file a response on that date.

We have reached Licensee's counsel and a representative of the jointly filing Intervenors. Neither objects to the request for an extension of time.

Respectfully submitted,

Marcia E. Mulkey Counsel for NRC Staff

Dated at Bethesda, Maryland this 16th day of October, 1979.

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CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF MOTION FOR EXTENSION OF TIME TO FILE RESPONSE TO LICENSEE'S MOTION TO HOLD PROCEEDINGS IN ABEYANCE" in the above-captioned proceeding have been served on the following by deposit in the United States mail, first class or, as indicated by an asterisk, through deposit in the Nuclear Regulatory Commission's internal mail system, this 16th day of October, 1979.

- * Robert M. Lazo, Esc., Chairman Atomic Safety and Licensing Board Panel U.S. Nuclear Regulatory Commission Washington, D.C. 20555
- *Mr. Gustave A. Linenberger Atomic Safety and Licensing Board U.S. Nuclear Regulatory Commission Washington, D.C. 20555

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