

December 7, 1978

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION



BEFORE THE ATOMIC SAFETY AND LICENSING APPEAL BOARD

In the Matter of )  
NORTHERN STATES POWER COMPANY, ET AL. )  
TYRONE ENERGY PARK UNIT 1 )

Docket No. STN 50-484

NORTHERN THUNDER, INC., MOTION  
FOR EXTENSION OF TIME

In its Memorandum and Order dated December 1, 1978 (ALAB-509), the Board made certain rulings with regard to the procedure by which the radon issue will be resolved. First, the Board directed the intervenors in Sterling and Tyrone to file by January 5, 1979 a particularized memorandum setting forth (1) the respects in which the Perkins record is inaccurate or otherwise deficient with respect to radon release rates and concentration levels, together with the basis for the intervenors assertions and an assessment of the potential significance of the identified deficiencies, (2) whether a hearing is necessary to resolve the matters raised by the intervenors, and (3) what evidence the intervenors are prepared to offer. Second, the Board directed any party in any of the pending proceedings to submit a brief by January 16, 1979 (45 days from the date of ALAB-509) on why the Board's approach to the Perkins record is not acceptable.

Because of upcoming hearings before the Wisconsin Public Service Commission, the submission schedule contained in ALAB-509 would work a hardship on Northern Thunder. Starting December 11, 1978, the Wisconsin Public Service Commission will hold hearings on the question whether the power which would be generated by Tyrone is needed in western Wisconsin. In addition, the Wisconsin Public Service Commission will consider whether Tyrone, if constructed, would confer an economic or environmental benefit on Wisconsin consumers. These hearings will continue through December 22, 1978

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and, in all likelihood, will reconvene early in January 1979 and continue through January 19, 1979. Oral argument will be held on January 22, 1979. Richard Ihrig, the lawyer for Northern Thunder, will be involved in the hearings before the Wisconsin Public Service Commission as co-counsel for the Badger Safe Energy Alliance, Inc., the primary anti-Tyrone litigant before the Public Service Commission. As such, Ihrig's attendance at the Public Service Commission hearings is a necessity. Such hearings will be held in Eau Claire, Wisconsin and Madison, Wisconsin. Therefore, for the better part of the period from December 11, 1978 through January 19, 1979, Ihrig will not be at his home or office, but, rather, will be in daily attendance at Wisconsin Public Service Commission hearings.

Northern Thunder's participation in the resolution of the radon issue is significant. As noted by the Board, Northern Thunder is one of two intervenors which has identified deficiencies in the Perkins record with respect to radon releases and levels of radon concentration.

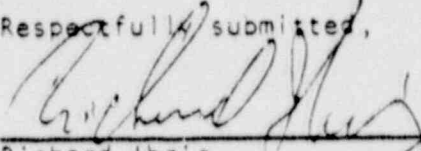
Northern Thunder believes the brief in response to the Board's "de minimus" approach to the radon issue raises a number of extremely significant considerations. In addition, as indicated in footnote to ALAB-509 this may be the only opportunity for intervenors to brief the question of the Board's "de minimus" theory, and that the Board's analysis of the "de minimus" theory may be crucial in shaping the future course of these proceedings. Therefore, it is imperative Northern Thunder has adequate time to fully brief the significant issues raised by the Board's approach to the radon question.

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1. The other intervenor which raised these issues is Ecology Action of Oswego. Ecology Action of Oswego and Northern Thunder will work together in this proceeding and will make identical filings. Because of the intervenors' limited funds, Ihrig may, in effect, represent both Northern Thunder and Ecology Action of Oswego. Therefore, his participation in this proceeding takes on added significance.

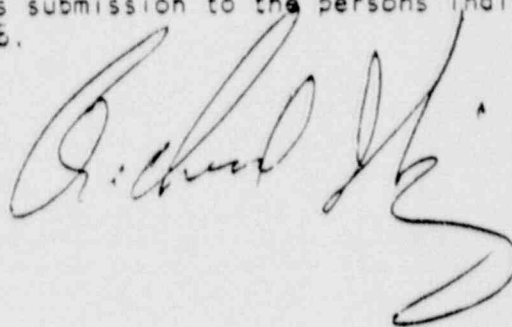
In view of the foregoing, Northern Thunder respectfully requests an extension until February 19, 1979, to submit the two filings called for by ALAB-509.

Respectfully submitted,

  
Richard Ihrig  
Lawyer for Northern Thunder, Inc.

December 7, 1978.

Richard Ihrig certifies he mailed a copy of this submission to the persons indicated on the attached service list on December 7, 1978.



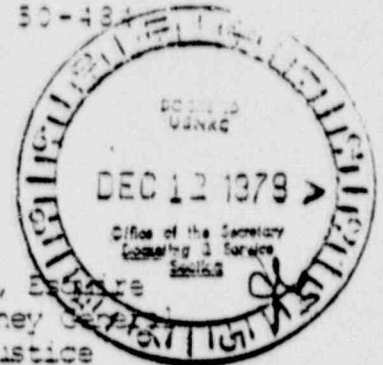
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NUCLEAR REGULATORY COMMISSION

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(Tyrone Energy Park, Unit 1) )

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