

In the Matter of

CONSUMERS POWER COMPANY

Docket No. 80-17-0000

Big Rock Point Nuclear Power Station

MOTION OF JOHN O'NEILL II, INTERVENOR, FOR PERMANENTLY TAKE OUT OF TIME

This motion is contingent upon my MOTION FOR AN EXTENSION OF TIME being denied, and I drop today's motion should the former have been accepted.

James Olson, the attorney assisting me in preparing my brief on the advisability of examining the need for power issues in this spent fuel pool expansion hearing, mistakenly believed that the deadline for filing was extended by the board to March 15, and consequently prepared nothing by the actual deadline of Monday, March 3, 1980. This, coupled with my very heavy work schedule at a new job, and a visit by my parents, prevented me from filing on time. I discussed a postponement of the deadline until March 10, 1980 with NRC Counsel, Janice Moore, Consumers Power Counsel Joseph Gallo, and Christa-Marina Attorney, Ellen Weiss, and no one objected to the delay. I informed Mr. Herbert Grossman of this, on the afternoon of March 3, and he indicated that he would very likely grant an extension.

THIS DOCUMENT CONTAINS  
POOR QUALITY PAGES

The brief is enclosed with this mailing, full and complete. I therefore MOVE THE BOARD TO ACCEPT JOHN O'NEILL II, INTERVENOR'S RESPONSE OF JOHN O'NEILL II TO THE LICENSING BOARD'S QUESTION CONCERNING THE NEPA REQUIREMENT TO CONSIDER NEED FOR POWER IN THIS PROCEEDING, MONDAY, MARCH 10, 1980, OUT OF TIME.



Sincerely  
*John O'Neill II*  
John O'Neill II - Intervenor  
Route 2, Box 48  
Maple City, Michigan 49664

I affirm that cc. sent to all on the service list, this Monday, March 10, 1980.

Dated, March 10, 1980 A.C.