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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	
METROPOLITAN EDISON COMPANY)	Docket No. 50-289
)	(Restart)
(Three Mile Island Nuclear)	
Station, Unit No. 1))	

LICENSEE'S OBJECTION TO AAMODT REQUEST FOR
FURTHER EXTENSION OF TIME

On April 7, 1980, Mrs. Aamodt filed a request for a further extension of time within which to notice and take the deposition of unspecified officials of the Commonwealth of Pennsylvania. The extension sought is until June 29, 1980, or well beyond the time for completion of discovery contemplated by the Board in its February 20, 1980 Memorandum on Revised Discovery Schedule and in its February 29, 1980 Fourth Special Prehearing Conference Order. While Licensee does not object to any accommodation for the taking of discovery that the Commonwealth may informally negotiate with Mrs. Aamodt, Licensee does object to the formal extension of time now being sought by Mrs. Aamodt from the Board.

The extent of discovery between Mrs. Aamodt and the Commonwealth is somewhat complex. Mrs. Aamodt has filed four sets of initial interrogatories on the Commonwealth (served February 20, 22, 25 and April 7, 1980). In addition, Mrs. Aamodt has filed two

sets of "follow-on" interrogatories (both served on March 27, 1980), and apparently contemplates serving two more sets of "follow-on" interrogatories. All of this has been, and can be, accomplished within the confines of the Board's Fourth Special Prehearing Conference Order without any extensions of time from the Board.

However, Mrs. Aamodt also seeks to take certain depositions after receipt of the "follow-on" discovery responses. Such a desire by Mrs. Aamodt is contrary to the Board's ruling in its Fourth Special Prehearing Conference Order. There the Board authorized "[o]ne round of follow-on discovery * * * which may take any form including interrogatories, document requests or depositions" (id. at p. 23; see also paragraph numbered 5 at p. 24). By filing additional interrogatories, Mrs. Aamodt has chosen to use that particular method of discovery for "follow-on" rather than depositions. The Board never contemplated that a party would file "follow-on" interrogatories, followed by a third round of discovery through depositions. Moreover, the schedule proposed by Mrs. Aamodt for her "follow-on" depositions is overly extended.

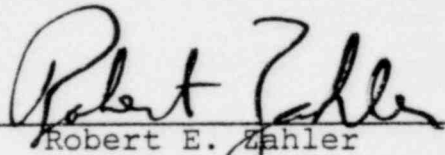
For these reasons, Licensee opposes Mrs. Aamodt's request for an order from the Board to extend discovery. Of particular concern to Licensee is that such an extension might later be used as an excuse to delay the time for the prefiling of testimony or the commencement of hearings. Licensee believes that the Commonwealth has been more than accommodating in responding to the numerous discovery requests of Mrs. Aamodt and we therefore see no reason

for the Board to formally extend the period of discovery. It should be understood, however, that in Licensee's view the continuing discovery by Mrs. Aamodt of the Commonwealth is being done on Mrs. Aamodt's time and does not constitute a basis for delaying this proceeding.

Respectfully submitted,

SHAW, PITTMAN, POTTS & TROWBRIDGE

By: _____


Robert E. Zahler

Dated: April 15, 1980

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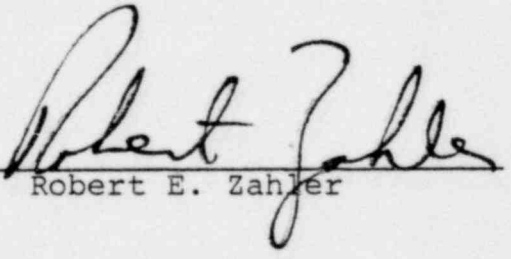
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CERTIFICATE OF SERVICE

I hereby certify that copies of "Licensee's Objection to Aamodt Request for Further Extension of Time", were served upon those persons on the attached Service List by deposit in the United States mail, postage prepaid, this 15th day of April, 1980.


Robert E. Zahler

Dated: April 15, 1980

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