

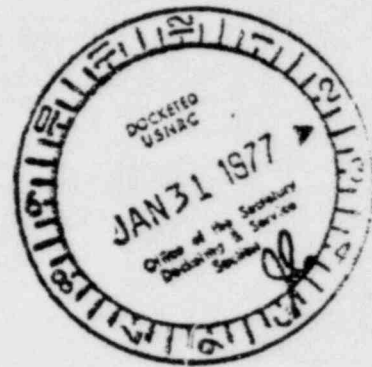
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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING APPEAL BOARD

Alan S. Rosenthal, Chairman
Richard S. Salzman
Jerome E. Sharfman

1/28/77



_____)	
In the Matter of)	
THE TOLEDO EDISON COMPANY and)	Docket Nos. 50-346A
THE CLEVELAND ELECTRIC)	50-500A
ILLUMINATING COMPANY)	50-501A
_____)	
(Davis-Besse Nuclear Power)	
Station, Units 1, 2 & 3))	
_____)	
THE CLEVELAND ELECTRIC)	Docket Nos. 50-440A
ILLUMINATING COMPANY, et al.)	50-441A
_____)	
(Perry Nuclear Power Plant,)	
Units 1 and 2))	
_____)	

ORDER

January 28, 1977

By order of November 23, 1976 the City of Cleveland was granted an extension until today of the time within which to file the brief in support of its appeal from the November 5, 1976 decision of the Special Board convened to consider the disqualification issue raised in this anti-trust proceeding. This morning, the counsel for the City telephoned the Secretary to this Board and orally requested

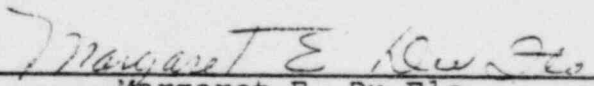
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that the time be further extended to and including next Wednesday, February 2. The offered justification was that a state of emergency exists in Cleveland because of severe weather conditions. Counsel represented that the principal appellee (the law firm of Squire, Sanders and Dempsey) has no objection to the extension.

In the circumstances, we are waiving the normal requirement that motions for extensions of time be made in writing. The oral motion is accepted and the relief sought therein granted. The City's brief is now due for filing on or before February 2, 1977.

It is so ORDERED.

FOR THE ATOMIC SAFETY AND LICENSING
APPEAL BOARD



Margaret E. Du Flo
Secretary to the
Appeal Board

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)	
)	
THE TOLEDO EDISON COMPANY, ET AL.))	Docket No.(s) 50-346A
CLEVELAND ELECTRIC ILLUMINATING))	50-440A
COMPANY))	50-441A
)	50-500A
(Davis-Besse Nuclear Power))	50-501A
Station, Unit No. 1; Perry))	
Nuclear Power Plant, Units 1&2)))	

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document(s) upon each person designated on the official service list compiled by the Office of the Secretary of the Commission in this proceeding in accordance with the requirements of Section 2.712 of 10 CFR Part 2 - Rules of Practice, of the Nuclear Regulatory Commission's Rules and Regulations.

Dated at Washington, D.C. this
31st day of Jan 1977.

PA Downing
Office of the Secretary of the Commission

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)	
)	
TOLEDO EDISON COMPANY, ET AL)	Docket No.(s) 50-346A
(Davis-Besse Unit 1))	
CLEVELAND ELECTRIC ILLUMINATING)	50-440A
COMPANY, ET AL.)	50-441A
(Perry Units 1 and 2))	
TOLEDO EDISON COMPANY, ET AL.)	50-500A
(Davis-Besse Units 2 and 3))	50-501A

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